

# *Government Gazette*

of the State of

New South Wales

**Number 99**

**Friday, 8 September 2017**

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

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To submit a notice for gazettal – see Gazette Information.

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# GOVERNMENT NOTICES

## Planning and Environment Notices

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### HERITAGE ACT 1977

#### ERRATUM

The notice published in the Government Gazette No. 92 of 25 August 2017, relating to South Head Cemetery, Old South Head Road, Diamond Bay should have read:

South Head General Cemetery, 793 Old South Head Road, Vaucluse,  
and under SCHEDULE “A” the item should be known as South Head General Cemetery.

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## Roads and Maritime Notices

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### MARINE SAFETY ACT 1998

#### MARINE NOTICE

##### Section 12(2)

#### REGULATION OF VESSELS – EXCLUSION ZONE

##### Location

Emigrant Creek and Duck Creek (Tributaries of the Richmond River, Ballina)

##### Duration

Friday 8 September 2017 to (approximately) July 2019.

##### Detail

The demolition of two road bridges crossing Duck Creek and Emigrant Creek, Ballina will occur simultaneously over approximately 12 weeks from early September 2017 and will affect the safety of navigation on both waterways. Following demolition of the existing structures, construction will commence of new bridges, expected to last until July 2019.

An **EXCLUSION ZONE** is specified during both the demolition and construction period – from the confluence of the Duck Creek and Emigrant Creek, extending 100 metres upstream of both work zones.

The exclusion zone will be marked by yellow special mark buoys at intervals of approximately 10 metres.

Unauthorised vessels and persons are **STRICTLY PROHIBITED** from entering the exclusion zone, which will effectively close Emigrant Creek and Duck Creek to navigation. This blanket prohibition is subject to the transit lane provisions below, which will apply during the construction phase only (not the initial demolition phase).

##### Transit Lane (Construction phase only)

Following demolition, construction will begin on two replacement bridges. A transit lane will apply at that time and vessels will be permitted to traverse the exclusion zone via the transit lane, which will be marked by port and starboard navigation buoys.

##### Special Restrictions

Pursuant to section 12(3) of the *Marine Safety Act 1998*, a “no wash” **SPECIAL RESTRICTION** will apply to

- all vessels in the near vicinity of the Exclusion Zone and
- all vessels when using the transit lane,

Wash that impacts on the works or other infrastructure, vessels or the shore during this period is prohibited.

##### General caution

All vessel operators and persons using the waters near the exclusion zone should keep a proper lookout, keep well clear of the works and exercise extreme caution.

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

For full details visit the Roads and Maritime Services website – [www.rms.nsw.gov.au/maritime](http://www.rms.nsw.gov.au/maritime)

Marine Notice: NH1769

Date: 1 September 2017

Manager Operations (North)

Darren Hulm

Delegate

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### MARINE SAFETY ACT 1998

#### Section 12(2)

#### MARINE NOTICE

#### REGULATION OF VESSELS – EXCLUSION ZONE

##### Location

Hunter River – adjacent to the Endeavour Rowing Club complex at Berry Park.

### Duration

7.30am to 5.30pm on each of the following dates:

- Saturday 9 September 2017
- Sunday 10 September 2017
- Sunday 8 October 2017
- Saturday 28 October 2017
- Sunday 29 October 2017
- Saturday 3 February 2018
- Sunday 4 February 2018

### Detail

Rowing Regattas will be conducted on the Hunter River in the location specified above on the listed dates.

An **EXCLUSION ZONE** is specified for each of the listed dates during event times, which will form an area of the waterway adjacent to the Endeavour Rowing Club complex at Berry Park.

Unauthorised vessels and persons are strictly prohibited from entering the Exclusion Zone, which will be marked by buoys and patrolled by control vessels.

Vessel operators near the zone should keep a proper lookout at all times and comply with any directions given.

### Transit lane

A 'transit lane' will be established on the northern side of the river, where control vessel operators may, at times, authorise local traffic to move through the area.

Pursuant to section 12(3) of the *Marine Safety Act 1998*, vessels navigating the transit lane are subject to **SPECIAL RESTRICTIONS** as follows:

- must not exceed 4 knots, and
- must produce minimal wash.

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

For full details visit the Roads and Maritime Services website – [www.rms.nsw.gov.au/maritime](http://www.rms.nsw.gov.au/maritime)

Marine Notice NH1756

Date: 4 September 2017

Paul Hearfield  
A/Operations Manager  
Delegate

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## MARINE SAFETY ACT 1998

### MARINE NOTICE

#### Section 12(2)

#### REGULATION OF VESSELS – EXCLUSION ZONE

### Location

Hawkesbury River – the entirety of the river between the townships of Windsor and Wiseman's Ferry at the following locations:

- 8.00am to 4.00pm Saturday 9 September 2017 – from Governor Phillip Park up to and including the township of Sackville, and
- 8.00am to 4.00pm Sunday 10 September 2017 – from Governor Phillip Park up to and including Wiseman's Ferry.

### Duration

8.00am to 4.00pm Saturday 9 September 2017, and

8.00am to 4.00pm Sunday 10 September 2017.

### **Detail**

Ski Racing NSW is holding a high speed water ski race event on the Hawkesbury in the locations specified above. Persons will be towed at speed using tow-lines with the possibility of persons in the water from time to time – presenting a significant potential hazard to other waterway users.

An **EXCLUSION ZONE** is specified during the event at the above location.

No unauthorised vessels or persons may enter the exclusion zone between the specified times.

Due to high speeds involved in the event, spectators and waterway users are urged to exercise extreme caution when near the area and to be aware of an exit route in case of an emergency.

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

### **Transit lane**

Provision may be made (where necessary) for a patrol vessel to authorise local vessel traffic to pass safely through the course on either side of the Hawkesbury River via a ‘transit lane’. Pursuant to section 12(3) of the Act, vessels using the transit lane must produce minimal wash, and must comply with any directions given.

For full details visit the Roads and Maritime Services website – [www.rms.nsw.gov.au/maritime](http://www.rms.nsw.gov.au/maritime)

Marine Notice: SY1725

Date: 13 July 2017

Steve Brown

Operations Manager Hawkesbury River/Broken Bay

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## **MARINE SAFETY ACT 1998**

### **MARINE NOTICE**

#### **Section 12(2)**

#### **REGULATION OF VESSELS - EXCLUSION ZONE**

### **Location**

Hawkesbury River - Windsor reach between Bridge St road bridge and Rickabys Creek

### **Duration**

- 12:00am to 5:00pm Friday 15 September 2017
- 9:00am to 5:00pm Saturday 16 September 2017
- 9:00am to 5:00pm Sunday 17 September 2017.

### **Detail**

Competitive powerboat races will be conducted in the location specified above. High speed power vessels will be active in the area during the above times, presenting a significant potential hazard to other waterway users.

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

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

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

### **Transit lane**

Provision may be made (where necessary) for a control vessel to authorise local vessel traffic to pass safely through the course via a ‘transit lane’. Pursuant to section 12(3) of the Act, vessels using the transit lane must do so at a safe speed, must produce minimal wash, and must comply with any direction given.

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

For full details visit the Roads and Maritime Services website - [www.rms.nsw.gov.au/maritime](http://www.rms.nsw.gov.au/maritime)

Marine Notice: SY1729

Date: 6 September 2017

Rod McDonagh

Delegate

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**MARINE SAFETY ACT 1998**

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS - EXCLUSION ZONE

**Location**

Hawkesbury River, Lower Portland - from Cliftonville Lodge Resort (upper half moon bend) to Hawkesbury Riverside Retreat (lower half moon bend)

**Duration**

9.00am to 5.00pm on the following dates:

- Sunday 17 September 2017
- Sunday 15 October 2017
- Sunday 18 February 2018
- Sunday 11 March 2018
- Sunday 6 May 2018

**Detail**

A high speed water ski race event will be conducted by Cliftonville Ski Club Inc. on each of the above dates.

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

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

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

**Transit lane**

Provision may be made (where necessary) for a control vessel to authorise local vessel traffic to pass safely through the course via a 'transit lane'. Pursuant to section 12(3) of the Act, vessels using the transit lane must do so at a safe speed, must produce minimal wash, and must comply with any direction given.

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

For full details visit the Roads and Maritime Services website - [www.rms.nsw.gov.au/maritime](http://www.rms.nsw.gov.au/maritime)

Marine Notice: SY1728

Date: 06 September 2017

Rod McDonagh  
Delegate

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**MARINE SAFETY ACT 1998**

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS - EXCLUSION ZONE

**Location**

Blowering Dam, near the township of Tumut - all navigable waters.

**Duration**

8am to 6pm Saturday 23 and 24 September 2017.

**Detail**

Trials will be conducted on the waters of Blowering Dam, near Tumut, involving the use of a high speed vessel powered by a jet engine which will be active on the waterway at varying times on the days specified above. There will be support and official vessels present to manage the trials and the jet powered vessel will be operating at very high speed and presenting a significant potential hazard to other waterway users.

An **EXCLUSION ZONE** is therefore specified during the event, and will be declared by Authorised Officers on-site at varying times on each day. The Exclusion Zone will comprise the entirety of Blowering Dam. This will in effect close the Dam between the above times when the vessel is being operated.

Due to high speeds involved in the event, Roads and Maritime urges all spectators to exercise extreme caution when near the area, and to be aware of the approaching vessel and exit routes in case of an emergency.

Unauthorised vessels and persons are strictly prohibited from entering the exclusion zone (the Dam) after Authorised Officers make an announcement requiring the zone to be enforced. At such times, all persons other than those involved in the trials must leave the waterway - which will be patrolled by Roads and Maritime vessels. All persons must follow directions issued by Authorised Officers.

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

For full details visit the Roads and Maritime Services website - [www.rms.nsw.gov.au/maritime](http://www.rms.nsw.gov.au/maritime)

Marine Notice: SO1754

Date: 6 September 2017

Deon Voyer  
Delegate

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### **ROADS ACT 1993**

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

Notice of Compulsory Acquisition of Land at Bringelly in the Camden Council Area

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

K DURIE

Manager, Compulsory Acquisition & Road Dedication  
Roads and Maritime Services

#### **Schedule**

All that piece or parcel of land situated in the Camden Council area, Parish of Cook and County of Cumberland, shown as Lot 22 Deposited Plan 1226576, being land remaining in Indentures of Lease and Release Book 1 Number 652, excluding any existing easements from the compulsory acquisition of the said Lot 22.

The land is said to be in the possession of the Estate of the Late Matthew Dysert Hunter.

(RMS Papers: SF2017/035235; RO SF2016/105322)

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### **ROADS ACT 1993**

Order

Hornsby Shire and Parramatta City Council Areas

Repeal of Classification as Tollway of part of the M2 Motorway at Cheltenham and Epping

I, the Minister for Roads, Maritime and Freight, by this order, hereby repeal the order published in Government Gazette No 72 dated 30 June 1993 on page 3337 which declared to be tollwork (now tollway) a then proposed work between the Lane Cove River at North Ryde and Old Windsor Road at West Pennant Hills (now known as the M2 Motorway), but only in so far as the order pertains to any part of the land described in the schedule below.

The Hon MELINDA PAVEY MP  
Minister for Roads, Maritime and Freight

#### **Schedule**

All those pieces or parcels of land situated in the Hornsby Shire and Parramatta City Council areas, Parish of Field of Mars and County of Cumberland, shown as:

Lot 1012 Deposited Plan 1191769; and

Lots 1 and 2 Deposited Plan 1227370.

(RMS Papers: SF2017/128542)

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**ROADS ACT 1993**

Order

Hornsby Shire Council Area

Repeal of Classification as Tollway of part of the M2 Motorway at North Epping

I, the Minister for Roads, Maritime and Freight, by this order, hereby repeal the order published in Government Gazette No 72 dated 30 June 1993 on page 3337 which declared to be tollwork (now tollway) a then proposed work between the Lane Cove River at North Ryde and Old Windsor Road at West Pennant Hills (now known as the M2 Motorway), but only in so far as the order pertains to any part of the land described in the schedule below.

The Hon MELINDA PAVEY MP  
Minister for Roads, Maritime and Freight

**Schedule**

All those pieces or parcels of land situated in the Hornsby Shire Council area, Parish of Field of Mars and County of Cumberland, shown as:

Lots 1 to 14 inclusive Deposited Plan 1021014;

Lots 25 and 26 Deposited Plan 533458;

Lot 101 Deposited Plan 629983;

Lot 13 Deposited Plan 27776;

Lot 301 Deposited Plan 593434;

Lots 33 to 36 inclusive Deposited Plan 28407;

Lots 1 and 2 Deposited Plan 1047776;

Lot 1 Deposited Plan 1024124; and

Lots 12 to 17 inclusive and Lot 21 Deposited Plan 881269.

(RMS Papers: SF2017/127276)

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**ROADS ACT 1993**

Order - Sections 46, 49, 54 and 67

Kiama Municipal Council Area

Declaration as Controlled Access Road and Repeal of Declaration as Controlled Access Road of part of the Princes Highway at Kiama

I, the Minister for Roads, Maritime and Freight, by this order:

1. pursuant to Sections 46, 49, 54 and 67 of the *Roads Act 1993*:
  - a. dedicate as public road the land described in Schedule 1 under;
  - b. declare to be a main road the said public road described in Schedule 1;
  - c. declare to be a controlled access road the said main road described in Schedule 1;
  - d. declare that access to the said controlled access road is restricted; and
2. hereby repeal the part of the declaration published in Government Gazette No 180 of 31 December 1998 on pages 10410 and 10411 which:
  - a. declared the main road described in Schedules 2 and 3 of that declaration to be controlled access road; and
  - b. declared the public road in Schedules 2 and 3 of that declaration to be a main road;but only in so far as these parts pertain to the land described in Schedule 2 under.

HON MELINDA PAVEY MP  
Minister for Roads, Maritime and Freight



### Schedule 1

All that piece or parcel of land situated in the Kiama Municipal Council area, Parish of Kiama and County of Camden, shown as:

Lot 4 Deposited Plan 1206238.

The above Lot is shown in RMS Plan 0001 236 AC 4015.

### Schedule 2

All those pieces or parcels of land situated in the Kiama Municipal Council area, Parish of Kiama and County of Camden, shown as:

Lot 1 in RMS Plan 0001 236 AC 4015; and

Lot 2 Deposited Plan 1206238.

The above Lots are shown in RMS Plan 0001 236 AC 4015.

(RMS Papers: SF2017/128551)

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## ROAD TRANSPORT ACT 2013

### Ministerial (Portable Traffic Lights Trailer) Order 2017

I, Melinda Pavey, Minister for Roads, Maritime and Freight, pursuant to Section 19 of the *Road Transport Act 2013*, make the following Order.

Melinda Pavey  
Minister for Roads, Maritime and Freight

Dated this fifth day of September 2017

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#### 1 Citation

This Order is the *Ministerial (Portable Traffic Lights Trailer) Order 2017*.

#### 2 Commencement

This Order takes effect from the date of its publication in the NSW Government Gazette.

#### 3 Effect

This Order remains in effect for a period of one year from the date it takes effect.

#### 4 Interpretation

Words and expressions used in this Order have the same meaning as in the road transport legislation, unless otherwise stated.

#### 5 Definitions

In this Order:

**Portable traffic light trailer** means a single-axle trailer:

- (a) built with traffic lights permanently fitted to the vehicle;
- (b) designed to be operated as part of a portable traffic light set; and
- (c) that does not carry a load other than equipment necessary for the operation of the traffic light set.

**Portable traffic light set** means a pair of portable traffic light trailers that are designed to be operated together.

#### 6 Declaration

Rule 294-1(1) of the *Road Rules 2014* is declared not to apply to a driver when the conditions set out in Clause 7 of this Order are complied with.

#### 7 Conditions

- (a) The portable traffic light set must consist of only two portable traffic light trailers;
- (b) Each portable traffic light trailer must be separately registered;
- (c) The portable traffic light trailers must each be constructed to the applicable vehicle standards;

- (d) Both portable traffic light trailers must have been designed and constructed by the same manufacturer so as to have a rigid interlocking connection and be operated as a single vehicle;
- (e) The portable traffic light set must be constructed to the applicable vehicle standards when operated as a single vehicle;
- (f) The portable traffic light set must be locked together and operated as a single vehicle; and
- (g) When interlocked, the distance between the centre lines of the axles of the portable traffic light set must not be more than 2 metres.

Note: A breach of any of these conditions means that Road Rule 294-1 will apply and the driver will be liable for an offence.

**Explanatory Note**

This Order allows a driver to tow two portable traffic light trailers at the same time, for the purpose of transporting that traffic light set. The trailers must be locked together so that they are operated as a single 2-axle trailer with an axle separation of no more than 2 metres. When towed in this configuration the trailers may only carry equipment necessary for the operation of the portable traffic light set.

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## Mining and Petroleum Notices

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NOTICE is given that the following applications have been received:

### EXPLORATION LICENCE APPLICATIONS

(T17-1160)

No. 5556, HAVERFORD HOLDINGS PTY LTD (ACN 142660553), area of 66 units, for Group 1, dated 30 August, 2017. (Cobar Mining Division).

(T17-1161)

No. 5557, AUSTRALIAN CONSOLIDATED GOLD HOLDINGS PTY LTD (ACN 619 975 405), area of 100 units, for Group 1, dated 1 September, 2017. (Cobar Mining Division).

(T17-1162)

No. 5558, MINTO GLEN PASTORAL CO PTY LTD (ACN 068898886), area of 31 units, for Group 2, dated 1 September, 2017. (Broken Hill Mining Division).

The Honourable Don Harwin MLC  
Minister for Resources

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### RENEWAL OF CERTAIN AUTHORITIES

Notice is given that the following authorities have been renewed:

(V17-2935)

Exploration Licence No. 6744, CRISTAL MINING AUSTRALIA LIMITED (ACN 009 247 858), County of Wentworth, Map Sheet (7329, 7330), area of 57 units, for a further term until 2 April, 2019. Renewal effective on and from 31 August, 2017.

(V17-2534)

Exploration Licence No. 7504, CARPENTARIA EXPLORATION LIMITED (ACN 095 117 981), County of Menindee, Map Sheet (7133), area of 14 units, for a further term until 8 April, 2020. Renewal effective on and from 31 August, 2017.

(V17-4046)

Mining Lease No. 158 (Act 1973), COBAR OPERATIONS PTY LTD (ACN 103 555 853), Parish of Booroodarra, County of Robinson, Map Sheet (8035-4-S), area of 256 hectares, for a further term until 12 March, 2028. Renewal effective on and from 31 August, 2017.

(V17-4037)

Mining Lease No. 159 (Act 1973), COBAR OPERATIONS PTY LTD (ACN 103 555 853), Parish of Booroodarra, County of Robinson, Map Sheet (8035-4-S), area of 256 hectares, for a further term until 12 March, 2028. Renewal effective on and from 31 August, 2017.

(V17-4040)

Mining Lease No. 160 (Act 1973), COBAR OPERATIONS PTY LTD (ACN 103 555 853), Parish of Booroodarra, County of Robinson, Map Sheet (8035-4-S), area of 256 hectares, for a further term until 12 March, 2028. Renewal effective on and from 31 August, 2017.

(V17-4043)

Mining Lease No. 161 (Act 1973), COBAR OPERATIONS PTY LTD (ACN 103 555 853), Parish of Booroodarra, County of Robinson, Map Sheet (8035-4-S), area of 256 hectares, for a further term until 12 March, 2028. Renewal effective on and from 31 August, 2017.

(V17-4046)

Mining Lease No. 930 (Act 1973), COBAR OPERATIONS PTY LTD (ACN 103 555 853), Parish of Booroodarra, County of Robinson; Parish of Gidda, County of Robinson; Parish of Brookong, County of Yanda; and Parish of Meutherra, County of Yanda, Map Sheet (8035-4-S), area of 3072 hectares, for a further term until 20 May, 2028. Renewal effective on and from 31 August, 2017.

(15-1451)

Private Lands (Mining Purposes) Lease No. 2903 (Act 1906), SIBELCO AUSTRALIA LIMITED (ACN 000 971 844), Parish of Clandulla, County of Roxburgh, Map Sheet (8832-2-S), area of 3617 square metres, for a further term until 29 June, 2021. Renewal effective on and from 29 August, 2017.

(15-1455)

Private Lands (Mining Purposes) Lease No. 2905 (Act 1906), SIBELCO AUSTRALIA LIMITED (ACN 000 971 844), area of 1.24 hectares, for a further term until 29 June, 2021. Renewal effective on and from 29 August, 2017.

(07-7670)

Private Lands Lease No. 1178 (Act 1924), SIBELCO AUSTRALIA LIMITED (ACN 000 971 844), Parish of Clandulla, County of Roxburgh, Map Sheet (8831-1-N), area of 4.024 hectares, for a further term until 29 June, 2021. Renewal effective on and from 29 August, 2017.

(07-7668)

Private Lands Lease No. 1195 (Act 1924), SIBELCO AUSTRALIA LIMITED (ACN 000 971 844), Parish of Airly, County of Roxburgh; and Parish of Clandulla, County of Roxburgh, Map Sheet (8831-1-N), area of 22.36 hectares, for a further term until 29 June, 2021. Renewal effective on and from 29 August, 2017.

(07-7669)

Private Lands Lease No. 1216 (Act 1924), SIBELCO AUSTRALIA LIMITED (ACN 000 971 844), Parish of Clandulla, County of Roxburgh, Map Sheet (8832-2-S), area of 18.62 hectares, for a further term until 29 June, 2021. Renewal effective on and from 29 August, 2017.

(15-1453)

Private Lands Lease No. 1265 (Act 1924), SIBELCO AUSTRALIA LIMITED (ACN 000 971 844), Parish of Clandulla, County of Roxburgh, Map Sheet (8831-1-N, 8832-2-S), area of 20.33 hectares, for a further term until 21 June, 2021. Renewal effective on and from 29 August, 2017.

(15-1454)

Private Lands Lease No. 1266 (Act 1924), SIBELCO AUSTRALIA LIMITED (ACN 000 971 844), Parish of Clandulla, County of Roxburgh, Map Sheet (8832-2-S), area of 25.7 hectares, for a further term until 29 June, 2021. Renewal effective on and from 29 August, 2017.

(07-7672)

Private Lands Lease No. 1268 (Act 1924), SIBELCO AUSTRALIA LIMITED (ACN 000 971 844), Parish of Clandulla, County of Roxburgh, Map Sheet (8831-1-N, 8832-2-S), area of 26.81 hectares, for a further term until 29 June, 2021. Renewal effective on and from 29 August, 2017.

The Honourable Don Harwin MLC  
Minister for Resources

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#### **REQUESTED CANCELLATION OF AUTHORITIES AT REQUEST OF HOLDERS**

Notice is given that the following authorities have been requested to be cancelled:

(V17-9332)

Exploration Licence No. 8514 (Act 1992), RIO TINTO EXPLORATION PTY LIMITED (ACN 000 057 125), County of Bland, Map Sheet (8429), area of 98 units. Request of cancellation was received on 31 August, 2017.

The Honourable Don Harwin MLC  
Minister for Resources

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#### **CANCELLATION OF AUTHORITIES AT REQUEST OF HOLDERS**

Notice is given that the following authorities have been cancelled:

(V17-9332)

Exploration Licence No. 8514, RIO TINTO EXPLORATION PTY LIMITED (ACN 000 057 125), County of Bland, Map Sheet (8429), area of 98 units. Cancellation took effect on 1 September, 2017.

(V17-7633)

Mining Lease No. 729 (Act 1973), WENDY JOY DAY AND RICHARD EDWARD MARTIN, Parish of Euadera, County of Wynyard; and Parish of Euadera, County of Wynyard, Map Sheet (8527-4-S, 8527-4-S), area of 5.06 hectares. Cancellation took effect on 5 September, 2017.

The Honourable Don Harwin MLC  
Minister for Resources

## Primary Industries Notices

### FISHERIES MANAGEMENT ACT 1994

#### Section 8 Notification – Greynurse Shark Protection

I, GEOFF ALLAN, Deputy Director General Department of Primary Industries Fisheries, with the delegated authority of the Minister for Primary Industries and the Secretary of the Department of Industry, Skills and Regional Development pursuant to sections 227 and 228 of the *Fisheries Management Act 1994* (“the Act”), do by this notification:

1. pursuant to section 11 of the Act revoke the section 8 notification titled “Grey Nurse Shark Protection” and dated 21 September 2012; and
2. pursuant to section 8 of the Act prohibit the taking of any fish by any person, other than the holder of a commercial fishing licence taking fish under the authority of an endorsement in the Ocean Trap and Line Fishery, in the manner specified in Column 1 of Schedule 1 to this Notification, from the waters described opposite in Column 2 of Schedule 1.

#### SCHEDULE

Column 1 Prohibited methods	Column 2 Waters
All methods of line fishing using bait (whether alive or dead but excluding soft plastics, artificial baits, baits that are not animal products and baits that are not derived from animal products).	Fish Rock, Green Island, Magic Point All waters within the critical habitat of Greynurse Shark at Fish Rock, Green Island and Magic Point.
	The Steps/Anemone Bay – North Solitary Island All waters extending 200 metres in all directions around a point centred on the following coordinates: S 29°55.351’ E 153°23.355’
	Manta Arch – South Solitary Island All waters extending 200 metres in all directions around a point centred on the following coordinates: S 30°12.141’ E 153°16.086’
	Mermaid Reef All waters extending 200 metres in all directions around a point centred on the following coordinates: S 31°46.237’ E 152°48.682’

In this notification:

“*Line fishing*” means use of rod and line or handline.

“*Ocean Trap and Line Fishery*” means the share management fishery of that name, as described in Schedule 1 to the Act.

Latitude and longitude co-ordinates are in WGS 84 datum.

This notification takes effect on publication in the New South Wales Government Gazette and remains in force for a period of five (5) years from the date of publication.

Note 1: The purpose of this fishing closure is to renew protection measures for the Greynurse Shark.

Note 2: This closure does not affect the operation of Clause 22 of the *Fisheries Management (General) Regulation 2010*.

Dated this day 4th September 2017

DR GEOFF ALLAN

Deputy Director General, Department of Primary Industries Fisheries

Department of Primary Industries

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

**RURAL ASSISTANCE ACT 1989**

NSW Rural Assistance Authority Board

Appointment of Members

I, NIALL MARK BLAIR, M.L.C., Minister for Primary Industries make the following appointments:

1. Pursuant to section 9 and Schedule 1 of the *Rural Assistance Act 1989*, I appoint the persons listed in column 1 of the table below as members of the New South Wales Rural Assistance Authority Board, having met the statutory criteria specified in column 2 of the table, for a term commencing on the date of this instrument and expiring on the date specified in column 3 of the table.

<b>Name of Member</b>	<b>Statutory criteria met</b>	<b>Expiry of Term</b>
Kerry ADBY	Section 9(3)(b)	30 June 2020
Barbara CLARK	Section 9(3)(b)	30 June 2020

Signed this 3rd day of September 2017.

NIALL BLAIR, MLC

## Crown Land Notices

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

### ARMIDALE 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 Paul Toole, MP  
Minister for Lands and Forestry

#### Schedule

Column 1	Column 2
pump and pipeline	Reserve No. 16916 Public Purpose: travelling stock Notified: 17 December 1892 File Reference: 17/08209

#### Schedule

Column 1	Column 2
dam animal enclosure	Reserve No. 76640 Public Purpose: future public requirements Notified: 19 March 1954 File Reference: 16/05074
	<b>Column 2</b>
	Reserve No. 81223 Public Purpose: future public requirements Notified: 7 November 1958 File Reference: 16/05074
	<b>Column 2</b>
	Reserve No. 96306 Public Purpose: future public requirements Notified: 27 August 1982 File Reference: 16/05074
	<b>Column 2</b>
	Reserve No. 97759 Public Purpose: future public requirements Notified: 12 April 1985 File Reference: 16/05074
	<b>Column 2</b>
	Reserve No. 753286 Public Purpose: future public requirements Notified: 29 June 2007 File Reference: 16/05074

### 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 Paul Toole, MP  
Minister for Lands and Forestry



**Schedule**

<b>Column 1</b>	<b>Column 2</b>
road construction	Reserve No. 81254 Public Purpose: quarry Notified: 21 November 1958 File Reference: 17/07110

**Schedule**

<b>Column 1</b>	<b>Column 2</b>
irrigation	Reserve No. 94346 Public Purpose: future public requirements Notified: 6 March 1981 File Reference: 17/02781

**Schedule**

<b>Column 1</b>	<b>Column 2</b>
pump site	Reserve No. 756834 Public Purpose: future public requirements Notified: 29 June 2007 File Reference: 16/07589

**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 Paul Toole, MP  
Minister for Lands and Forestry

**DESCRIPTION**

*Parish - Austen; County - Murchison*  
*Land District - Bingara; LGA - Gwydir*

Road Closed: Lot 1 DP 1228637

File No: 16/02580

**SCHEDULE**

On closing, the land within Lot 1 DP 1228637 remains vested in the State of New South Wales as Crown land.

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

The Hon Paul Toole, MP  
Minister for Lands and Forestry

**Schedule 1**

*Parish - Cox, Denevoli; County - Baradine*  
*Land District - Narrabri; LGA - Walgett*

Crown roads at Come By Chance, being part Come By Chance road, north of Lot 1 DP7550269 and part Haines Hut road west of Lot 1 DP750269, within and west of Lot 22 DP40603.

Width to be transferred: whole width

**Schedule 2**

Roads Authority: Walgett Shire Council

Council's Reference: RR: 10/547

DPI Reference: 17/05960

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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 Paul Toole, MP  
Minister for Lands and Forestry

**DESCRIPTION**

*Parish – Bullawa; County – Nandewar  
Land District – Narrabri; LGA – Narrabri*

Road Closed: Lots 2-3 DP 1233480

File No: 17/02169

**SCHEDULE**

On closing, the land within Lot 2 DP 1233480 remains vested in the State of New South Wales as Crown land.

On closing, that part of Lot 3 DP 1233480 formerly Crown road remains vested in the State of New South Wales as Crown land and that part of Lot 3 DP 1233480 formerly Council road becomes 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 Paul Toole, MP  
Minister for Lands and Forestry

**DESCRIPTION**

*Parishes - Bowning, Woolgarlo; County - Harden  
Land District - Yass; LGA - Yass Valley*

Road Closed: Lot 1 DP 1233190

File No: 17/04835

**SCHEDULE**

On closing, the land within Lot 1 DP 1233190 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 Paul Toole, MP  
Minister for Lands and Forestry

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**DESCRIPTION**

*Parish – Wollumbin; County – Rous  
Land District – Murwillumbah; LGA – Tweed*

Road Closed: Lot 3 DP 1172373

File No: 17/05073

**SCHEDULE**

On closing, the land within Lot 3 DP 1172373 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 Paul Toole, MP  
Minister for Lands and Forestry

**DESCRIPTION**

*Parish - Marlowe; County - St Vincent  
Land District - Braidwood; LGA - Queanbeyan-Palerang Regional*

Road Closed: Lot 1 DP 1229260

File No: 16/09285

**SCHEDULE**

On closing, the land within Lot 1 DP 1229260 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 Paul Toole, MP  
Minister for Lands and Forestry

**DESCRIPTION**

*Parishes - Coventry, Towagal; County - Clarke  
Land District - Glen Innes; LGA - Armidale Regional*

Road Closed: Lot 1 DP 1231096

File No: 14/01483

**SCHEDULE**

On closing, the land within Lot 1 DP 1231096 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 Paul Toole, MP  
Minister for Lands and Forestry

**DESCRIPTION**

*Parish - Barnett; County - King  
Land District - Boorowa; LGA - Hilltops*

Road Closed: Lot 1 DP 1232690

File No: 17/01683

**SCHEDULE**

On closing, the land within Lot 1 DP 1232690 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 Paul Toole, MP  
Minister for Lands and Forestry

**DESCRIPTION**

*Parish - Wirrigai; County - Ewenmar  
Land District - Dubbo; LGA - Narromine*

Road Closed: Lots 1-2 DP 1224582

File No: 16/05115

**SCHEDULE**

On closing, the land within Lots 1-2 DP 1224582 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 Paul Toole, MP  
Minister for Lands and Forestry

**DESCRIPTION**

*Parish - Jinjera; County - Murray  
Land District - Queanbeyan; LGA - Snowy Monaro Regional*

Road Closed: Lot 1 DP 1233817

File No: 17/04837

**SCHEDULE**

On closing, the land within Lot 1 DP 1233817 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 Paul Toole, MP  
Minister for Lands and Forestry

**DESCRIPTION**

*Parish - North Bellingen; County - Raleigh*

*Land District - Bellingen; LGA - Bellingen*

Road Closed: Lot 5 DP 1232772

File No: 17/00308

**SCHEDULE**

On closing, the land within Lot 5 DP 1232772 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 Paul Toole, MP  
Minister for Lands and Forestry

**DESCRIPTION**

*Parish - Aberfoyle; County - Clarke*

*Land District - Armidale; LGA - Armidale Regional*

Road Closed: Lot 5 DP 1233140

File No: 17/02807

**SCHEDULE**

On closing, the land within Lot 5 DP 1233140 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 Paul Toole, MP  
Minister for Lands and Forestry

**DESCRIPTION**

*Parish - Burroway; County - Ewenmar*

*Land District - Dubbo; LGA - Narromine*

Road Closed: Lot 3 DP 1233065

File No: 17/00169

**SCHEDULE**

On closing, the land within Lot 3 DP 1233065 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 Paul Toole, MP  
Minister for Lands and Forestry

**DESCRIPTION**

*Parish - Boreegerry; County - Urana  
Land District - Urana; LGA - Federation*

Road Closed: Lot 4 DP 1230686

File No: 16/07841

**SCHEDULE**

On closing, that part of Lot 4 DP 1230686 which was formerly Crown road remains vested in the State of New South Wales as Crown land.

On closing, that part of Lot 4 DP 1230686 which was formerly Council road becomes 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 Paul Toole, MP  
Minister for Lands and Forestry

**DESCRIPTION**

*Parish - North Bellingen; County - Raleigh  
Land District - Bellingen; LGA - Bellingen*

Road Closed: Lot 6 DP 1232772

File No: 17/00309

**SCHEDULE**

On closing, the land within Lot 6 DP 1232772 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 Paul Toole, MP  
Minister for Lands and Forestry

**DESCRIPTION**

*Parish - Eubindal; County - Harden  
Land District - Boorowa; LGA - Yass Valley*

Road Closed: Lots 1-4 DP 1232457

File No: 09/10425

**SCHEDULE**

On closing, the land within Lot 1 DP 1232457 and the land within Lots 3 & 4 DP 1232457 which was formerly Crown road remains vested in the State of New South Wales as Crown land.

On closing, the land within Lot 2 DP 1232457 and land within Lots 3 & 4 DP 1232457 which was formerly Council road becomes 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 Paul Toole, MP  
Minister for Lands and Forestry

**DESCRIPTION**

*Parish - Collector; County - Argyle*  
*Land District - Goulburn; LGA - Upper Lachlan*

Road Closed: Lot 1 DP 1232124

File No: 16/09200

**SCHEDULE**

On closing, the land within Lot 1 DP 1232124 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 Paul Toole, MP  
Minister for Lands and Forestry

**DESCRIPTION**

*Parishes - Adelong, Euadera; County - Wynyard*  
*Land District - Tumut; LGA - Snowy Valleys*

Road Closed: Lots 1-2 DP 1231295

File No: 14/02041

**SCHEDULE**

On closing, the land within Lots 1-2 DP 1231295 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 Paul Toole, MP  
Minister for Lands and Forestry

**DESCRIPTION**

*Parish - Yoe; County - Leichhardt*  
*Land District - Coonamble; LGA - Coonamble*

Road Closed: Lots 11-12 DP 1232795

File No: 16/07268

**SCHEDULE**

On closing, the land within Lots 11-12 DP 1232795 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 Paul Toole, MP  
Minister for Lands and Forestry

**DESCRIPTION**

*Parishes - Ironbong, Bute; County - Clarendon  
Land District - Cootamundra Central; LGA - Junee*

Road Closed: Lot 2 DP 1231453

File No: 17/00093

**SCHEDULE**

On closing, the land within Lot 2 DP 1231453 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 Paul Toole, MP  
Minister for Lands and Forestry

**DESCRIPTION**

*Parish - Hurley; County - Clarendon  
Land District - Cootamundra Central; LGA - Junee*

Road Closed: Lot 1 DP 1231451

File No: 17/00076

**SCHEDULE**

On closing, the land within Lot 1 DP 1231451 remains vested in the State of New South Wales as Crown land.

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**DISSOLUTION OF RESERVE TRUST**

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

The Hon Paul Toole, MP  
Minister for Lands and Forestry

**Schedule**

<b>Column 1</b>	<b>Column 2</b>
Lower Southgate Flood Refuge Reserve Trust	Reserve No. 24140 Public Purpose: refuge in time of flood Notified: 30 May 1896 File Reference: GF80R167-003



## Schedule

Column 1	Column 2
Ted Mills Riding Reserve For People With Disabilities Reserve Trust	Reserve No. 97861 Public Purpose: charitable organisations Notified: 9 August 1985 File Reference: GF92R54

## Schedule

Column 1	Column 2
North Coast Breakwall Quarries Reserve Trust	Reserve No. 700009 Public Purpose: rural services Notified: 3 January 1997
	Reserve No. 700011 Public Purpose: rural services Notified: 3 January 1997
	Reserve No. 700010 Public Purpose: rural services Notified: 3 January 1997
	Reserve No. 700022 Public Purpose: rural services Notified: 21 March 1997 File Reference: GF98R23

## Schedule

Column 1	Column 2
Bungawalbin (R1001392) Reserve Trust	Reserve No. 1001392 Public Purpose: environmental protection, public recreation Notified: 25 September 1998 File Reference: GF98R57

## Schedule

Column 1	Column 2
Repton (R1002867) Reserve Trust	Reserve No. 1002867 Public Purpose: environmental protection, public recreation Notified: 28 January 2000 File Reference: GF00R4

## Schedule

Column 1	Column 2
Hastings Point Rocky Foreshore Reserve Trust	Reserve No. 1013249 Public Purpose: public recreation and coastal environmental protection Notified: 23 March 2007 File Reference: GF07R4

**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 Paul Toole, MP  
Minister for Lands and Forestry

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**Schedule**

<b>Column 1</b>	<b>Column 2</b>
buffer zone	Reserve No. 8439 Public Purpose: wharfage Notified: 25 January 1889 File Reference: 16/06094

**Schedule**

<b>Column 1</b>	<b>Column 2</b>
grazing dam	Reserve No. 88453 Public Purpose: quarantine Notified: 31 December 1971 File Reference: 16/08014

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**GRIFFITH OFFICE**


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**ORDER - AUTHORISATION OF ADDITIONAL PURPOSE UNDER S121A**

Pursuant to section 121A of the *Crown Lands Act 1989*, I authorise by this Order, the purpose specified in Column 1 to be an additional purpose to the declared purpose of the reserves specified opposite thereto in Column 2 of the Schedule.

The Hon Paul Toole, MP  
Minister for Lands and Forestry

**Schedule**

<b>Column 1</b>	<b>Column 2</b>
government purposes accommodation	Dedication No. 559005 Public Purpose: experiment farm Notified: 21 October 1932 File Reference: 16/05234

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**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 Paul Toole, MP  
Minister for Lands and Forestry

**Schedule**

<b>Column 1</b>	<b>Column 2</b>
pipeline pump site	Reserve No. 60886 Public Purpose: access Notified: 18 January 1929 File Reference: 17/02752
	<b>Column 2</b> Reserve No. 96863 Public Purpose: access Notified: 22 July 1983 File Reference: 17/02752

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**OMAITLAND OFFICE**


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**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 Paul Toole, MP  
Minister for Lands and Forestry

**Schedule**

Column 1	Column 2
community event	Reserve No. 63144 Public Purpose: public recreation Notified: 8 January 1932 File Reference: 17/01953

**Schedule**

Column 1	Column 2
cycleway concrete ramp pontoon retaining wall car park landscaping	Reserve No. 755251 Public Purpose: future public requirements Notified: 29 June 2007 File Reference: 16/08899
	<b>Column 2</b> Reserve No. 1012468 Public Purpose: access and public requirements, tourism purposes and environmental and heritage conservation Notified: This Day File Reference: 16/08899

Notes: Existing reservations under the Crown Lands Act are not revoked.

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**NEWCASTLE OFFICE**


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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 Paul Toole, MP  
Minister for Lands and Forestry

**DESCRIPTION**

*Parish - Yarragundry; County - Mitchell*

*Land District - Wagga Wagga; LGA - Wagga Wagga*

Road Closed: Lot 1 DP 1231689

File No: 09/19214

**SCHEDULE**

On closing, the land within Lot 1 DP 1231689 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 Paul Toole, MP  
Minister for Lands and Forestry

**DESCRIPTION**

*Parish - Bungey; County - Ewenmar*  
*Land District - Dubbo; LGA - Gilgandra*

Road Closed: Lot 1 DP 1233872

File No: 10/00557

**SCHEDULE**

On closing, the land within Lot 1 DP 1233872 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 Paul Toole, MP  
Minister for Lands and Forestry

**DESCRIPTION**

*Parishes - Mair, Buckley; County - Sturt*  
*Land District - Hay; LGA - Carrathool*

Road Closed: Lot 4 DP 1233305

File No: 17/02493

**SCHEDULE**

On closing, the land within Lot 4 DP 1233305 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 Paul Toole, MP  
Minister for Lands and Forestry

**DESCRIPTION**

*Parish - Goolgowi West; County - Nicholson*  
*Land District - Hillston; LGA - Carrathool*

Road Closed: Lots 1-2 DP 1233524

File No: 17/05089

**SCHEDULE**

On closing, the land within Lots 1-2 DP 1233524 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 Paul Toole, MP  
Minister for Lands and Forestry

**DESCRIPTION**

*Parishes - Beelban, Gobabla; County - Oxley  
Land District - Warren; LGA - Warren*

Road Closed: Lots 1-3 DP 1214306

File No: 09/15460

**SCHEDULE**

On closing, the land within Lots 1-3 DP 1214306 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 Paul Toole, MP  
Minister for Lands and Forestry

**DESCRIPTION**

*Parish - Cudmirrah; County - St Vincent  
Land District - Nowra; LGA - Shoalhaven*

Road Closed: Lot 1 DP 1234062

File No: 15/03941

**SCHEDULE**

On closing, the land within Lot 1 DP 1234062 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 Paul Toole, MP  
Minister for Lands and Forestry

**DESCRIPTION**

*Parish - Wyalong South; County - Bland  
Land District - Wyalong; LGA - Bland*

Road Closed: Lot 2 DP 1232729

File No: 17/04553

**SCHEDULE**

On closing, the land within Lot 2 DP 1232729 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 Paul Toole, MP  
Minister for Lands and Forestry

**DESCRIPTION**

*Parish - Cowra; County - Bathurst*  
*Land District - Cowra; LGA - Cowra*

Road Closed: Lot 2 DP 1191465

File No: 16/09677

**SCHEDULE**

On closing, the land within Lot 2 DP 1191465 both remains and becomes vested in the State of New South Wales as Crown land.

Council's reference: 214/13

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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 Paul Toole, MP  
Minister for Lands and Forestry

**DESCRIPTION**

*Parish - Edgeroi; County - Leichhardt*  
*Land District - Coonamble; LGA - Coonamble*

Road Closed: Lot 1 DP 1221006

File No: 09/14985

**SCHEDULE**

On closing, the land within Lot 1 DP 1221006 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 Paul Toole, MP  
Minister for Lands and Forestry

**DESCRIPTION**

*Parish - Bunna; County - Jamison*  
*Land District - Narrabri; LGA - Narrabri*

Road Closed: Lots 1-3 DP 1233526

File No: 17/05090

**SCHEDULE**

On closing, the land within Lots 1-3 DP 1233526 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 Paul Toole, MP  
Minister for Lands and Forestry

#### DESCRIPTION

*Parish - Lowther; County - Westmoreland*

*Land District - Lithgow; LGA - Lithgow*

Road Closed: Lots 1-2 DP 1233057

File No: CL/00290

#### SCHEDULE

On closing, the land within Lots 1-2 DP 1233057 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 Paul Toole, MP  
Minister for Lands and Forestry

#### DESCRIPTION

*Parish - Terramungamine; County - Lincoln*

*Land District - Dubbo; LGA - Dubbo Regional*

Road Closed: Lot 1 DP 1220956

File No: 15/02147

#### SCHEDULE

On closing, the land within Lot 1 DP 1220956 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 Paul Toole, MP  
Minister for Lands and Forestry

#### DESCRIPTION

*Parishes - Faithfull, Buckinbong; County - Mitchell*

*Land District - Narrandera; LGA - Narrandera*

Road Closed: Lot 3 DP 1232908

File No: 17/05283

#### SCHEDULE

On closing, the land within Lot 3 DP 1232908 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 Paul Toole, MP  
Minister for Lands and Forestry

#### DESCRIPTION

*Parish – Hunters Hill; County – Cumberland  
Land District – Metropolitan; LGA – Ryde*

Road Closed: Lot 1 DP 1232885

File No: 13/09778

#### SCHEDULE

On closing, the land within Lot 1 DP 1232885 remains vested in City of Ryde Council as operational land for the purposes of the *Local Government Act 1993*.

Council Reference: COR2007/1377

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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 Paul Toole, MP  
Minister for Lands and Forestry

#### DESCRIPTION

*Parish - Goobarralong; County - Buccleuch  
Land District - Gundagai; LGA - Cootamundra-Gundagai Regional*

Road Closed: Lot 2 DP 1229503

File No: 16/07538

#### SCHEDULE

On closing, the land within Lot 2 DP 1229503 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 Paul Toole, MP  
Minister for Lands and Forestry

#### DESCRIPTION

*Parish – Brundah; County – Monteagle  
Land District – Grenfell; LGA – Weddin*

Road Closed: Lot 2 DP 1228339

File No: 13/10859

#### SCHEDULE

On closing, the land within Lot 2 DP 1228339 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 Paul Toole, MP  
Minister for Lands and Forestry

#### DESCRIPTION

*Parish - Nanami; County - Ashburnham*  
*Land District - Molong; LGA - Cabonne*

Road Closed: Lot 23, 24 & 25 DP 1206058

File No: 15/09704

#### SCHEDULE

On closing, the land within Lot 23, 24 & 25 DP 1206058 remains vested in Cabonne Council as operational land for the purposes of the *Local Government Act 1993*.

In accordance with Section 44 of the *Roads Act 1993*, the Crown consents to the land in Lot 23, 24 & 25 DP 1206058 being vested in Cabonne Council as operational land, to be given by the Council as compensation for other land acquired by the Council for the purpose of the Roads Act.

Council Reference: 695425

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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 Paul Toole, MP  
Minister for Lands and Forestry

#### DESCRIPTION

*Parish - Mullumbimby; County - Rous*  
*Land District - Murwillumbah; LGA - Byron*

Road Closed: Lot 1 DP 1234009

File No: 17/00038

#### SCHEDULE

On closing, the land within Lot 1 DP 1234009 remains vested in Byron Shire Council as operational land for the purposes of the *Local Government Act 1993*.

Council Reference: Durrumbul

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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 Paul Toole, MP  
Minister for Lands and Forestry

#### DESCRIPTION

*Parish - Apsley; County - Bathurst*  
*Land District - Bathurst; LGA - Bathurst Regional*

Road Closed: Lot 1 DP 1230224

File No: 11/10524

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**SCHEDULE**

On closing, the land within Lot 1 DP 1230224 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 Paul Toole, MP  
Minister for Lands and Forestry

**DESCRIPTION**

*Parish - Wiagdon; County - Roxburgh  
Land District - Bathurst; LGA - Bathurst Regional*

Road Closed: Lot 1 DP 1230220

File No: CL/00747

**SCHEDULE**

On closing, the land within Lot 1 DP 1230220 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 Paul Toole, MP  
Minister for Lands and Forestry

**DESCRIPTION**

*Parish - Jesse; County - Roxburgh  
Land District - Bathurst; LGA - Bathurst Regional*

Road Closed: Lots 6, 7, 8 & 9 DP 1233205

File No: 16/06488

**SCHEDULE**

On closing, the land within Lots 6, 7, 8 & 9 DP 1233205 remains vested in Bathurst Regional Council as operational land for the purposes of the *Local Government Act 1993*.

In accordance with Section 44 of the *Roads Act 1993*, the Crown consents to the land in Lots 6, 7, 8 & 9 DP 1233205 being vested in Bathurst Regional Council as operational land, to be given by the Council as compensation for other land acquired by the Council for the purpose of the Roads Act.

Council Reference: DS:DR25.00066

**OSYDNEY METROPOLITAN OFFICE**

**RESERVATION OF CROWN LAND**

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

The Hon Paul Toole, MP  
Minister for Lands and Forestry

### Schedule

Column 1	Column 2
Land District: Metropolitan Local Government Area: Northern Beaches Council Locality: Manly  Whole Lots: Lot 2810 DP 726668, Lot 2077 DP 752038 Parish Manly Cove County Cumberland  Area: about 1505 square metres File Reference: 10/06174#06	Reserve No. 1039011 Public Purpose: government purposes, community purposes

### ESTABLISHMENT OF RESERVE TRUST

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

The Hon Paul Toole, MP  
 Minister for Lands and Forestry

### Schedule

Column 1	Column 2
Kangaroo Street Community Centre Reserve Trust	Reserve No. 1039011 Public Purpose: community purposes, government purposes Notified: This Day File Reference: 10/06174#06

### 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 Paul Toole, MP  
 Minister for Lands and Forestry

### Schedule

Column 1	Column 2	Column 3
Northern Beaches Council  For a term commencing the date of this notice	Kangaroo Street Community Centre Reserve Trust	Reserve No. 1039011 Public Purpose: community purposes, government purposes Notified: This Day File Reference: 10/06174#06

### 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 Paul Toole, MP  
 Minister for Lands and Forestry

### DESCRIPTION

*Parish - Currabubula; County - Buckland*  
*Land District - Tamworth; LGA - Tamworth Regional*

Road Closed: Lot 1 DP 1146079

File No: TH05H394

**SCHEDULE**

On closing, the land within Lot 1 DP 1146079 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 Paul Toole, MP  
Minister for Lands and Forestry

**DESCRIPTION**

*Parish - Breeza; County - Pottinger*

*Land District - Gunnedah; LGA - Gunnedah*

Road Closed: Lot 22 DP 1198064

File No: 13/13052

**SCHEDULE**

On closing, the land within Lot 22 DP 1198064 remains vested in the State of New South Wales as Crown land.

**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 Paul Toole, MP  
Minister for Lands and Forestry

**Schedule**

<b>Column 1</b>	<b>Column 2</b>
storage area stockpile	Reserve No. 23975 Public Purpose: public buildings Notified: 1 April 1896 File Reference: 17/08638

**WAGGA WAGGA 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 Paul Toole, MP  
Minister for Lands and Forestry

**Schedule**

<b>Column 1</b>	<b>Column 2</b>
site investigation	Dedication No. 1015348 Public Purpose: access, environmental protection, public recreation Notified: 26 June 2009 File Reference: 17/06912

### RESERVATION OF CROWN LAND

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

The Hon Paul Toole, MP  
Minister for Lands and Forestry

#### Schedule

Column 1	Column 2
Land District: Albury Local Government Area: Albury City Council Locality: Springdale Heights  Whole Lots: Lot 659 DP 255705, Lot 662 DP 611229 Parish Mungabarina County Goulburn  Area: about 1.744 hectares File Reference: 17/06929	Reserve No. 1039010 Public Purpose: public recreation

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

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

The Hon Paul Toole, MP  
Minister for Lands and Forestry

#### Schedule

Column 1	Column 2
Albury City Council Crown Reserves Reserve Trust	Reserve No. 1039010 Public Purpose: public recreation Notified: This Day File Reference: 17/06929

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## Other Government Notices

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### 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*.

THE CHOICES OF LIFE INCORPORATED	INC9886870
COMPUTER PALS FOR SENIORS - SINGLETON INCORPORATED	INC9890318
NEW ENGLAND NORTHWEST INDEPENDENT MOVEMENT INCORPORATED	INC1401141

Cancellation is effective as at the date of gazettal.

Dated this 6 August 2017.

Robyne Lunney  
 Delegate of the Commissioner  
 NSW Fair Trading

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### ASSOCIATIONS INCORPORATION ACT 2009

Cancellation of Registration pursuant to Section 76

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

AUSTRALIAN RELIEF AID INCORPORATED	INC9887996
BARELLAN NATURAL HORSEMANSHIP CLUB INCORPORATED	INC9880674
BELLTREES ESTATE COMMUNITY OF WATER SUPPLY INCORPORATED	INC9882395
BIKESYDNEY ADVOCACY INCORPORATED	INC9888824
CARERS ALLIANCE INCORPORATED	INC9887284
HILLS SHIRE SPORT INCORPORATED	INC9882300
IVIRUA COMMUNITY OF NSW INCORPORATED	INC9892499
JOINT COMMITTEE FOR THE COMMEMORATION OF THE ANNIVERSARY OF THE BATTLE OF CRETE AND THE GREEK CAMPAIGN INCORPORATED	INC9878656
KOREAN SOCCER ASSOCIATION IN AUSTRALIA INCORPORATED	INC9889755
MENDOORAN AND DISTRICT DEVELOPMENT GROUP INCORPORATED	Y3011904
NORTHERN RIVERS ENVIRONMENT TRUST INCORPORATED	INC9896249
PEACE-BUILDING TRAINING AND VIDEO INCORPORATED	INC9896599
PORT KEMBLA HERITAGE PARK INCORPORATED	INC9877221
THE GOPIO PARRAMATTA INCORPORATED	INC9891167
'THE KURA PROJECT' INCORPORATED	INC1400281

Cancellation is effective as at the date of gazettal.

Dated this 6th day of August 2017.

Robyne Lunney  
 Delegate of the Commissioner  
 NSW Fair Trading

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### ASSOCIATIONS INCORPORATION ACT 2009

Cancellation of registration pursuant to section 80

TAKE NOTICE that THE EAST AFRICAN FUND INCORPORATED (Y2982001) became registered under the *Corporations Act 2001* as THE EAST AFRICAN FUND LIMITED (CAN 620 147 775), a company limited by

guarantee, on 17 July 2017, and accordingly its registration under the *Associations Incorporation Act 2009* is cancelled as of that date.

Robyne Lunney  
Delegate of the Commissioner,  
NSW Fair Trading  
5 September 2017

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**COMPANION ANIMALS REGULATION 2008**

**ORDER**

Organisations approved by the Chief Executive, Local Government,  
under clause 16(d) of the Companion Animals Regulation 2008

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

**SCHEDULE 1**

<b>Name of organisation</b>	<b>Address of organisation</b>
Pound Patrol Rescue	22 Bury Street GUILDFORD NSW 2161

**SCHEDULE 2**

1. The exemption under clause 16(d) of the *Companion Animals Regulation 2008* from the requirements of section 9 of the *Companion Animals Act 1998* only applies to an animal in the custody of an organisation listed in Schedule 1:
  - a) if the organisation is holding that animal for the sole purpose of re-housing the animal with a new owner; and
  - b) if the organisation maintains appropriate records that show compliance with the *Companion Animals Act 1998*, *Companion Animals Regulation 2008* and the Guidelines for Approval to be an Organisation Exempt from Companion Animal Registration under clause 16(d) of the *Companion Animals Regulation 2008*; and
  - c) if the organisation maintains a register that is made available to the relevant local council and the Office of Local Government as requested. The Register must list the names of all carers involved in the rehoming of animals and the locations of all animals received under the exemption while in the custody of the organisation.
2. The exemption under clause 16(d) of the *Companion Animals Regulation 2008* from the requirements of section 9 of the *Companion Animals Act 1998* expires five years from the date of this order, unless revoked or varied at an earlier time.

Sonja Hammond  
Manager, Performance  
Office of Local Government

Date: 5 September 2017

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**DISTRICT COURT ACT 1973**

District Court of New South Wales

Direction

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

Bathurst	10.00am	18 September 2017 (1 week)
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**Sittings Cancelled**

Dated this 5th day of September 2017.

Justice D Price AM  
Chief Judge



## GEOGRAPHICAL NAMES ACT 1966

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

*Bicentennial Park* for a reserve located on the corner of Church Street and Terry Street in the locality of Albion Park.

*Campbell Park* for a reserve located at the corner of Nargal Street and Tabourie Close in the locality of Flinders.

*Collins Reserve* for a reserve located between Bettong Street and Glider Avenue in the locality of Blackbutt.

*Conway Park* for a reserve which can be accessed from Dunnart Place, Mulgara Place, Ringtail Circuit and Glider Avenue in the locality of Blackbutt.

*Croom Regional Sporting Complex* for a reserve located off Croome Road on the eastern bank of Frazers Creek in the locality of Croom.

*Elouera Park* a reserve bounded by Albert St, Beaton St and Elouera St in the locality of Lake Illawarra.

*Elizabeth Brownlee Reserve* located on the corner of Crest Road and Duke Street in the locality of Albion Park.

*Eric Creary Park* a reserve located adjacent to Junction Road, opposite the Surfrider Caravan Park in the locality of Barrack Point.

*Flinders Reserve* a reserve located on the corner of Wattle Road and Jindabyne Road in the locality of Flinders.

*Fosters Park* a reserve located adjacent to Brewster Way, Tooma Place and Wallis Close in the locality of Flinders.

*Fred Ball Park* a reserve accessed off Franklin Place and Torrens Place in the locality of Albion Park.

*Gallen Reserve* is a reserve located adjacent to Wattle Road and Panbula Place, opposite Tilba Close, in the locality of Flinders.

*Hegarty Park* a reserve located on Moles Street in the locality of Albion Park.

*Hughes Park* a reserve bounded by Glider Avenue, Kowari Crescent and Wallaby Street in the locality of Blackbutt.

*Jones Park* a reserve located adjacent to Jones Avenue opposite Mount Warrigal Public School in the locality of Mount Warrigal.

*Kaylaur Reserve* a reserve located between Kaylaur Crescent and Nehme Avenue in the locality of Albion Park Rail.

*Keith Fletcher Park* a reserve bounded by Commerce Drive, Grove Circuit and Woolworths Avenue in the locality of Lake Illawarra.

*Klein Park* a reserve located between Helen Street and Veronica Street in the locality of Warilla.

*Matthews Reserve* a reserve located on the corner of College Avenue and Pioneer Drive in the locality of Blackbutt.

*Mountain View Park* a reserve located adjacent to Robyn Road near Kimbeth Crescent in the locality of Albion Park Rail.

*Myimbarr Community Park* a reserve located at the corner of Wattle Road and Shellharbour Road in the locality of Shellharbour.

*Nob Hill Park* a reserve bounded by Nob Hill Drive in the locality of Oak Flats.

*Riana Reserve* a reserve located on the southern bank of the Macquarie Rivulet between Princes Highway and the Illawarra Railway in the locality of Albion Park Rail.

*Shipmans Park* a reserve located adjacent to Brunderee Road and Urana Way in the locality of Flinders.

*Terry Reserve* a reserve located on the western bank of Frazers Creek and south of Tongarra Road in the locality of Albion Park.

*Thomas Park* a reserve located off O'Keefe Crescent in the locality of Albion Park.

*Thomas Coughrane Reserve* a reserve located at the corner of Baragoot Road and Berringer Way in the locality of Flinders.

*Timbs Park* a reserve located at the eastern end of Hughes Drive and adjacent to Terry Reserve in the locality of Albion Park.



*Wentworth Cottage Park* a reserve located adjacent to Pioneer Drive and Honey Eater Drive in the locality of Blackbutt.

*William Carter Reserve* a reserve located adjacent to Wattle Road and Glider Avenue in the locality of Blackbutt and Flinders.

The position and extent for these features 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).

NARELLE UNDERWOOD  
Chair  
Geographical Names Board  
PO Box 143  
BATHURST NSW 2795

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#### **GEOGRAPHICAL NAMES ACT 1966**

PURSUANT to the provisions of Section 8 of the *Geographical Names Act 1966*, the Geographical Names Board notifies that it proposes to assign the name:

*Ambulance Service Historic Site* for an historic site located in the vicinity of Lee Street, Pitt Street and Central Railway Station in the locality of Haymarket.

The position and extent for this feature is recorded and shown within the Geographical Names Register of New South Wales. The proposal can be viewed and submissions lodged on the Geographical Names Board website at [www.gnb.nsw.gov.au](http://www.gnb.nsw.gov.au) from Wednesday 6 September to Friday 6 October 2017. Alternatively, email submissions may be lodged with the Secretary, Geographical Names Board, at [ss-gnb@finance.nsw.gov.au](mailto:ss-gnb@finance.nsw.gov.au) and written submissions mailed to 346 Panorama Ave, Bathurst, NSW 2795.

In accordance with Section 9 of the *Geographical Names Act 1966*, all submissions lodged may be subject to a Government Information (Public Access) application and may be viewed by a third party to assist the Board in considering this proposal.

NARELLE UNDERWOOD  
Chair  
Geographical Names Board  
PO Box 143  
BATHURST NSW 2795

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#### **GEOGRAPHICAL NAMES ACT 1966**

PURSUANT to the provisions of Section 8 of the *Geographical Names Act 1966*, the Geographical Names Board proposes to rename a reserve in the Central Coast Local Government Area as *Central Coast Hockey Park*.

The reserve which is currently known as Wyong Regional Sporting Complex is located at 375-385 Pacific Highway in the locality of Wyong.

The position and extent for this feature is recorded and shown within the Geographical Names Register of New South Wales. The proposal can also be viewed and submissions lodged on the Geographical Names Board website at [www.gnb.nsw.gov.au](http://www.gnb.nsw.gov.au) from Thursday 31 August to Monday 2 October 2017. Alternatively email submissions may be lodged with the Secretary, Geographical Names Board, [ss-gnb@finance.nsw.gov.au](mailto:ss-gnb@finance.nsw.gov.au) and written submissions mailed to 346 Panorama Ave, Bathurst, NSW 2795.

In accordance with Section 9 of the *Geographical Names Act 1966* all submissions lodged may be subject to a Government Information (Public Access) application and may be viewed by a third party to assist the Board in considering this proposal.

NARELLE UNDERWOOD  
Chair  
Geographical Names Board  
PO Box 143  
BATHURST NSW 2795

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#### **GEOGRAPHICAL NAMES ACT 1966**

PURSUANT to the provisions of Section 8 of the *Geographical Names Act 1966*, the Geographical Names Board hereby notifies that it proposes to assign the following reserve names in the suburb of Gregory Hills:

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*Champagnat Park* - extends from the northern boundary to the southern boundary of the suburb

*Cunningham Park* - located north of Kookaburra Drive

*Howard Park* - located on the southern side of Gregory Hills Drive opposite Coral Flame Circuit

*La Valla Park* - extends from Kavanagh Street to Donovan Boulevard

*Gillogly Park* - located adjacent to Atlantis Crescent

The position and extent for these features is recorded and shown within the Geographical Names Register of New South Wales. The proposal can be viewed and submissions lodged on the Geographical Names Board website at [www.gnb.nsw.gov.au](http://www.gnb.nsw.gov.au) from 6 September to 6 October 2017. Alternatively, email submissions may be lodged with the Secretary, Geographical Names Board, at [ss-gnb@finance.nsw.gov.au](mailto:ss-gnb@finance.nsw.gov.au) or written submissions mailed to 346 Panorama Ave, Bathurst, NSW 2795.

In accordance with Section 9 of the *Geographical Names Act 1966*, all submissions lodged may be subject to a Government Information (Public Access) application and may be viewed by a third party to assist the Board in considering this proposal.

NARELLE UNDERWOOD  
Chair  
Geographical Names Board  
PO Box 143  
BATHURST NSW 2795

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#### **GEOGRAPHICAL NAMES ACT 1966**

PURSUANT to the provisions of Section 8 of the *Geographical Names Act 1966*, the Geographical Names Board proposes to assign two reserve names in the Shellharbour LGA:

*McKinnery Park* for a reserve located at the corner of Hinchinbrook Drive and Norfolk Crescent in the suburb of Shell Cove.

*Ragamuffin Reserve* for a reserve located at the corner of Brindabella Drive and Ragamuffin Circuit in the suburb of Shell Cove.

The position and extent for these features are recorded and shown within the Geographical Names Register of New South Wales. The proposal can also be viewed and submissions lodged on the Geographical Names Board website at [www.gnb.nsw.gov.au](http://www.gnb.nsw.gov.au) from Friday 1 September to Monday 2 October 2017. Alternatively email submissions may be lodged with the Secretary, Geographical Names Board, [ss-gnb@finance.nsw.gov.au](mailto:ss-gnb@finance.nsw.gov.au) and written submissions mailed to 346 Panorama Ave, Bathurst, NSW 2795.

In accordance with Section 9 of the *Geographical Names Act 1966* all submissions lodged may be subject to a Government Information (Public Access) application and may be viewed by a third party to assist the Board in considering this proposal.

NARELLE UNDERWOOD  
Chair  
Geographical Names Board  
PO Box 143  
BATHURST NSW 2795

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#### **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.

*Burrabru Reserve* for a reserve located at 296 Edinburgh Road, Castlecrag.

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)

NARELLE UNDERWOOD  
Chair  
Geographical Names Board  
PO Box 143  
BATHURST NSW 2795

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**HEALTH ADMINISTRATION ACT 1982**

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

**NOTICE OF ACQUISITION OF LAND BY COMPULSORY PROCESS FOR THE PURPOSES OF THE  
HEALTH ADMINISTRATION ACT 1982**

PURSUANT to section 10 of the *Health Administration Act 1982* and section 19(1) of the *Land Acquisition (Just Terms Compensation) Act 1991*, the Health Administration Corporation by its delegate declares, with the approval of the Governor, that the land described in the Schedule below is by this notice acquired by compulsory process for the purposes of the *Health Administration Act 1982*.

SIGNED at Sydney this 31st day of August 2017

Bryson Wilson  
Manager Asset Services  
Finance and Asset Management Division  
NSW Ministry of Health  
a duly authorised delegate of the Health Administration Corporation

**SCHEDULE**

Land

ALL THAT piece or parcel of land situated at Bathurst in the Local Government Area of Bathurst, Parish of Bathurst, County of Bathurst, comprising of Lot 10 in DP 716663, being the whole of the land in Folio Identifier 10/716663.

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**POISONS AND THERAPEUTIC GOODS ACT 1966**

Section 37A

Appointment of analysts

I, BRAD HAZZARD, Minister for Health, appoint the following class of persons under section 37A of the *Poisons and Therapeutic Goods Act 1966* to be analysts for the purpose of that Act:

All members of the NSW Police Force who undertake presumptive analysis in the course of their employment by the NSW Police Force, provided that the persons have completed training with the NSW Police Force, or on behalf of the NSW Police Force, in presumptive analysis using Raman spectroscopy.

Signed, this 5th day of September 2017.

Brad Hazzard MP  
Minister for Health

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**POISONS AND THERAPEUTIC GOODS REGULATION 2008**

ORDER

Withdrawal of Drug Authority

In accordance with the provisions of clause 175(1) of the *Poisons and Therapeutic Goods Regulation 2008* an Order has been made on **Dr Rosanne Phillipa ARENTZ (MED0001678648)**, of Darlinghurst NSW 2010, prohibiting her until further notice, as a medical practitioner, from supplying or having possession of drugs of addiction as authorised by clause 101 of the Regulation and issuing a prescription for a drug of addiction as authorised by clause 77 of the Regulation.

This Order is to take effect on and from 5 September 2017.

Dated at Sydney, 31 August 2017

ELIZABETH KOFF  
Secretary  
NSW Health

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**POISONS AND THERAPEUTIC GOODS REGULATION 2008**

**ORDER**

Restoration of Drug Authority

In accordance with the provisions of clause 175(1) of the *Poisons and Therapeutic Goods Regulation 2008* a direction has been issued that the Order that took effect on and from 18 September 2013, on **Jason McCLOY** (NMW0001317662) of Lennox Head, NSW 2478, prohibiting him as a registered nurse, from having possession of or supplying a drug of addiction as authorised by clause 101(1) of the Regulation, shall cease to operate on and from 11 September 2017.

Dated at Sydney, 5 September 2017

Susan Pearce  
Acting Secretary, NSW Health

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**RURAL FIRES ACT 1997**

Fire Trails Standard

The NSW Rural Fire Service Fire Trails Standard is published in accordance with section 62K(4) of the *Rural Fires Act 1997*.



**NSW RURAL FIRE SERVICE**



# **FIRE TRAIL STANDARDS**

14 August 2017

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# 1 Introduction

## 1.1 Background

Bush fires have been a natural part of the landscape for many thousands of years. As communities have developed and properties and towns have been established, the risk of bush fires impacting on communities has increased. Throughout NSW there are approximately 1.3 million properties on bush fire prone land.

Firefighters rely on public roads, trails and other tracks on public and private land to access the landscape to prevent and contain bush fires. Fire trails exist for the purpose of providing access to respond to bush fires, and it is critical to identify and maintain an effective network of accessible trails.

Historically, decisions regarding the establishment and maintenance of fire trails have rested with land managers guided by a cooperative framework established by the NSW Bush Fire Coordinating Committee (BFCC). A need for a different approach was identified to achieve a more consistent and strategic outcome across both public and private lands.

The NSW Government is establishing a more integrated and strategic network of fire trails and access arrangements to improve accessibility for firefighters during bush fires and hazard reduction burns.

Amendments to the *Rural Fires Act 1997*, through the *Rural Fires Amendment (Fire Trails) Act 2016*, provide a legislative basis for the establishment and maintenance of the enhanced network of fire trails.

The *Rural Fires Amendment (Fire Trails) Act 2016* provides for the NSW RFS Commissioner to make *Fire Trail Standards* that (without limitation) may set out:

- classification, length, width, gradient, signage, construction standards and maintenance of fire trails, and
- the structure and form of Fire Access and Fire Trail (FAFT) plans and Treatment Registers prepared by local Bush Fire Management Committees (BFMC).



## 1.2 Purpose

This document constitutes the *Fire Trail Standards* made by the NSW RFS Commissioner pursuant to section 62K of the *Rural Fires Act 1997*.

These Standards establish the requirements to achieve an integrated and strategic fire access and fire trail network. The Standards set out design and construction requirements for identified fire trails in NSW, and prescribe the structure of the FAFT plan and associated Treatment Registers to be prepared by BFMCs.

The Standards are to be used by organisations across NSW responsible for undertaking fire access and fire trail planning, and land managers responsible for the design, construction and maintenance of fire trails.

A suite of documents developed by the NSW RFS Commissioner and the NSW BFCC provide supplementary guidance and direction to land managers to assist in the design, construction and maintenance of fire trails on their land, and BFMCs involved in fire trail planning and the preparation of FAFT plans. These include:

- FAFT workshop presentation
- FAFT Plan Instructions
- Maps
- List of current fire trails
- Treatment Register (populated with BFMC fire trails)
- Trail ranking and prioritisation tool.

## 1.3 Aim

The aim of the Standards is to facilitate the planning and implementation of an integrated and strategic network of fire trails.

## 1.4 Objectives

The objectives of the Standards are:

- To provide a process to identify an integrated and strategic network of fire trails for the protection of the community and its assets, including environmental and social values;
- To establish a network of strategic fire trails which meet minimum standards and allow standard off-road capable firefighting vehicles to safely and effectively traverse the landscape;
- To ensure fire trails enable a vehicle to be driven safely along the trail without damage to the vehicle due to overhanging vegetation, built structures, rough trail surface or other physical impediments;
- To ensure fire trails are of an expected standard that is known and understood by firefighters, can be readily identified including in limited visibility conditions, and are available when required; and,
- To provide a sustainable fire trail network that meets operational requirements, minimises adverse impacts on the environment, and delivers value for money.

## 1.5 Assumptions

The Standards have been prepared on the basis of the following assumptions:

- The fire trail network will be used by suitably trained and competent firefighters capable of operating in the expected physical environment.
- Firefighting vehicles will meet NSW RFS standard specifications and be driven by licensed and competent drivers in accordance with local procedures.

## 1.6 Limitations

The Standards have been prepared with regard to the following limitations:

- Fire trails provided for in the Standards are for the purposes of bush fire suppression and other fire management purposes. While it is recognised that fire trails may also be used for other purposes (including other land management and commercial purposes, forming a part of fire breaks, fire containment lines and the like), such uses do not fall within the scope of these Standards.
- While fire trails will be built to a consistent acceptable standard in consideration of operational needs, the safety of firefighters cannot be guaranteed given variability in topography, weather and fire conditions.
- The design and construction standards specified in the Standards cater for standard off-road capable firefighting vehicles currently used in NSW.
- The implementation of a new standard is often challenging and subject to available funding and priorities. The NSW RFS Commissioner and the BFCC acknowledge that a cooperative and incremental approach in implementing this Standard will be required over several years, and the effectiveness of the Standard will be continually monitored to ensure it meets the intent of the legislation.

## 1.7 Definitions

Expressions defined in 62J of the *Rural Fires Act 1997* apply to the Standards. Definitions are per the NSW RFS Dictionary and apply to the Standards except where otherwise defined in section 62J of the Act. Key terms relevant to the Standards are included below for reference:

Designated fire trail	A fire trail identified by the NSW RFS Commissioner that must be upgraded or established to meet the Standards.
Certified fire trail	A fire trail that has been certified as compliant with the <i>Fire Trail Standards</i> .
Registered fire trail	A fire trail, regardless of tenure, that has been certified to meet these Standards and is placed on the Public Register.
Strategic fire trail	A fire trail on any tenure identified by a BFMC during the FAFT planning process, or by the NSW RFS Commissioner, to be of significant value in the suppression or management of fire within the landscape. These trails are placed on the Treatment Register approved by the NSW RFS Commissioner and subsequently designated. These may include multi-purpose trails.
Tactical fire trail	A fire trail on any tenure identified by a BFMC during the FAFT planning process, or by the NSW RFS Commissioner, that should remain open to support the prevention and suppression of fire. These may include multi-purpose trails.
Private land	means that is not public land (section 62J).
Public land	means managed land, unoccupied Crown Land, or land owned or occupied by a public authority. A public authority responsible for any particular land is taken to be occupier of the land for this Part (section 62J).

## 1.8 What is a fire trail for the purpose of these Standards?

There are a range of access ways across the landscape available for use by firefighters. These include public roads, tracks and trails or other roads used for land management, asset management or recreational purposes.

The purpose of these Standards is to define a network of fire trails for vehicular use identified through the processes established by the Act and deemed necessary for the protection of the community and its assets. These vehicular trails will be identified at a local level by the BFMC and recorded in a FAFT plan and the Treatment Register, or by the NSW RFS Commissioner. The NSW RFS Commissioner may provide guidance relating to the factors to be considered in this process.

While the Standards are principally concerned with fire trails designated and registered under provisions of the Act, it is recognised that other fire trails and access ways will continue to exist and serve an important role in bush fire suppression and fire management. These other fire trails will also be informed by the Standards. All fire trails and access ways will be identified as part of the overall fire access network captured in the FAFT planning process.

## 1.9 Performance-based approach

The Standards adopt a performance-based approach which allows for flexibility and innovation in the design of fire trails having regard to site-specific opportunities and constraints.

The performance criteria must be satisfied for registered fire trails, and should be achieved for other fire trails. Performance criteria are set out for each requirement and the outcome that needs to be achieved. Meeting the performance criteria is essential to maintain the safety and operational performance of firefighting resources. Compliance with the performance criteria can be achieved in one of two ways:

1. Acceptable solution – Acceptable solutions have been specified for each performance criteria and are 'deemed to satisfy'. Materials, components, design factors, and construction methods may be included which, if used, will result in compliance with the performance criteria. It is expected that designated and registered fire trails on the whole will fall into this category; or,
2. Performance solution – A performance solution may be proposed where constraints mean compliance with the acceptable solution is not practicable, and it is demonstrated that it otherwise achieves the performance criteria.

The process of demonstrating compliance, including where a performance solution is proposed, is outlined in Chapter 3.

## 1.10 Environmental approvals

Fire trail works are required to be undertaken in accordance with applicable environmental and other regulatory requirements. A range of environment approval mechanisms exist for fire trails, these include:

- Bush Fire Hazard Reduction Certificate issued in accordance with the Bush Fire Environmental Assessment Code;
- Review of Environmental Factors (REF) under Part 5 of the *Environmental Planning and Assessment Act 1979*;
- Assessment in accordance with the Infrastructure State Environmental Planning Policy (ISEPP); or
- Any other relevant environmental approval methods.

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The following applies to the Bush Fire Environmental Assessment Code.

The Bush Fire Environmental Assessment Code 2017\* (the “Code”) provides a streamlined environmental assessment process for mechanical and burning methods for undertaking bush fire hazard reduction work, including fire trails.

For the purposes of clause 3.8 of the Code, the Code applies to the following works, provided the works are to bring the fire trail into closer compliance with an acceptable solution set out in, or performance solution approved in accordance with, the design and construction requirements set out in Chapter 2 and the work is in accordance with the *NSW RFS Fire Trail Design, Construction and Maintenance Manual* issued by the NSW RFS Commissioner:

- a designated fire trail;
- a registered fire trail;
- a fire trail that constitutes part of the fire trail network within a FAFT plan approved for the area;
- a fire trail shown on the BFMC’s fire trail layer and categorised as ‘essential’ or ‘important’ as at 1 August 2017 where there is no FAFT plan approved for the area; or
- an existing fire trail identified as a treatment in an approved Bush Fire Risk Management Plan where there is no FAFT plan approved for the area.

For the purposes of clause 3.9 of the Code, the Code applies to works for a vehicular control line, where those works are in accordance with an acceptable solution set out in, or performance solution approved in accordance with, the design and construction requirements set out in Chapter 2 and *NSW RFS Fire Trail Design, Construction and Maintenance Manual* issued by the NSW RFS Commissioner.

\*Note: Once approved and Gazetted.

## 2 Fire Trail Standards

### 2.1 Classification of fire trails

The Standards provide for the classification of fire trails based on the type of firefighting vehicle required to access an area. Three categories are provided:

- **Category 1:** A fire trail that can be safely traversed by a Category 1 firefighting vehicle.
- **Category 7:** A fire trail that can be safely traversed by a Category 7 firefighting vehicle.
- **Category 9:** A fire trail that can be safely traversed by a Category 9 firefighting vehicle.

Specific requirements have been developed for each category of fire trail. The specifications are based on the engineering details contained in Appendix A.

The category of each fire trail will be identified in the FAFT plan as set out in Chapter 4 and as identified by the NSW RFS Commissioner in the designation and registration of the fire trail.

### 2.2 Design requirements

**Intent of requirements:** to provide a functional, strategic network of fire trails which permits access for firefighting vehicles used in NSW in order to support fire management and bush firefighting.

#### 2.2.1 Category 1 Fire Trails

The following performance criteria and acceptable solutions are considered industry best practice and apply to Category 1 Fire Trails:

Table 1: Category 1 Fire Trail requirements

Requirement	Performance criteria	Acceptable solutions
Width	The width of the trail provides for safe, reliable and unobstructed passage by a Category 1 firefighting vehicle within acceptable operational limits.	<ul style="list-style-type: none"> <li>➤ The trafficable surface has a width of 4 metres except for short constrictions to 3.5 metres for no more than 30 metres in length where an obstruction cannot be reasonably avoided or removed.</li> <li>➤ Curves have a minimum inner radius of 6 metres. The minimum distance between inner and outer curves is 6 metres.</li> </ul>
Capacity	The construction and formation of the trail is trafficable under all weather conditions (other than due to flood, storm surge or snowfall) for a Category 1 firefighting vehicle.	<ul style="list-style-type: none"> <li>➤ Trail surfaces and crossing structures are capable of carrying vehicles with a gross vehicle mass of 15 tonnes and an axle load of 9 tonnes.</li> </ul>
Grade and crossfall	The vertical profile of the trail provides for traction and safe working angle within the physical operational capability of a Category 1 firefighting vehicle.	<ul style="list-style-type: none"> <li>➤ The maximum grade of a trail is not more than 15 degrees.</li> <li>➤ The crossfall of the trail surface is not more than 6 degrees.</li> </ul>

	<i>Note: This includes design that does not impede the undercarriage of a vehicle.</i>	<ul style="list-style-type: none"> <li>➤ Drainage structures, feature crossings, or other significant changes in the grade of the trail shall be in accordance with the <i>NSW RFS Fire Trail Design, Construction and Maintenance Manual</i>.</li> </ul>
Clearance	A cleared corridor is provided around the trail which permits the unobstructed passage of a Category 1 firefighting vehicle and for a working corridor either side of the vehicle to enable firefighters to exit from, and access equipment in, the vehicle.	<ul style="list-style-type: none"> <li>➤ A minimum vertical clearance of 4 metres is provided above the surface of the trafficable surface clear of obstructions.</li> </ul>
Passing	The trail provides for two Category 1 firefighting vehicles to pass at appropriate intervals so as to avoid unacceptable delays in operations.	<ul style="list-style-type: none"> <li>➤ Capacity for passing is provided every 250 metres comprising: <ul style="list-style-type: none"> <li>➤ A widened trafficable surface of at least 6 metres for a length of at least 20 metres; or</li> <li>➤ A 6 metre wide and 8 metre long area clear of the trafficable surface with a minimum inner curve radius of 6 metres and minimum outer radius of 12 metres; or</li> <li>➤ A turnaround as provided for in this table.</li> </ul> </li> </ul>
Turnarounds	The trail provides for a turning manoeuvre for a Category 1 firefighting vehicle to return in the direction from which it came at appropriate intervals and at the termination of a trail.	<ul style="list-style-type: none"> <li>➤ A turning area is provided at the termination of a trail and every 500 metres and is achieved by: <ul style="list-style-type: none"> <li>➤ An area clear of the trafficable surface 6 metres wide and 8 metres deep, with a minimum inner curve radius of 6 metres and outer minimum radius of 12 metres; or</li> <li>➤ A turning circle of minimum 22 metre diameter.</li> <li>➤ A T-junction with each terminating end of the junction being at least 10 metres in length from the intersection of the roads and the inner radius of that intersection being at least 6 metres</li> <li>➤ A fire trail or road intersection.</li> </ul> </li> </ul>
Drainage	The fire trail is drained effectively to manage rainfall runoff to prevent damage to the trafficable surface.	<ul style="list-style-type: none"> <li>➤ Drainage of the trail is designed and constructed in accordance with the <i>NSW RFS Fire Trail Design, Construction and Maintenance Manual</i>.</li> </ul>

## 2.2.2 Category 7 Fire Trails

The following performance criteria and acceptable solutions are considered industry best practice and apply to Category 7 Fire Trails:

Table 2: Category 7 Fire Trail requirements

Requirement	Performance criteria	Acceptable solutions
Width	The width of the trail provides for safe, reliable and unobstructed passage by a Category 7 firefighting vehicle within acceptable operational limits.	<ul style="list-style-type: none"> <li>➤ The trafficable surface has a width of 3.5 metres except for short constrictions to 3 metres for no more than 30 metres in length where an obstruction cannot be reasonably avoided or removed.</li> <li>➤ Curves have a minimum inner radius of 5 metres. The minimum distance between inner and outer curves is 5 metres.</li> </ul>
Capacity	The construction and formation of the trail is trafficable under all weather conditions (other than due to flood, storm surge or snowfall) for a Category 7 firefighting vehicle.	<ul style="list-style-type: none"> <li>➤ Trail surfaces and crossing structures are capable of carrying vehicles with a gross vehicle mass of 8 tonnes and an axle load of 6 tonnes.</li> </ul>
Grade and crossfall	<p>The vertical profile of the trail provides for traction and safe working angle within the physical operational capability of a Category 7 firefighting vehicle.</p> <p><i>Note: This includes design that does not impede the undercarriage of a vehicle.</i></p>	<ul style="list-style-type: none"> <li>➤ The maximum grade of a trail is not more than 15 degrees.</li> <li>➤ The crossfall of the carriageway is not more than 6 degrees.</li> <li>➤ Drainage structures, feature crossings, or other significant changes in the grade of the trail shall be in accordance with the <i>NSW RFS Fire Trail Design, Construction and Maintenance Manual</i>.</li> </ul>
Clearance	A cleared corridor is provided around the trail which permits the unobstructed passage of a Category 7 firefighting vehicle and for a working corridor either side of the vehicle to enable firefighters to exit from, and access equipment in, the vehicle.	<ul style="list-style-type: none"> <li>➤ A minimum vertical clearance of 3.5 metres is provided above the surface of the trafficable surface clear of obstructions.</li> </ul>
Passing	The trail provides for two Category 7 firefighting vehicles to pass at appropriate intervals so as to avoid unacceptable delays in operations.	<ul style="list-style-type: none"> <li>➤ Capacity for passing bays are provided every 250 metres comprising: <ul style="list-style-type: none"> <li>➤ A widened trafficable surface of at least 5.5 metres for a length of at least 15 metres; or,</li> </ul> </li> </ul>



		<ul style="list-style-type: none"> <li>➤ A 5.5 metre wide and 6 metre long area clear of the trafficable surface with a minimum inner curve radius of 5 metres and minimum outer radius of 10 metres.</li> </ul>
Turnarounds	The trail provides for a turning manoeuvre for a Category 7 firefighting vehicle to return in the direction from which it came at appropriate intervals and at the termination of a trail.	<ul style="list-style-type: none"> <li>➤ A turning area is provided at the termination of a trail and every 500 metres and is achieved by: <ul style="list-style-type: none"> <li>➤ An area clear of the trafficable surface 5.5 metres wide and 6 metres deep, with a minimum inner curve radius of 5 metres and outer minimum radius of 10 metres; or</li> <li>➤ Turning circle of minimum 17 metre diameter.</li> </ul> </li> </ul>
Drainage	The fire trail is drained effectively to manage rainfall runoff to prevent damage to the trafficable surface.	<ul style="list-style-type: none"> <li>➤ Drainage of the trail is designed and constructed in accordance with the <i>NSW RFS Fire Trail Design, Construction and Maintenance Manual</i>.</li> </ul>

### 2.2.3 Category 9 Fire Trails

The following performance criteria and acceptable solutions requirements are considered industry best practice and apply to Category 9 Fire Trails:

Table 3: Category 9 Fire Trail requirements

Requirement	Performance criteria	Acceptable solutions
Width	The width of the trail provides for safe, reliable and unobstructed passage by a Category 9 firefighting vehicle within acceptable operational limits.	<ul style="list-style-type: none"> <li>➤ The trafficable surface has a width of 3 metres except for short constrictions to 2.5 metres for no more than 30 metres in length where an obstruction cannot be reasonably avoided or removed.</li> <li>➤ Curves have a minimum inner radius of 5 metres. The minimum distance between inner and outer curves is 5 metres.</li> </ul>
Capacity	The construction and formation of the trail is trafficable under all weather conditions (other than due to flood, storm surge or snowfall) for a Category 9 firefighting vehicle.	<ul style="list-style-type: none"> <li>➤ Trail surfaces and crossing structures are capable of carrying vehicles with a gross vehicle mass of 4 tonnes and an axle load of 2 tonnes.</li> </ul>
Grade and crossfall	The vertical profile of the trail provides for traction and safe working angle	<ul style="list-style-type: none"> <li>➤ The maximum grade of a trail is not more than 15 degrees.</li> </ul>



	<p>within the physical operational capability of a Category 9 firefighting vehicle.</p> <p><i>Note: This includes design that does not impede the undercarriage of a vehicle.</i></p>	<ul style="list-style-type: none"> <li>➤ The crossfall of the trail surface is not more than 6 degrees.</li> <li>➤ Drainage structures, feature crossings, or other significant changes in the grade of the trail shall be in accordance with the <i>NSW RFS Fire Trail Design, Construction and Maintenance Manual</i>.</li> </ul>
Clearance	<p>A cleared corridor is provided around the trail which permits the unobstructed passage of a Category 9 firefighting vehicle and for a working corridor either side of the vehicle to enable firefighters to exit from, and access equipment in, the vehicle.</p>	<ul style="list-style-type: none"> <li>➤ A minimum vertical clearance of 3 metres is provided above the surface of the trafficable surface clear of obstructions.</li> </ul>
Passing	<p>The trail provides for two Category 9 firefighting vehicles to pass at appropriate intervals so as to avoid unacceptable delays in operations.</p>	<ul style="list-style-type: none"> <li>➤ Capacity for passing bays are provided every 250 metres comprising: <ul style="list-style-type: none"> <li>➤ A widened trafficable surface of at least 5 metres for a length of at least 15 metres; or,</li> <li>➤ A 5.5 metre wide and 6 metre long area clear of the trafficable surface with a minimum inner curve radius of 5 metres and minimum outer radius of 10 metres.</li> </ul> </li> </ul>
Turnarounds	<p>The trail provides for a turning manoeuvre for a Category 9 firefighting vehicle to return in the direction from which it came at appropriate intervals and at the termination of a trail.</p>	<ul style="list-style-type: none"> <li>➤ A turning area is provided at the termination of a trail and every 500 metres and is achieved by: <ul style="list-style-type: none"> <li>➤ An area clear of the trafficable surface 5.5 metres wide and 6 metres deep, with a minimum inner curve radius of 5 metres and outer minimum radius of 10 metres; or</li> <li>➤ Turning circle of minimum 16 metre diameter.</li> </ul> </li> </ul>
Drainage	<p>The fire trail is drained effectively to manage rainfall runoff to prevent damage to the trafficable surface.</p>	<ul style="list-style-type: none"> <li>➤ Drainage of the trail is designed and constructed in accordance with the <i>NSW RFS Fire Trail Design, Construction and Maintenance Manual</i>.</li> </ul>

## 2.3 Construction and maintenance requirements

Fire trails shall be constructed and maintained in accordance the *NSW RFS Fire Trail Design, Construction and Maintenance Manual* issued by the NSW RFS Commissioner.

## 2.4 Access requirements

Access to fire trails shall not be obstructed to ensure that the fire trail is available for use by firefighting services. Where access to a fire trail is controlled through the installation of a gate or other control mechanism, this shall not unreasonably restrict access to firefighters. Access by firefighters and their representatives shall only be undertaken for the purposes of firefighting and associated activities. Inappropriate / unauthorised access is not permitted without the knowledge of the land manager.

Any gate or control mechanism installed across a trail shall be operable by a single person without assistance or machinery, and provide a clear area for the passing of a vehicle at least the width of the trafficable surface specified in the relevant acceptable solution specified in Table 1, 2 or 3. This area for passing should be provided within 100 metres of the gate.

Where any securing arrangement to a gate or other control mechanism requires the use of the key for access, the land manager must provide firefighters with access such that firefighting efforts are not hampered or delayed, to the satisfaction of the NSW RFS Commissioner.

The NSW RFS Commissioner will work with major government land managers to identify suitable and efficient access control arrangements to facilitate access to the fire trail network across tenures.

It is acknowledged that fire trails may need to be closed periodically for maintenance and repair purposes. Any periods of closure should be minimised as far as reasonably practicable and local response agencies should be made aware of the closure, intended duration of closure and reopening.

## 2.5 Signage requirements

Standardised signs should be installed and maintained throughout the fire trail network so that fire trails are easily identified when required for firefighting activities and fire management, including in times of limited visibility. Signs will be required for all fire trails on public land, while signs to be installed on private land will be subject to agreement with the relevant private landowner.

The NSW RFS Commissioner will supply and install standard fire trail signs or approved indicative signage where appropriate for all registered fire trails. Signage will be installed in the first instance on trails where no current signage exists. Where existing signage exists that is clear and performs the required function, it will not require replacement until the sign is no longer functional, at which time it will be replaced by NSW RFS with a sign that meets this Standard.

To maintain consistency and ensure accuracy, the NSW RFS Commissioner will gather signage requirement details from each land manager through the BFMC prior to ordering signage.

### 2.5.1 Standard fire trail signs

A fire trail should be clearly signposted with standard signs at each entry point to the fire trail.

Fire trail signs will be a metal blade, Class 1 reflective yellow with black lettering, and include:

- NSW RFS\* Logo
- Fire trail name (including 'F/T' as an abbreviation for 'fire trail');
- Latitude and longitude reference of the location of the sign in Degrees Decimal Minutes (DDM) format; and,
- The vehicle carrying capacity (1, 7 or 9) in red within red circle as displayed in Appendix B.

Lettering is to be 70mm in height, and a blade is to be no longer than 1200mm. Should a fire trail name not fit on a single blade of this length, the following options are to be considered:

1. compress lettering spacing and retain 70mm height
2. reduce lettering size and print on two lines

Where a sign is to be mounted on a centre pole, blade length may be increased to 1800mm. Signs should consider the use of an anti-graffiti coating.

An illustration of a typical standard sign for a registered fire trail is at Appendix B.

In areas where permanent signage is unsuitable such as areas of high theft or vandalism, the NSW RFS Commissioner may consider the use of temporary signage such as a v-frame signage, or other design suitable for use during an incident.

*\*except where the sign is paid and provided by the land manager. In these circumstances, the land manager may use their logo in place of the NSW RFS.*

### **2.5.2 Indicative fire trail signs**

In circumstances where the use of a standard fire trail sign is not considered suitable, such as on or near private property, the NSW RFS Commissioner may issue and install indicative fire trail signs.

These signs will be a metal blade, Class 1 reflective yellow, and include only the trail Vehicle Carrying Capacity (i.e. 1, 7 or 9) as shown in Appendix B. These signs should consider the use of an anti-graffiti coating.

An illustration of a typical indicative sign for a registered fire trail is at Appendix B.

### **2.5.3 Installation of fire trail signs on non-registered fire trails**

Should a BFMC or land manager wish to install fire trail signs on non-registered fire trails, the sign should use the design in Appendix B with the following alterations:

- all lettering is to be black, including the vehicle carrying capacity
- there must be no circle around the vehicle carrying capacity.

### **2.5.4 No through trails**

All trails with only one entry and exit point (dead ends or to hand tool lines only) must be marked as a "No Through Road". These signs to be Class 1 reflective white with black lettering 70mm in height, and are to be a single blade positioned directly under the fire trail sign.

### **2.5.5 Bridges**

Bridges should be marked and identify load rating. These signs to be Class 1 reflective white with black lettering as per RMS standards, and are to be a single sign positioned appropriately in relation to the bridge.

### **2.5.6 Standard symbology and other advisory signs**

In some circumstances there may be a requirement or benefit in displaying additional information on sign posts. This may include a six (6) figure grid reference.

Standard symbology, in accordance with AFAC Standards, for features considered relevant (such as Water Points, Escape Routes and Helipads) by a BFMC may be included on a Class 1 reflective white single blade. The symbology would be consistent with the colour of the standardised AFAC symbol. An example is provided in Appendix B.

Should the fire trail have any known restrictions, a separate blade shall be provided to identify the restriction. These will be a metal blade, Class 1 reflective white with black lettering.

### **2.5.7 Fire trail name**

Fire trails shall be appropriately named in order to minimise confusion. BFMCs and land managers are required to name the fire trail prior to registration. If already known, use accepted names when formally naming a fire trail. Fire trails should not be referred to as 'unnamed', 'no name', or 'unknown'. Nominated names should be easy to pronounce, write and spell. Avoid duplication or the use of common names in existence elsewhere within the BFMC's local area.

### **2.5.8 Other signs**

Other signs may be required from time to time by the NSW RFS Commissioner. These may include guide posts for culverts, or signage required to indicate the location of turn-around points or helipads.

The NSW RFS will work with the other agencies to determine additional public safety information signage to be provided as part of, or in conjunction with, fire trail signs as required.

## **3 Assessment and compliance**

Assessments will need to be undertaken at a number of points in this process to determine whether a fire trail complies with the design and construction requirements of the Standard. Assessments shall be focussed on whether the trail complies with the design and construction standards set out in Chapter 2. Where an assessment is undertaken for the purposes of submission to the NSW RFS Commissioner, the assessment will be required to be in the form specified by the NSW RFS Commissioner.

### **3.1 Performance solutions**

Where a performance solution is proposed, the onus is on the land manager to demonstrate compliance with relevant provisions of the Standards.

Performance solutions must be assessed according to one or more of the assessment methods:

- Evidence to support that the use of a material, form of construction, or design meets the performance criteria;
- Verification methods such as a test, inspection, calculation or other method that determines whether a performance solution complies with the relevant performance criteria;
- Comparison with the acceptable solutions using expert judgement.

Performance solutions should be developed in consultation with the relevant stakeholders such as the NSW RFS, engineers, private land owners, and the BFMC before being forwarded to the NSW RFS Commissioner for approval.

### **3.2 Annual assessment**

A public land manager shall provide to the NSW RFS Commissioner annually a statement as to the condition of each designated and registered fire trail on its land, and whether or not each of those trails meet the Standards. The statement must be made in the form as specified by the NSW RFS Commissioner.

Where a fire trail is located on private land, assessment arrangements will be determined and set out in the agreement entered into between the NSW RFS Commissioner and the landowner.

DOC17/4137

The NSW RFS may undertake inspections of fire trails on both public and private land additional to the annual assessment requirement.

An annual assessment of all other fire trails in a FAFT plan should be undertaken by the responsible agency and provided to the BFMC.

## 4 Planning

### 4.1 Fire Access and Fire Trail plan requirements

In order to provide a consistent approach to fire trail planning across NSW, the Act requires BFMCs to prepare a draft FAFT plan for their area. This must be prepared in accordance with requirements set out in these Standards and reviewed and approved by the BFCC.

The FAFT plan will supplement existing fire planning activities undertaken at the local level, such as bush fire risk management planning, and identify the appropriate means of accessing land to prevent, fight, manage or contain bush fires. The process will consider a wide range of factors that will review the adequacy of the access system for firefighting to provide access for the protection of life and property in an area.

A FAFT plan shall:

- Be prepared in accordance with instructions and be in a form specified by the NSW RFS Commissioner;
- Include all trails that form the fire trail network as envisaged in the Standards, along with other access ways; and
- Be prepared with a planning horizon of 5 years.

A FAFT plan shall comprise:

- A map showing:
  - A base layer containing all existing vehicular tracks, trails and roads;
  - The identified fire trail network comprising:
    - All strategic fire trails;
    - All tactical fire trails; and
    - Other fire access ways, such as existing roads, tracks and trails that may be of use for fire management, but do not form part of the fire trail network.
- A schedule of the identified fire trails that constitute the fire trail network detailing:
  - Name
  - Identifier
  - Category (strategic or tactical)
  - Status (registered, designated etc.)
  - Vehicle Carrying Capacity (VCC)
  - Proposed fire trails
  - Current fire trail condition
  - Responsible agency; and
  - Other matters as determined by the NSW RFS Commissioner.

### 4.2 Fire trail treatment register

A treatment register form should be used to set out a schedule of works for the construction and maintenance of fire trails that constitute the fire trail network.

A treatment register shall be prepared and submitted to the NSW RFS Commissioner for approval:

- Concurrently with the submission of a draft FAFT plan; and
- By 31 May each year.

DOC17/4137

A treatment register shall:

- Be prepared in accordance with the BFMC instructions and be in a format specified by the NSW RFS Commissioner; and
- Detail planned fire trail works for the nominal five year planning horizon of the FAFT plan to improve the network over time.

## **5 Document review**

The *Fire Trail Standards* may be reviewed and amended by the NSW RFS Commissioner as required. A review must be undertaken before 30 June 2019.

## Appendix A Firefighting vehicle specifications

### Category 1 Firefighting vehicle specifications

Length	8200 mm
Width	2400 mm
Mirror length	450mm
Height	3700 mm (including 600 mm for aerials)
Ground clearance	310 mm
Approach angle	35°
Departure angle	25°
Wheelbase	4700 mm
Turning circle – wall to wall	22m diameter
Weight	14200kg
Maximum axle loading	9,000kg





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**Category 7 Firefighting vehicle specifications**

Length	6200mm
Width	2040mm
Mirror length	450mm
Height	3050mm (including 600 mm for aerials)
Ground clearance	230mm
Approach angle	35°
Departure angle	30°
Wheelbase	3395mm
Turning circle – wall to wall	17m diameter
Weight	7500kg
Maximum axle loading	5600kg



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**Category 9 Firefighting vehicle specifications**

Length	5300mm
Width	1750mm
Mirror length	450mm
Height	2600 mm (including 600 mm for aerials)
Ground clearance	220mm
Approach angle	35°
Departure angle	30°
Wheelbase	3180mm
Turning circle – wall to wall	16m diameter
Weight	3700 kg
Maximum axle loading	2000kg



## Appendix B Typical fire trail signage



### Primary Fire Trail Directional Sign

- Class 1 yellow reflective with black lettering
- Red circle and vehicle carrying capacity indicates Registered Fire Trail
- 70mm Lettering
- Logo and Lat / Long (DDM format)



### Indicative Fire Trail Sign For use on or near Private Property

- Class 1 yellow reflective with black lettering
- Red circle and vehicle carrying capacity indicates Registered Fire Trail



### ICON and other Advisory Signs Attached under yellow blade

- 70mm Lettering
- Reflective white background
- Black lettering

### Typical Sign Post Arrangement



**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*

**29 August  
2017**

[NSW Remuneration Tribunals website](#)

## 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. “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. 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 the 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.

## Court and Related Officers Group

# Section 2

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### 2016 Determination

5. On 15 July 2016 the Tribunal determined that officers in the Court and Related Officers Group would receive an increase in salary of 2.5 per cent and an increase in conveyance allowance of 2.1 per cent.
6. The Tribunal also determined that it would provide increases to the conveyance allowance based on a new methodology using the CPI: Motor Vehicles – Sydney (Series ID A2328552A) March quarter. As outlined in the 2016 report:

*“45. .... 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).”*

7. The Tribunal stated that it will continue to consider general increases of up to 2.5 per cent only, following the Government’s advice that it does not intend to repeal or amend the SOOR Regulation before its staged repeal in 2018.

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

### Amendment to the SOOR Act

8. The SOOR Act has been amended since the making of the 2016 annual

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

determination. The *Justice Portfolio Legislation (Miscellaneous Amendments) Act 2016* amended Schedule 2, Public Offices, Part 1 by inserting the office of Acting Commissioner (under the *Land and Environment Court Act 1979*) commencing on 25 October 2016.

## **Section 3**

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### **2017 Annual Review**

9. On 29 March 2017 the Tribunal wrote to office holders advising of the commencement of the 2017 annual review. Having regard to the Government's advice in respect to the SOOR Regulation, the Tribunal advised office holders that for 2017 it would 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**

10. For the 2017 review the Tribunal received three submissions from office holders in the Court and Related Officers Group. The Tribunal did not hold meetings with office holders as part of the 2017 review.
11. The Director and Deputy Directors of Public Prosecutions and Crown Prosecutors and Public Defenders made a group submission, noting the limitations placed on remuneration increases by section 6AB of the SOOR Act and that no formal submission would be made for an increase beyond the 2.5 per cent general increase. The submission also informed the Tribunal that the group had written to the Attorney General requesting that the Tribunal be directed by the Premier to make a special determination to restore the internal and general relativities of their remuneration with that of Judicial Officers. A copy of the letter was provided.



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

12. The Senior Commissioner of the Land and Environment Court supports a 2.5 per cent increase in salary and conveyance allowance based on the economic indicators and other matters referred to in the submission of the Supreme Court Justices in the Judges and Magistrates Group.
13. The Chief Judge of the Land and Environment Court also provided a submission in respect to an acting Commissioner of the Land and Environment Court. The Chief Judge notes that the *Land and Environment Court Act 1979* (L&EC Act) was amended commencing 25 October 2016 to allow the Tribunal to determine remuneration for an acting Commissioner. The Chief Judge provides background information and suggests a principle that could be adopted by the Tribunal to calculate appropriate remuneration for an acting Commissioner. This matter is discussed in Section 4.

#### **Government Submission**

14. The Secretary NSW Treasury provided the Government submission to the Tribunal on 25 August 2017. 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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### **2017 Determination**

#### **General Increase**

15. 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.
16. It is open to the Tribunal to determine an increase of up to 2.5 per cent without the

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

need for office holders to offset any additional increase with officer-related cost savings.

17. 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.
18. The Tribunal notes the request from the Director, Deputy Directors of Public Prosecutions, Crown Prosecutors and Public Defenders group to the Attorney General seeking a special determination from the Tribunal to restore internal relativities. The Premier has not directed the Tribunal to make such a determination.
19. The Tribunal made the following comments in the 2016 report about the internal salary relativities within the Judges and Magistrates Groups and between the Judges and Magistrates Groups and office holders in the Court and Related Officers Group following the repeal of the SOOR Regulation:

*"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."*

20. As identified in the report of the 2015 determination the Tribunal identified that increases of more than 2.5 per cent would be required to restore the original salary relativities for office holders in this group. In accordance with the current legislative framework any increase in excess of 2.5 per cent could only be paid if sufficient officer-related cost savings for the office holder or relevant group had been achieved or were expected to be achieved, to fully offset the increased officer-related costs resulting from the increased payment.
21. In 2015 the Tribunal noted that it was 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. The Tribunal remains of this

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

view having considered as part of this review a request for an increase in excess of 2.5 per cent for an office holder in the Public Office Holders Group.

22. The Tribunal will again draw these matters to the Premier's attention prior to the repeal of the SOOR Regulation in September 2018. Any new regulation should provide the Tribunal with greater flexibility in the undertaking of its statutory functions.

### **Conveyance Allowance**

23. The annual percentage change from the 2016 March quarter to the 2017 March quarter in the CPI: Motor Vehicles – Sydney (Series ID A2328552A) is negative 3.7 per cent. The Tribunal notes that there has been a decrease since the 2016 review and on that basis determines that there will be no change to the quantum of the conveyance allowance.

### **Acting Commissioners of the Land and Environment Court**

24. Section 13 of the L&EC Act sets out the appointment requirements and functions for an acting Commissioner:

#### **13 Acting Commissioners**

- (1) *The Governor may appoint any qualified person to act as a Commissioner of the Court for a time not exceeding 5 years to be specified in the instrument of appointment.*
- (2) *In subsection (1), qualified person means a person qualified for appointment as a Commissioner.*
- (3) *The person so appointed has and may exercise, for the time and subject to the conditions or limitations specified in the instrument of appointment, the functions of a Commissioner and is, for the purposes of this or any other Act, deemed to be:*
- (a) in the case of a person acting on a full-time basis—a full-time Commissioner, and*

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

*(b) in the case of a person acting on a part-time basis—a part-time Commissioner.*

*(4) An acting Commissioner is entitled to be paid:*

*(a) remuneration in accordance with the Statutory and Other Offices Remuneration Act 1975, and*

*(b) such travelling and subsistence allowances as the Minister may from time to time determine in respect of the acting Commissioner.*

*(5) The provisions of the Government Sector Employment Act 2013 do not apply to or in respect of the appointment of an acting Commissioner, and an acting Commissioner is not, in the acting Commissioner's capacity as such, subject to those provisions during the acting Commissioner's term of office...*

25. The Tribunal notes that the wording contained in section 13(4) above reflects an amendment that commenced on 25 October 2016, to allow the Tribunal to determine remuneration for an acting Commissioner of the Land and Environment Court. The former section provided for the Governor to determine remuneration for an acting Commissioner:

***Former Section 13(4)***

*An acting Commissioner is entitled to receive such remuneration and allowances as the Governor may determine.*

26. The remuneration for an acting Commissioner determined under the former Clause 13(4) is \$774 per day, with effect 1 July 2014. The Tribunal notes that this rate is less than the daily equivalent of a full-time Commissioner salary with effect 1 July 2016 (\$279,240 per annum). Information provided to the Tribunal indicates that the daily rate for an acting Commissioner was previously equivalent to a full-time Commissioner salary. However, parity has not been maintained as the acting Commissioner rate has not been increased in line with all of the annual increases determined by the Tribunal for a full-time Commissioner.

27. The Tribunal determines the daily rate for an acting Judge of the Supreme Court, an acting Judge of the District Court and an acting Magistrate of the Local Court. The

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

daily rates are calculated from the full-time rates for the respective offices. The Tribunal considers that the same principle should be adopted in this instance.

28. The Tribunal considers that the remuneration for an acting Commissioner should reflect the daily equivalent of the full-time Commissioner rate, noting that an acting Commissioner exercises the same functions as a full-time Commissioner. On that basis the Tribunal determines the rate of remuneration for an acting Commissioner of the Land and Environment Court shall be \$1,190 per day.

### **Conclusion**

29. The Tribunal is obligated to undertake its duties consistent with the legislation. On that basis the Tribunal, after consulting with the Assessors, considers that an increase of 2.5 per cent in remuneration is appropriate and so determines. In respect to the conveyance allowance, no adjustment is warranted in accordance with the Tribunal's methodology and the 2016 amounts continue to apply.
30. 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 and from 1 July 2017 shall be as specified in Determination Nos. 1-2.

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

*(signed)*

**Richard Grellman AM**

**Dated:** 29 August 2017

## 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 2017**

Position	Salary per annum	Conveyance Allowance (NOTE 1)
Director of Public Prosecutions	\$435,430	\$23,600
Solicitor-General	\$435,430	\$23,600
Chairperson, Law Reform Commission	\$433,690	\$23,600
Crown Advocate	\$390,320	\$21,240
Deputy Director of Public Prosecutions	\$390,320	\$21,240
Senior Crown Prosecutor	\$351,290	\$16,990
Senior Public Defender	\$351,290	\$16,990
Deputy Presidents, Workers Compensation Commission	\$316,150	\$16,990
Deputy Senior Crown Prosecutor	\$316,150	\$16,990
Deputy Senior Public Defender	\$316,150	\$16,990
Solicitor for Public Prosecutions	\$316,150	\$16,990
Senior Commissioner Land and Environment Court	\$303,570	\$16,990
Crown Prosecutor	\$288,830	\$16,990
Public Defender	\$288,830	\$16,990
Commissioner Land and Environment Court	\$286,220	\$16,990
Acting Deputy President Workers Compensation Commission	\$1,315 per day	-
Acting Commissioner Land and Environment Court	\$1,190 per day	-

### Conveyance Allowance

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

METHODOLOGY: The Tribunal provides increases to the conveyance allowance based on the CPI: Motor Vehicles – Sydney (Series ID A232852A) March quarter - having regard to the

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

percentage change from the corresponding quarter of the previous year. In considering any adjustment the following conditions will apply:

- 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).
- The annual adjustment will not exceed 2.5 per cent (to comply with section 6AB of the SOOR Act).

### **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:** 29 August 2017

**Governor of  
New South  
Wales**

Annual Determination

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

**29 August  
2017**

[NSW Remuneration Tribunals website](#)



## 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. “Remuneration” is defined in section 10A as salary or allowances paid in money.
2. Schedule 6, Part 3, clause (3)(2) of the SOOR Act provides for the determination in respect to the office of Governor to be taken as a determination under section 13 in the following terms:

### **3 Governor’s salary**

- (1) *On, or as soon as practicable after, the commencement of the Constitution Amendment (Governor’s Salary) Act 2003, the Tribunal is to make a determination of the remuneration to be paid to the holder of the office of Governor as on and from the day specified for that purpose in the determination (which may, but need not, be the day on which that Act commences).*
  - (2) *A determination under this clause is taken to be a determination under section 13. However, sections 17 (2) and 20 (1) (b) do not apply to a determination under this clause.*
  - (3) *A determination under this clause comes into force, or is taken to have come into force, on the day specified for that purpose in the determination (which may, but need not, be the day on which the Constitution Amendment (Governor’s Salary) Act 2003) commences.*
3. The effect of the above clause is that an annual determination in respect of the Governor’s salary does not take effect from 1 July. Instead, annual determinations of the Governor’s salary take effect from the anniversary of the commencement of the Tribunal’s special determination made on 5 June 2014. That special determination took effect on or after the commencement date of the *Constitution Amendment (Governor’s Salary) Act 2003*, that being 2 October 2014.

## Government Wages Policy

4. 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).
5. Section 6AB of the SOOR Act applies to the Tribunal's determinations in respect of the Governor. 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).
6. In accordance with the 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.

## 2016 Determination

7. On 15 September 2016 the Tribunal determined that Governor would receive a 2.5 per cent increase in salary to \$467,640 with effect on and from 2 October 2016.

## 2017 Determination

### Government Submission

8. The Tribunal invited Mr Blair Comley PSM, Secretary of the Department of Premier and Cabinet, to make a submission on behalf of the Government prior to making its annual report and determination.
9. Mr Comley provided the Government submission to the Tribunal on 7 August 2017.

The Government submits that it supports an increase of 2.5 per cent for the Governor which would be appropriate and consistent with the NSW wages policy and reflects the NSW Government's intent, pursuant to section 6AB of the SOOR Act and SOOR Regulation.

### Conclusion

10. The Tribunal, after having regard to the provisions of section 6AB of the SOOR Act, determines an increase of 2.5 per cent for the remuneration payable to the holder of the office of Governor, effective on and from 2 October 2017 pursuant to Part 3 of Schedule 6 of the SOOR Act. The new rate is as set out in the determination below.

### Annual Determination of Remuneration

Annual determination of the remuneration to be paid to the holder of the office of Governor of New South Wales effective on and from 2 October 2017.

Public Office Holder	Salary per annum
Governor	\$479,330

### The Statutory and Other Offices Remuneration Tribunal

*(signed)*

**Richard Grellman AM**

**Dated: 29 August 2017**

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*

**29 August  
2017**

[NSW Remuneration Tribunals website](#)

## 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. 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).
3. In accordance with the 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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### 2016 Determination

4. On 15 July 2016 the Tribunal determined that officers in the Judges and Magistrates Group would receive an increase in salary of 2.5 per cent and an increase in conveyance allowance of 2.1 per cent.
5. The Tribunal also determined that it would provide increases to the conveyance allowance based on a new methodology using the CPI: Motor Vehicles – Sydney (Series ID A2328552A) March quarter. As outlined in the 2016 report:

*“45. .... 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).”*

6. The Tribunal stated that it will continue to consider general increases of up to 2.5 per cent only, following the Government’s advice that it does not intend to repeal or amend the SOOR Regulation before its staged repeal in 2018.

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

7. The Tribunal also stated that it would revisit the matter of internal salary relativities within the Judges and Magistrates Groups and between the Judges and Magistrates

### **Judges and Magistrates Group**

Groups and office holders in the Court and Related Officers Group following the repeal of the SOOR Regulation:

*“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.”*

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

8. The SOOR Act has been amended since the making of the 2016 annual determination.
9. The *Justice Portfolio Legislation (Miscellaneous Amendments) Act 2016* (the JPL Act) amended Schedule 1 by inserting the office of Acting Magistrate (under the *Local Court Act 2007*) commencing on 25 October 2016.
10. The JPL Amendments Act also amended the SOOR Act to provide judicial officer holders to be provided with living away from home allowances as an employment benefit. An office holder can receive this benefit if they elect by notice in writing to the Minister to receive the benefit and the Minister approves that provision. When such an election is made the salary otherwise payable is reduced by the cost of the employment benefit. The Tribunal is not required to make a determination in respect of this matter.
11. The *Industrial Relations Amendment (Industrial Court) Act 2016* (the IR Amendment Act) amended Schedules 1 and 2 commencing on 8 December 2016. The office of the Chief Commissioner of the Industrial Relations Commission (IRC) was inserted in Schedule 2. The offices of President and Vice President of the IRC were removed from Schedule 1 and the office of Deputy President of the IRC was removed from Schedule 2. The Tribunal has amended the list of offices in the determination accordingly.



## **Judges and Magistrates Group**

### **Special Determination**

12. The Tribunal has made one special determination since the making of the 2016 annual determination. On 14 December 2016, the Tribunal determined pursuant to section 14(2) of the Act, that the annual salary for the Chief Commissioner of the IRC would be \$318, 010 per annum with an annual conveyance allowance of \$16,990.
13. Special determinations are published on the NSW Remunerations Tribunals website.

## Judges and Magistrates Group

# Section 3

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### 2017 Annual Review

14. On 29 March 2017 the Tribunal wrote to office holders advising of the commencement of the 2017 annual review. Having regard to the Government's advice in respect to the SOOR Regulation, the Tribunal advised office holders that for 2017 it would 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 2017 review the Tribunal received five submissions from office holders in the Judges and Magistrates Group. The Tribunal did not hold meetings with office holders as part of the 2017 review.
16. The submission from the Supreme Court requests 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 requests that the salary of judges be increased by 2.5 per cent. The Chief Judge refers to the 2015 and 2016 submissions which detail the substantial increase in the Court's criminal caseload and notes that the increase has continued to support the requested increase in salary.
18. The submission from the Chief Magistrate of the Local Court requests an increase of 2.5 per cent to the salary of magistrates, noting that this is the maximum that be expected within the current constraints. The Chief Magistrate's submission

### **Judges and Magistrates Group**

highlights the workload of magistrates and productivity improvements achieved by the Court to fully justify the maximum increase allowable.

19. The Chief Magistrate notes several changes to legislation relating to magistrates. The first is an amendment to the *Local Court Act 2007* (LC Act) to allow the Tribunal to determine remuneration for acting Magistrates. The Chief Magistrate provides background information and outlines a number of matters for the Tribunal's consideration when making its determination. The second relates to the "living away from home allowance".
20. The submission from the Chief Judge of the Land and Environment Court requests that the Tribunal award an increase of 2.5 per cent to both the salary and the conveyance allowance. The Chief Judge notes that the productivity of judges has been maintained and there are new jurisdictions of the court under legislative reforms, for example strata schemes and local land services.
21. The submission from the President of the Workers Compensation Commission (WCC) notes that it is appropriate for the equivalency of the President's remuneration to that of a Supreme Court Judge to continue.

### **Government Submission**

22. The Secretary NSW Treasury provided the Government submission to the Tribunal on 25 August 2017. 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.

## Judges and Magistrates Group

# Section 4

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### 2017 Determination

#### General Increase

23. 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.
24. 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.
25. 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.
26. 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 2017. Noting that while NSW has fewer judicial office holders per head of population than the other states and territories, the District, Local and Supreme Courts all achieved high clearance rates.
27. While the Tribunal did not receive a request for an increase of more than 2.5 per cent, it remains of 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. This position is confirmed following the assessment of a request for an increase in excess of 2.5 per cent for an office holder in the Public Office Holders Group.
28. The Tribunal will again draw these matters to the Premier's attention prior to the

## Judges and Magistrates Group

repeal of the SOOR Regulation in September 2018. Any new regulation should provide the Tribunal with greater flexibility in the undertaking of its statutory functions.

### Conveyance Allowance

29. The annual percentage change from the 2016 March quarter to the 2017 March quarter in the CPI: Motor Vehicles – Sydney (Series ID A2328552A) is negative 3.7 per cent. The Tribunal notes that there has been a decrease since the 2016 review and on that basis determines that there will be no change to the quantum of the conveyance allowance.

### Acting Magistrate of the Local Court

30. Section 16 of the LC Act sets out the appointment requirements for an acting Magistrate:

#### **16 Acting Magistrates**

- (1) The Governor may, by commission under the public seal of the State, appoint any person who is qualified for appointment as a Magistrate under section 13 to act as a Magistrate for a term not exceeding 5 years to be specified in the commission.*
- (2) A person who holds, or has held, a judicial office of this State, or of the Commonwealth, another State or Territory, may be appointed under this section even if he or she has reached the age of 72 years (or will have reached that age before the appointment expires) but may not be so appointed for any period extending beyond the day on which he or she reaches the age of 77 years.*
- (3) Part 4 of Schedule 1 has effect with respect to acting Magistrates.*

31. Schedule 1, Part 4, clause 12 of the LC Act sets out the role and functions of an Acting Magistrate:

#### **12 Acting Magistrates**

### **Judges and Magistrates Group**

- (1) An acting Magistrate has the powers and authorities of a Magistrate, is to fulfil the duties of a Magistrate and for the purposes of this or any other Act (other than the Statutory and Other Offices Remuneration Act 1975) is taken to be a Magistrate.*
- (2) A person appointed as an acting Magistrate may, despite the expiration of the person's term of office, complete or otherwise continue to hear and determine and otherwise deal with any proceedings that have been heard, or partly heard, by the person before the expiration of that term.*
- (3) While a person continues to deal with or determine, under subclause (2), any proceedings that have been heard or partly heard by the person before the expiration of the person's term of office, the person has all the entitlements and functions of a Magistrate and, for the purposes of those proceedings, is taken to continue to be a Magistrate.*
- (4) A person appointed as an acting Magistrate is entitled to be paid remuneration in accordance with the Statutory and Other Offices Remuneration Act 1975.*

32. The Tribunal notes that the wording contained in clause 12(4) above reflects an amendment that commenced on 25 October 2016, to allow the Tribunal to determine remuneration for an acting Magistrate of the Local Court. The former clause provided for the Governor to determine remuneration for an acting Magistrate:

***Former Clause 12(4)***

*A person appointed as an acting Magistrate is entitled to be paid such remuneration as the Governor considers appropriate and such travelling and subsistence allowances as the Minister may from time to time determine in respect of the Magistrate.*

33. The remuneration for an acting Magistrate determined under the former clause 12(4) is \$1,018.98 per day with effect 1 July 2016. The Tribunal notes that this rate is

### **Judges and Magistrates Group**

less than the daily equivalent of a full-time Magistrate salary with effect 1 July 2016 (\$315,380 per annum). Information provided to the Tribunal indicates that the daily rate for an acting Magistrate was previously equivalent to the full-time Magistrate salary. However, parity has not been maintained as the acting Magistrate rate has not been increased in line with all of the annual increases determined by the Tribunal for a full-time Magistrate.

34. The Local Court of NSW Annual Review 2015 provides further information about the role and contribution of acting Magistrates to the administration of justice:

*“The Court could not continue to achieve the outstanding service to the administration of justice that makes it a leader within the Commonwealth without the energy and assistance of acting magistrates. Recently retired magistrates may be commissioned as acting magistrates under s 16 of the Local Court Act 2007 for a limited tenure. Acting magistrates are used to preside at weekend bail courts. They may also be used to cover absences on sick leave and extended leave.”*

35. The submission of the Chief Magistrate of the Local Court requests that the Tribunal in making its determination for the remuneration of acting Magistrates consider a number of matters including, but not limited, to:

- an acting magistrate undertakes exactly the same duties and has the same obligations as a permanent magistrate.
- without the use of acting magistrates to cover sudden absences of permanent magistrates on sick leave scheduled hearings of the Local Court would have to be abandoned. The flexibility of being able to call on an acting magistrate at short notice has been of significant advantage in maintaining access to justice. The cost to administration of justice, to parties, witnesses and other stakeholders of abandoning sittings is difficult to calculate but when noted that during 2016 acting magistrates were called upon for over 1400 sittings their value is self-evident.

### **Judges and Magistrates Group**

36. The Tribunal determines the daily rate for an acting Judge of the Supreme Court, an acting Judge of the District Court and an acting Commissioner of the Land and Environment Court. The daily rates are calculated from the full-time rates for the respective offices. The Tribunal considers that the same principle should be adopted in this instance.
37. The Tribunal considers that the remuneration for an acting Magistrate should reflect the daily equivalent of the full-time Magistrate rate, noting that acting Magistrates exercise the same functions as full-time Magistrates. On that basis the Tribunal determines the rate of remuneration for acting Magistrates shall be \$1,340 per day.

### **Conclusion**

38. The Tribunal is obligated to undertake its duties consistent with the legislation. On that basis the Tribunal, after consulting with the Assessors, considers that an increase of 2.5 per cent in remuneration is appropriate and so determines. In respect to the conveyance allowance, no adjustment is warranted in accordance with the Tribunal's methodology and the 2016 amounts continue to apply.
39. Pursuant to section 13 of the SOOR Act the Tribunal determines that the remuneration to be paid to office holders in the Judges and Magistrates Group, on and from 1 July 2017 shall be as specified in Determination Nos. 1-6.

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

*(signed)*

**Richard Grellman AM**

**Dated:** 29 August 2017



## Judges and Magistrates Group

# 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.

#### 2017 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 allowances as determined by the Australian Taxation Office (ATO). The ATO has made a new determination for 2017 (TD2017/19) 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 TD2017/19.

#### Principles Adopted

5. In making its determinations on travel allowance rates the Tribunal has adopted a number of guiding principles as set out hereunder.

### **Judges and Magistrates Group**

- (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 TD2017/19. Non metropolitan accommodation rates and meal rates are also as set out in the Determination.
- 8. The Tribunal makes Determination No 7 effective on and from 1 July 2017.

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

*(signed)*

**Richard Grellman AM**

**Dated:** 29 August 2017

## Judges and Magistrates Group

# Section 6

### Determinations

#### Determination No. 1-Remuneration of Judges effective on and from 1 July 2017

Position	Salary per annum	Conveyance Allowance (NOTE 1)
Chief Justice of the Supreme Court	\$506,890	\$23,600
President of the Court of Appeal	\$474,640	\$23,600
Chief Judge of the Land and Environment Court	\$474,640	\$23,600
Judge of the Supreme Court	\$452,990	\$23,600
Judge of the Land and Environment Court	\$452,990	\$23,600
President, Workers Compensation Commission	\$452,990	\$23,600
Judge of the District Court	\$405,710	\$21,240
Associate Judge or acting Associate Judge (under the Supreme Court Act 1970)	\$405,710	\$21,240

#### Determination No. 2- Remuneration of other Judicial Officers not referred to in determination No.1 effective on and from 1 July 2017

Position	Salary per annum	Conveyance Allowance (NOTE 1)
Chief Magistrate	\$404,080	\$21,240
Deputy Chief Magistrate	\$341,450	\$16,990
State Coroner	\$341,450	\$16,990
Chief Industrial Magistrate	\$328,920	\$16,990
Chief Commissioner Industrial Relations Commission	\$325,960	\$16,990
Magistrate	\$323,270	\$16,990
Children's Magistrate	\$323,270	\$16,990
Deputy State Coroner	\$323,270	\$16,990
Commissioner Industrial Relations Commission	\$296,330	\$16,990

## Judges and Magistrates Group

### Conveyance Allowance

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

METHODOLOGY: The Tribunal provides 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).

### 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                      \$1,960 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                      \$1,760 per day

### Determination No. 5-Acting Magistrate rate

#### Local Court

The following rate shall be paid for each ordinary court working day on which the acting Magistrate is occupied in the performance of duties of a Magistrate.

Acting Magistrate of the Local Court                      \$1,340 per day

## **Judges and Magistrates Group**

### **Determination No. 6-Annual leave loading**

#### **Determination of leave loading for Judicial Officers effective on and from 1 July 2017**

#### **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
- Chief Commissioner, Industrial Relations Commission
- Commissioners, Industrial Relations Commission

## Judges and Magistrates Group

### Determination No. 7-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 2017.

#### A. Travel necessitating an overnight stay

Travel Allowances	
<b>Capital City Rates</b>	
Adelaide	\$389.45
Brisbane	\$437.45
Canberra	\$426.45
Darwin	\$467.45
Hobart	\$375.45
Melbourne	\$445.45
Perth	\$445.45
Sydney	\$445.45
<b>Other Centre Rates</b>	
Newcastle	\$375.45
Wollongong	\$375.45
Other Centres	\$375.45

### 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**

Meal	Amount
Breakfast	\$27.05
Lunch	\$30.45
Dinner	\$51.85

**The Statutory and Other Offices Remuneration Tribunal**

*(signed)*

**Richard Grellman AM**

**Dated:** 29 August 2017

# Public Office Holders Group

Annual  
Determination

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

**29 August  
2017**

[NSW Remuneration Tribunals website](#)



## 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 Public Service senior executives 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. 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 the 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

### **Public Office Holders 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.

## Public Office Holders Group

# Section 2

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### 2016 Determination

5. On 15 July 2016 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.
6. The Tribunal stated that it will continue to consider general increases of up to 2.5 per cent only, following the Government's advice that it does not intend to repeal or amend the SOOR Regulation before its staged repeal in 2018.

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

### Special Determinations

7. The Tribunal has made one special determination, pursuant to section 14(2) of the SOOR Act, since the making of the 2016 annual determination. On 18 November 2016 the Tribunal determined the annual salary for three members of the Law Enforcement Conduct Commission (LECC) established under the *Law Enforcement and Conduct Commission Act 2016*. The Tribunal determined that the Chief Commissioner of the LECC would receive an annual salary of \$475,000 and the two Full-time Commissioners would receive an annual salary of \$356,250.
8. Special determinations are published on the [NSW Remuneration Tribunals](#) website.

## Public Office Holders Group

# Section 3

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### 2017 Annual Review

9. On 29 March 2017 the Tribunal wrote to office holders advising of the commencement of the 2017 annual review. Having regard to the Government's advice in respect to the SOOR Regulation, the Tribunal advised office holders that for 2017 it would 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

10. The Tribunal received one submission from an office holder requesting an increase in remuneration of more than 2.5 per cent. The request sought recognition of additional functions imposed on the office holder.
11. As required under Part 3 of the SOOR Act the Tribunal is required to give effect to the policies declared in the SOOR Regulation.
12. One of the declared policies is that an increase in an officer's remuneration that increases officer-related costs by more than 2.5 per cent can only be paid if "officer-related cost savings for the office holder have been achieved to fully offset the increased officer-related costs" (clause 6 of the SOOR Regulation). The officer-related cost savings for an office holder extend to savings from, among other things, changes in work practices of the agency to which the office-holder is treated as belonging (clause 7 of the SOOR Regulation).
13. The office holder in question sought to identify sufficient officer-related cost savings resulting from changes in work practices, as referred to in clause 7(1)(b)(iii) of the SOOR Regulation, to offset any additional officer-related costs associated with any

### Public Office Holders Group

increase in the office-holder's remuneration.

14. The savings put to the Tribunal relate to a new stream of work now undertaken by the agency of the office holder. The new stream of work was conferred on the agency via a change in legislation that took effect in October 2016. The change did not alter the agency's core business but instead increased the client base of the agency by an estimated 30 per cent over the client base it had before the legislation took effect.
15. Ordinarily the majority of the client-related activity of the agency is undertaken in house. To manage the additional workload associated with the new functions conferred on the office, the office holder decided that for the new work program the majority of its client-related activities would be outsourced. The office holder provided data which indicates that this model provides significant savings compared with what the costs of the agency's activities would have been if not for the outsourcing. These savings are expected to be identified for the 2016/17 financial year.
16. The Tribunal sought the advice of the Crown Solicitor to clarify whether the identified savings were "officer-related cost savings for the office holder [that] have been achieved" within the meaning of the SOOR Regulation. That advice also sought to clarify whether those savings could be used to offset any increase in officer-related costs for the office holder resulting from an increase in remuneration over 2.5 per cent.
17. The Crown Solicitor was of the view that the adoption of a new work program where a proportion of the work to be performed under the new function conferred on the agency is contracted out does not amount to a change in the agency's work practices as required by clause 7(1)(b)(iii) of the SOOR Regulation.
18. In addition, the Crown Solicitor's advice found that the identified savings are not officer-related cost savings within the meaning of clause 7(1)(b)(iii). The Crown Solicitor's advice made the following comment in respect of this matter:

*"The "savings" relied upon by the office holder are incapable of being realised as the*

### **Public Office Holders Group**

*cost of performing the new activities in-house has never been incurred by the agency. The only costs incurred in the current financial year relating to the new activities are the outsourcing costs. While it may be more efficient to outsource the work, there has been no reduction in actual costs incurred by the agency nor will there be in the future. “*

19. Following receipt of this advice the Tribunal sought an opinion from the Solicitor General.
20. The Solicitor General agreed with the Crown Solicitor in that the outsourcing of functions is not a change to work practices for the purposes of clause 7(1)(b)(iii) of the SOOR Regulation. Also, the Solicitor General advised that, in his view, the savings claimed in this case are hypothetical rather than actual.
21. Based on the legal advice the Tribunal finds that it is not able to consider the office holder's request for an increase in remuneration in excess of 2.5 per cent as the claim does not satisfy the provisions of clause 7(1)(b)(iii) of the SOOR Regulation.
22. However, the Tribunal is satisfied that the office holder has had a genuine and significant increase in workload and that the office holder has managed the implementation of the change. While it could be argued that the office holder's decision to outsource the additional functions, and the resulting savings from this decision, demonstrate effective and efficient business practices, there is no doubt that these additional functions have broadened the scale and scope of the office holder's role. Had the Tribunal not been required to have regard to the provisions of the SOOR Regulation in considering this matter it is very likely the Tribunal would have found that a case does exist for this office holder to receive an increase in salary of more than 2.5 per cent.
23. The assessment of this request provides further evidence to support the Tribunal's previously stated view that increases of more than 2.5 per cent may not be achievable as the SOOR Regulation makes the identification and assessment of officer-related cost savings prohibitively complex and difficult.
24. The Tribunal will write to the Premier prior to the staged repeal of the SOOR Regulation in 2018 to recommend that any new regulation should provide the

## **Public Office Holders Group**

Tribunal with greater flexibility in the undertaking of its statutory functions.

### **Government Submission**

25. The Secretary NSW Treasury provided the Government submission to the Tribunal on 25 August 2017. 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.



## Public Office Holders Group

# Section 4

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### 2017 Determination

#### General Increase

26. 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. On that basis the Tribunal, after consulting with the Assessors, considers that an increase of 2.5 per cent is appropriate and so determines.
27. The Tribunal is no longer required to make a determination for the Commissioner of the Police Integrity Commission. That role was abolished with effect from 1 July 2017 and removed from Schedule 1 of the SOOR Act. The responsibilities of the Police Integrity Commission are now undertaken by the Law Enforcement Conduct Commission.
28. The Tribunal is also not required to make a determination for the President of the Mental Health Review Tribunal (when that office holder is a Judge of the District Court of NSW or Judge of the Supreme Court of NSW and holds the office of President and continues to be remunerated for their judicial role). The *Mental Health Act 2007* (the MH Act) was amended in September 2016 to make clear that a President who is a full-time member of the Mental Health Review Tribunal and a judge (other than an acting judge) is not, while receiving a salary or allowance as a judge, entitled to remuneration under the MH Act.

#### Section 11A office holders

29. For the 2017 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. Currently only the Commissioner of the NSW Crime Commission has elected to receive employment benefits pursuant to

### **Public Office Holders Group**

section 11A.

30. The Tribunal will also make a salary-only determination 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 role(s) should the incumbent officer revoke his/her election or if a new officer is appointed to the role.

#### **Conclusion**

31. 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 2017 shall be as specified in Determination Nos. 1 and 2.

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

*(signed)*

**Richard Grellman AM**

**Dated:** 29 August 2017

## 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 2017**

<b>Public Office Holder (list updated)</b>	<b>Salary per annum</b>
Public Service Commissioner	\$515,280
Chief Commissioner of the Law Enforcement Commission	\$486,875
Auditor General	\$479,335
Ombudsman	\$478,100
Commissioner, NSW Crime Commission (Note 1)	\$474,395
Assistant Commissioner, NSW Crime Commission	\$449,430
Full time Member and CEO, Independent Pricing and Regulatory Tribunal	\$427,260
President, Mental Health Review Tribunal	\$387,930
Electoral Commissioner	\$373,105
Full-time Commissioner for Integrity of the Law Enforcement Conduct Commission	\$365,155
Full-time Commissioner for Oversight of the Law Enforcement Conduct Commission	\$365,155
Valuer General	\$345,150
Workers Compensation Independent Review Officer	\$344,415
Deputy President Mental Health Review Tribunal	\$339,410
Information Commissioner	\$336,560
Privacy Commissioner	\$324,785
Mental Health Commissioner	\$312,270
Parliamentary Budget Officer	\$307,785
Principal Claims Assessor ( <i>Motor Accidents Compensation Act 1988</i> )	\$306,595
Inspector of Custodial Services	\$296,815
Small Business Commissioner	\$292,420
Deputy Chairperson, Law Reform Commission	\$289,505
Commissioner, Law Reform Commission	\$275,485
Clerk of the Legislative Assembly	\$270,305

### Public Office Holders Group

Public Office Holder (list updated)	Salary per annum
Clerk of the Parliaments	\$270,305
Registrar Workers Compensation Commission	\$270,305
Executive Manager, Parliamentary Services	\$270,305
Senior Arbitrator, Workers Compensation Commission (legally qualified)	\$250,890
Deputy Mental Health Commissioner	\$250,030
Deputy Clerk, Legislative Assembly	\$232,040
Deputy Clerk, Legislative Council	\$232,040
Senior Arbitrator, Workers Compensation Commission (not legally qualified)	\$231,065
Arbitrator, Workers Compensation Commission (legally qualified)	\$221,515
Registrar, Aboriginal Land Rights Act 1983	\$214,365
Assessor ( <i>Local Court Act 2007</i> )	\$205,110
Arbitrator, Workers Compensation Commission (not legally qualified)	\$199,140
Chairperson, Board of the Aboriginal Housing Office	\$160,055
Part-time Chairperson of a Board of Governors of a Corporation constituted by the <i>Electricity Retained Interest Corporations Act 2015</i>	\$157,595
Member of the New South Wales Aboriginal Land Council (Note 2)	\$142,795
Part-time Member of a Board of Governors of a Corporation constituted by the <i>Electricity Retained Interest Corporations Act 2015</i>	\$84,050
Chairperson, Infrastructure NSW	\$82,375
President Mental Health Review Tribunal (part time daily rate)	\$1,610
Deputy President Mental Health Review Tribunal (part time daily rate)	\$1,410
Assessor <i>Local Court Act 2007</i> (daily rate)	\$850

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 \$157,075 per annum) and the Deputy Chairperson shall receive an allowance of 5% (i.e. a total of \$149,935 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 2017**

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:** 29 August 2017

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*

**29 August  
2017**

[NSW Remuneration Tribunals website](#)

## Chief and Senior Executive Service

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Chief and Senior Executive Service

# Section 1

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## Background

1. The Chief Executive Service and Senior Executive Services<sup>1</sup> were employed under the provisions of the former *Public Sector Employment and Management Act 2002* (PSEM Act). That Act was repealed in 2013 and replaced with the *Government Sector Employment Act 2013* (GSE Act). The GSE Act commenced on 23 February 2014 and provided for new executive employment arrangements.
2. The majority of senior executives (being either Public Service senior executives (PSSE), Health Service senior executives (HSSE) or Transport Service senior executive (TSSE)) are now employed in a PSSE band and will receive remuneration packages applicable to each band as determined in accordance with Part 3B of the *Statutory and Other Offices Remuneration Act 1975* (SOOR Act) and outlined in the PSSE Annual Determination. There remain however a small number of ‘transitional former senior executives’ and executives employed in the NSW Police Force Senior Executive Service who continue to be eligible for remuneration packages as determined under Part 3A of the SOOR Act.
3. For that reason the Tribunal will continue to make a determination for the SES remuneration ranges. The Tribunal will review these arrangements prior to the 2018 review to determine whether further determinations are required.

## Transitional former senior executives

4. Transitional arrangements have been in place 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.

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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

5. Under the transitional arrangements Public Service agencies were to review their executive structures within three years of commencement of the GSE Act to achieve alignment with the new executive arrangements. On the whole, the transition of senior executives to the new executive employment arrangements was completed on or before the required date of 24 February 2017. The exception being transitional former senior executives which have a later transition date as provided for in Schedule 4 clauses 7A (6) and 7A (6A) of the GSE Act.
  
6. The transitional provisions also provide for the following executives to continue to receive a remuneration package 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):
  - 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.
  
7. This determination will apply to those transitional former senior executives and office holders who continue to be subject to the transitional arrangements provided for in Schedule 4 of the GSE Act.

### **NSW Police Service Senior Executives**

8. Employees of the NSW Police Force Senior Executive Service (pursuant to section 32 of the *Police Act 1990*) receive remuneration as determined by the Tribunal. Those remuneration ranges and applicable allowances are those determined for the SES under

## Chief and Senior Executive Service

Part 3A of the SOOR Act. The *Police Act 1990* (as amended by the *Government Sector Employment Legislation Amendment Act 2016 (GSELA Act)*) will provide for transitional arrangements which will include transitional provisions relating to senior executive remuneration.

### NSW Health Service Senior Executives

9. The Tribunal has historically determined remuneration ranges which applied to certain executives in the Health Service - the Specialist Medical Skills Determination and the General Medical Skills Determination. Senior executives in the NSW Health Service are now aligned to the employment arrangements for PSSEs under the GSE Act. The Tribunal will retain the Specialist Medical Skills Determination and the General Medical Skills Determination for administrative purposes to cover transitional arrangements.

### Government Wages Policy

10. 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.
11. 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.
12. The Tribunal's 2016 annual determination for the SES, dated 15 July 2016, was consistent with the Government's wages policy and provided for a 2.5 per cent increase for each SES officer.

## Section 2

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### Government Submission

The Secretary NSW Treasury provided the Government submission to the Tribunal on 25 August 2017. 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

- *In 2017-18 employee expenses are expected to increase by 2.9 per cent. This increase is driven primarily by wage growth combined with increased investment in frontline staff, largely within health and education.*
- *Employee expenses are expected to increase on average by 4.1 per cent per annum over the forward estimates, however at a slower growth rate than previously projected, mainly driven by the application of efficiency measures by the government.*
- *The combination of initiatives such as the NSW Public Sector Wages Policy and the Labour Expense Cap has kept average employee expense growth low. Annual average growth in employee expenses was 6.3 per cent from 2003-04 to 2010-11 compared with the forecast average annual growth rate of 4.0 per cent for the ten years to 2020-21.*

### Economic analysis and the State's budget

- *The NSW economy grew by 3.5 per cent in 2015-16, well above its trend rate of 2½ per cent. This momentum is expected to persist in the near-term with economic growth expected to remain above-trend in 2016-17, 2017-18 and 2018-19.*
- *The 2017-18 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 result is an expected surplus of \$4.5 billion, which reflects a temporary boost in revenues from the State's asset recycling program. The Budget forecasts a surplus of \$2.7 billion in 2017-18 and average surpluses of \$2.0 billion across the budget and forward estimate years.*
- *Keeping expense growth below long-term average revenue growth is key to strengthening the fiscal position. The Government is committed to keeping*

Chief and Senior Executive Service

*annual expense growth below long-term average revenue growth of 5.6 per cent, consistent with the requirements of the Fiscal Responsibility Act 2012.*

**Recommended increase**

13. The Government submits that the Tribunal should approve an increase of 2.5 per cent from 1 July 2017, 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.
14. 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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### 2017 General Increase

15. The Tribunal, after consulting with 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 2017. The new rates are as set out in Determinations Nos. 1, 2, 5 and 6. The existing rates for the Recruitment and Retention Allowances continue to apply as set out in Determinations Nos. 3 and 4.

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

16. 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.

#### The Statutory and Other Offices Remuneration Tribunal

*(signed)*

**Richard Grellman AM**

**Dated:** 29 August 2017

## 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 2017 shall be:

CES/SES	Per annum range		
Remuneration Level 8	\$463,551	to	\$535,550
Remuneration Level 7	\$369,601	to	\$463,550
Remuneration Level 6	\$328,901	to	\$369,600
Remuneration Level 5	\$285,101	to	\$328,900
Remuneration Level 4	\$261,451	to	\$285,100
Remuneration Level 3	\$230,201	to	\$261,450
Remuneration Level 2	\$214,651	to	\$230,200
Remuneration Level 1	\$183,300	to	\$214,650

### 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 \$590,750 per annum effective on and from 1 July 2017.

### Determination No. 3 – 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.

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

## Chief and Senior Executive Service

**Determination No. 4 – 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.

<b>CES/SES</b>	<b>Maximum Allowance</b>	
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 – 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 2017 shall be:

<b>Specialist Medical Skills</b>	<b>Per annum range</b>		
Remuneration Level 6	\$338,750	to	\$414,900
Remuneration Level 5	\$337,400	to	\$399,800
Remuneration Level 4	\$331,550	to	\$384,850
Remuneration Level 3	\$316,350	to	\$367,100
Remuneration Level 2	\$296,900	to	\$344,500
Remuneration Level 1	\$273,850	to	\$314,400

Chief and Senior Executive Service

**Determination No. 6 – 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 2017 shall be:

<b>General Medical Skills</b>	<b>Per annum range</b>		
Remuneration Level 2	\$238,350	to	\$276,600
Remuneration Level 1	\$219,100	to	\$251,500

**The Statutory and Other Offices Remuneration Tribunal**

*(signed)*

**Richard Grellman AM**

**Dated:** 29 August 2017



**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*

**29 August  
2017**

[NSW Remuneration Tribunals website](#)

## Public Service Senior Executives

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## Public Service Senior Executives

# Section 1

## Background

### Legislative Framework

1. Senior executives employed under the *Government Sector Employment Act 2013* (GSE Act) are referred to as Public Service senior executives (PSSEs).
2. Section 35 of the GSE Act provides for the Premier (as the Minister administering the GSE Act) to determine the bands in which senior executives are to be employed. The following four bands were determined by the former Premier on 14 February 2014:

Band 4	Secretary level
Band 3	Deputy Secretary level
Band 2	Executive Director level
Band 1	Director Level

3. Section 40 of the GSE Act provides for the remuneration package of a PSSE to be within the range determined under the *Statutory and Other Offices Remuneration Act 1975* (SOOR Act) for the band in which the executive is employed. Remuneration packages are expressed as a total cost of employment, whether the amount is monetary remuneration for the executive, or partly as that remuneration and partly as the cost to the employer of the executive's employment benefits.
4. Section 240 of the SOOR Act provides for the Tribunal to make an annual determination of remuneration packages for senior executives on and from 1 July in that year.
5. The Tribunal's determination provides for remuneration ranges for Bands 1 to 4 and specific remuneration packages for individual office holders identified in the determination.

## Public Service Senior Executives

### Government Wages Policy

6. In determining remuneration for 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.

### Amendments to the SOOR Act

8. 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.
9. The amended provisions also extended the determinations to Health executives from 1 January 2017, Transport executives from 1 July 2017 and Police executives from 31 October 2017 (on commencement of Schedule 3 of the GSELA Act). Except as otherwise provided in the relevant legislation, senior executives in the Public Service, NSW Health Service, Transport Service and NSW Police Force (on commencement of Schedule 3 of GSELA Act 2016) will be employed in one of the four Bands provided for under the GSE Act and will receive a remuneration package within the range applicable for the band as determined by the Tribunal.
10. Where market or other factors require, mechanisms 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

### **Public Service Senior Executives**

Premier. Alternatively, the Health and Transport Secretaries and the Police Commissioner (on commencement of Schedule 3 of GSELA Act 2016) 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.

#### **2016 Annual Determination**

11. The Tribunal's 2016 annual determination for the PSSEs dated 15 July 2016 provided for a 2.5 per cent increase in the minimum and maximum remuneration ranges for each band.
12. The increase also applied to the remuneration packages for those senior executives named in the determination.

## Public Service Senior Executives

# Section 2

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### Special Determinations

13. The Tribunal has made seven special determinations, pursuant to section 24P of the SOOR Act, since the making of the 2016 annual determination.
14. On 22 August 2016 the Tribunal determined to alter the range of remuneration packages for Band 3 PSSEs to provide Ms Sandra Chipchase in the role of Chief Executive Officer, Destination NSW with a remuneration package of \$495,250 per annum.
15. On 16 September 2016, the Tribunal determined to alter the range of remuneration packages for Band 4 PSSEs to provide Ms Carolyn McNally in the role of Secretary, Department of Planning and Environment with a remuneration package of \$507,350 per annum plus a discretionary remuneration range of up to 12 per cent in addition to the base amount.
16. On 9 November 2016 the Tribunal determined to alter the range of remuneration packages for Band 2 PSSEs to provide Mr Tim O'Connor in the role of Executive Director, Criminal Investigations, NSW Crime Commission with a remuneration package of \$380,230 per annum; and Mr Jon Spark in the role of Executive Director, Financial Investigations, NSW Crime Commission with a remuneration package of \$352,384 per annum.
17. On 9 November 2016 the Tribunal determined to alter the range of remuneration packages for Band 3 PSSEs to provide Dr Nigel Lyons in the role of Deputy Secretary, Strategy and Resources, Ministry of Health with a remuneration package of \$495,250 per annum.
18. On 17 July 2017 the Tribunal determined to alter the range of remuneration packages for Band 3 PSSEs to provide Mr David Riches in the role of Head, Projects NSW, Infrastructure NSW with a remuneration package of \$576,345 per annum with

### **Public Service Senior Executives**

effect from 1 July 2017. This determination was made prior to the making of the 2017 annual determination and no further increase is applied in this determination.

19. On 19 July 2017 the Tribunal determined to alter the range of remuneration packages for Band 4 PSSEs to provide Mr Michael Pratt in the role of Secretary of NSW Treasury with a remuneration package of \$563,750 per annum, plus a discretionary remuneration range of up to 12 per cent in addition to the base amount, with effect from the date of his appointment being 1 August 2017. At the Premier's request, that special determination is altered by the annual determination to apply the 2017 general increase to maintain relativity between Secretary remuneration levels.
20. On 15 August 2017 the Tribunal determined to alter the range of remuneration packages for Band 2 PSSEs to provide Ms Leilani Frew in the role of Executive Director, Steering Committee Chair and Strategic Lead for the WestConnex Project for the NSW Treasury with a remuneration package of \$374,877 per annum, with effect from the date of her appointment being 29 May 2017. This determination was made prior to the making of the 2017 annual determination and no further increase is applied in this determination.
21. Special determinations are published on the [NSW Remuneration Tribunals](#) website.

## Public Service Senior Executives

# Section 3

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### Government Submission

22. The Secretary NSW Treasury provided the Government submission to the Tribunal on 25 August 2017. 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 PSSEs. Extracts appear below.

### Employee expenses

- *In 2017-18 employee expenses are expected to increase by 2.9 per cent. This increase is driven primarily by wage growth combined with increased investment in frontline staff, largely within health and education.*
- *Employee expenses are expected to increase on average by 4.1 per cent per annum over the forward estimates, however at a slower growth rate than previously projected, mainly driven by the application of efficiency measures by the government.*
- *The combination of initiatives such as the NSW Public Sector Wages Policy and the Labour Expense Cap has kept average employee expense growth low. Annual average growth in employee expenses was 6.3 per cent from 2003-04 to 2010-11 compared with the forecast average annual growth rate of 4.0 per cent for the ten years to 2020-21.*

### Economic analysis and the State's budget

- *The NSW economy grew by 3.5 per cent in 2015-16, well above its trend rate of 2½ per cent. This momentum is expected to persist in the near-term with economic growth expected to remain above-trend in 2016-17, 2017-18 and 2018-19.*
- *The 2017-18 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 result is an expected surplus of \$4.5 billion, which reflects a temporary boost in revenues from the State's asset recycling program. The Budget forecasts a surplus of \$2.7 billion in 2017-18 and average surpluses of \$2.0 billion across the budget and forward estimate years.*
- *Keeping expense growth below long-term average revenue growth is key to strengthening the fiscal position. The Government is committed to keeping*



### **Public Service Senior Executives**

*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**

23. The Government submits that the Tribunal should approve an increase of 2.5 per cent from 1 July 2017, 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.

## Public Service Senior Executives

# Section 4

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### 2017 Annual Determination

#### General Increase

24. The Tribunal, after consulting with 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 2017. The new rates are as set out in Determination No. 1.
25. The 2.5 per cent increase also applies to those determinations for particular senior executives named in the determination, except for those identified in Section 2.

#### Secretary Remuneration

26. 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.
27. Secretaries are employed in Band 4 to which a remuneration range applies. The Tribunal notes that all Secretaries subject to this determination are eligible to receive remuneration above the maximum of the range for Band 4 which has been facilitated by the making of determinations which alter the Band for those Secretaries specified in such determinations. If this trend is to continue it may be appropriate to review the range of remuneration available within Band 4.
28. The Tribunal's determination for Mr Rob Whitfield in the role of Secretary of NSW Treasury will apply for the period 1 July 2017 to 31 July 2017. As that determination was personal to Mr Whitfield it will cease with effect from 1 August 2017 when a determination personal to Mr Michael Pratt will apply to the same role.

**Public Service Senior Executives**

**The Statutory and Other Offices Remuneration Tribunal**

*(signed)*

**Richard Gellman AM**

**Dated:** 29 August 2017

## 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 2017 shall be:

## Bands and Above Band Determinations

Band	Per annum range		
		to	
Band 4 - Secretary level	\$463,551		\$535,550
Band 3 - Deputy Secretary level	\$328,901		\$463,550
Band 2 - Executive Director level	\$261,451		\$328,900
Band 1 - Director level	\$183,300		\$261,450

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: \$613,750 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: \$577,850 per annum plus a discretionary remuneration range of up to 12 per cent in addition to the base remuneration ( <i>until the expiration of his employment on 31 July 2017</i> ).
	Mr Michael Pratt, Secretary of the NSW Treasury: \$577,850 per annum plus a discretionary remuneration range of up to 12 per cent in addition to the base remuneration ( <i>effective 1 August 2017</i> ).
	Mr Mark Scott, Secretary, Department of Education: \$574,000 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: \$555,150 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: \$555,150 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: \$520,050 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: \$520,050 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: \$520,050 per annum plus a discretionary remuneration range of up to 12 per cent in addition to the base remuneration.
	Ms Carolyn McNally, Secretary, Department of Planning and Environment: \$520,050 per annum plus a discretionary remuneration range of up to 12 per cent in addition to the base remuneration.

### Public Service Senior Executives

Band	Different remuneration packages that apply to the particular senior executives named
Band 3 – Deputy Secretary level	Mr Craig van der Laan, Chief Executive Officer, Barangaroo Delivery Authority: \$593,650 per annum plus a discretionary remuneration range of 12 per cent in addition to the base remuneration.
	Mr David Riches, Head, Projects NSW, Infrastructure NSW: \$576,345 per annum.
	Ms Sandra Chipchase, Chief Executive Officer, Destination NSW: \$507,650 per annum.
	Dr Nigel Lyons, Deputy Secretary, Strategy and Resources, Ministry of Health: \$507,650 per annum.
Band 2 – Executive Director level	Mr Tim O'Connor, Executive Director, Criminal Investigations, NSW Crime Commission: \$389,750 per annum.
	Ms Leilani Frew, Executive Director, Steering Committee Chair and Strategic Lead for the WestConnex Project for the NSW Treasury: \$374,877 per annum.
	Ms Denise Dawson, Chief Financial Officer, Department of Family and Community Services: \$366,150 per annum.
	Mr Jon Spark, Executive Director, Financial Investigations, NSW Crime Commission: \$361,200 per annum.
	Mr Stephen Loquet, Chief Information Officer, Department of Education: \$360,600 per annum.

#### The Statutory and Other Offices Remuneration Tribunal

*(signed)*

**Richard Grellman AM**

**Dated:** 29 August 2017

## TOTALIZATOR ACT 1997

### TAB Limited Betting Rule Amendments

In pursuance of section 54(1) of the *Totalizator Act 1997*, the following amendments to the TAB Limited Totalizator Betting Rules, TAB Limited Fixed Price Racing Betting Rules and TAB Limited Declared Events Betting Rules are approved.

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

The Hon Paul Toole, MP  
Minister for Racing

#### **TAB Limited Totalizator Betting Rules**

Insert new definition:

**"Multiplier"** means a feature that will allow a person making bets on certain events to multiply the return of one bet per day by between 1.02 and 5 times the existing odds.

Insert new clause:

##### **4.9 Multiplier**

TAB may facilitate functionality whereby a customer may place a bet with TAB which includes a multiplier feature. This feature will only be available to TAB digital account customers. TAB will make sufficient information available to customers, including terms and conditions relevant to the multiplier feature to enable customers to make an informed decision.

#### **TAB Limited Fixed Price Racing Betting Rules**

Insert new definition:

**"Multiplier"** means a feature that will allow a person making bets on certain events to multiply the return of one bet per day by between 1.02 and 5 times the existing odds.

Insert new clause:

##### **7.5 Multiplier**

7.5.1 TAB may facilitate functionality whereby a customer may place a bet with TAB which includes a multiplier feature. This feature will only be available to TAB digital account customers. TAB will make sufficient information available to customers, including all terms and conditions relevant to the multiplier feature to enable customers to make an informed decision.

#### **TAB Limited Declared Events Betting Rules**

Insert new definition:

**"Multiplier"** means a feature that will allow a person making Fixed Odds Racing and Sports multiple bets on certain events to multiply the return of one bet per day by between 1.02 and 5 times the existing odds.

Insert new clause:

##### **7.4 Multiplier**

TAB may facilitate functionality whereby a customer may place a bet with TAB which includes a multiplier feature. This feature will only be available to TAB digital account customers. TAB will make sufficient information available to customers, including all terms and conditions relevant to the multiplier feature to enable customers to make an informed decision.

# COUNCIL NOTICES

## BATHURST REGIONAL COUNCIL

Roads Act 1993

Section 10

Dedication of Land as a Public Road

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

David Sherley, General Manager, Bathurst Regional Council, Private Mail Bag 17, Bathurst NSW 2795

### SCHEDULE

2/1218703 being land on Freemantle Road, Bathurst.

[9309]

## BELLINGEN SHIRE COUNCIL

ROADS ACT 1993

Naming of Roads

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

Name	Locality
WARATAH LANE	Dorrigo
Description	
Road extending approximately 360m from Kurrajong Street, Dorrigo	

LIZ JEREMY, General Manager, Bellingen Shire Council, PO Box 117, BELLINGEN NSW 2454

GNB Ref: 0167

[9310]

## BLACKTOWN CITY COUNCIL

LOCAL GOVERNMENT ACT 1993

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

NOTICE OF COMPULSORY ACQUISITION OF LAND

Blacktown City Council declares with the approval of His Excellency the Governor that the lands described in the schedule below, excluding only those mines or deposits of minerals in the land expressly reserved to the Crown, are acquired by compulsory process in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991* for drainage, recreation, bridge construction and future public road.

Dated at Blacktown this 8th day of September 2017.

Kerry Robinson  
General Manager

### SCHEDULE

Lot 23 DP1223029

Lot 26 DP1223029

[9311]

## LANE COVE COUNCIL

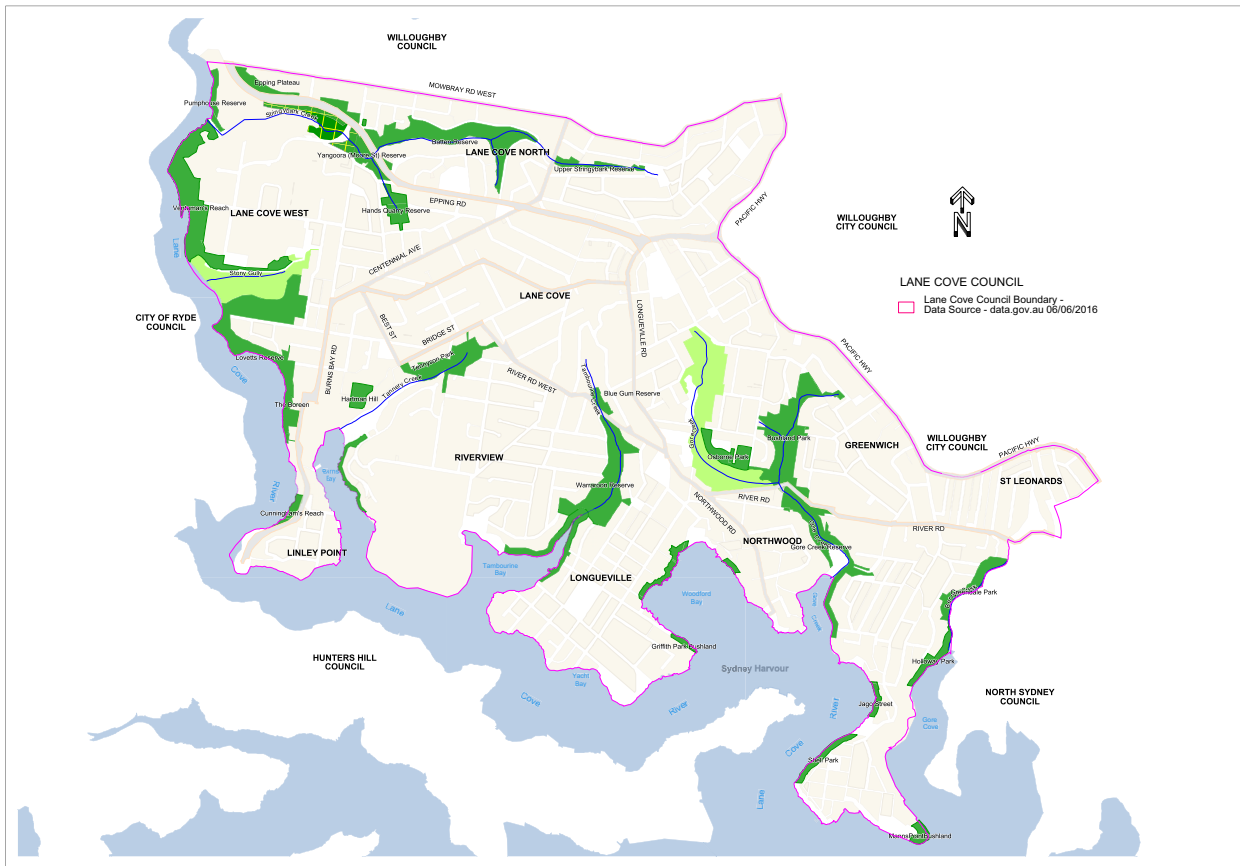
IMPOUNDING ACT 1993

Boat Trailer Impounding Areas Order

Lane Cove Council, as an impounding authority under the *Impounding Act 1993*, hereby orders that from 1st September 2017 the areas described in the schedule below are declared areas for the purposes of section 15A(1) of that Act.

**Schedule**

The Lane Cove Council Local Government Area bounded by the bold, red border in the map below.



Dated this 1st day of September 2017  
 Craig Wrightson, General Manager Lane Cove Council

[9312]

**NEWCASTLE CITY COUNCIL**

Roads Act 1993

Section 10

Dedication of Land as Public Road

NOTICE is hereby given that in accordance with the provisions of section 10 of the *Road Act 1993*, the land held by Council as described in the Schedule below is hereby dedicated as public road. JEREMY BATH, Interim Chief Executive Officer, Newcastle City Council, PO Box 489, Newcastle, NSW, 2300.

**SCHEDULE**

Lot 20 DP1224752

[9313]

**NORTH SYDNEY COUNCIL**

LOCAL GOVERNMENT ACT 1993

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

ERRATUM

The Notice of Compulsory Acquisition of Land published in the New South Wales Government Gazette No. 98 of 1 September 2017, Folio 4911, contains errors. The following corrects those errors and the Gazettal date remains 1 September 2017.



**SCHEDULE 1**

In Schedule 1 on Folio 4911, the words “Lot 11 Deposited Plan 2872, being the whole of the land in Certificate of Title 11/2872” are deleted and replaced with the words “Lot 11 Section 4 Deposited Plan 2872, being the whole of the land in Certificate of Title 11/4/2872”.

Dated at North Sydney this 6th day of September 2017

A PANUCCIO  
Acting General Manager  
North Sydney Council

[9314]

**PORT MACQUARIE-HASTINGS COUNCIL**

Roads Act 1993

Section 10

Dedication of Land as a Public Road

NOTICE is hereby given that in accordance with Section 10 of the *Roads Act 1993*, the land described in the schedule below is dedicated as a public road.

CRAIG SWIFT-McNAIR, General Manager, Port Macquarie-Hastings Council, 17 Burrawan Street, Port Macquarie, NSW 2444

**SCHEDULE**

Lots 1 and 2 Deposited Plan 1225009 Parish Torrens County Macquarie being land situated along Riverside Drive and Shoreline Drive, Riverside

[9315]

**TEMORA SHIRE COUNCIL**

ROADS ACT 1993

Naming of Roads

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

Name	Locality
HARTWIGS ROAD	GidginbungundefinedTrungley Hall
<b>Description</b>	
The road to be named includes an unnamed road, including the adjoining section of the currently named Trungley Hall Gidginbung Road. The road will intersect Schlunkes Road (between Lot 44; DP 750602 & Lot 941; DP 1300174) and Taylors Road (between Lot 4; DP 229359 & Lot 1; DP 567778), road length approximately 7.75km. Datum point will be start from Taylors Road.	

GARY LAVELLE, General Manager, Temora Shire Council, PO Box 262, TEMORA NSW 2666

GNB Ref: 0162

[9316]

**TEMORA SHIRE COUNCIL**

ROADS ACT 1993

Naming of Roads

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

Name	Locality
KRAUSES ROAD	Trungley Hall

**Description**

Allow renaming of the current Wattle Road to Krauses Road to adhere to the previous resolution of Council. The road intersects Schlunkes (Lot 48; DP 750602 & Lot 1; DP 178106) and the proposed Schuberts Road (formally Trungley Hall Gidginbung Road) (Lot 100; DP 750602 & Lot 54; DP 750602)

GARY LAVELLE, General Manager, Temora Shire Council, PO Box 262, TEMORA NSW 2666

GNB Ref: 0161

[9317]

**TEMORA SHIRE COUNCIL**

## ROADS ACT 1993

## Naming of Roads

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

Name	Locality
MACKINLAYS ROAD	Pucawan
<b>Description</b>	
Road adjoining to the north of Burley Griffin Way approximately 1.85 km west of the intersection of Tara Bectric Road and Burley Griffin Way (separating 13/750858 & 1/809962), the road is approximately 1.6 km in length ending at 1/616615	

GARY LAVELLE, General Manager, Temora Shire Council, PO Box 262, TEMORA NSW 2666

GNB Ref: 0165

[9318]

**TEMORA SHIRE COUNCIL**

## ROADS ACT 1993

## Naming of Roads

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

Name	Locality
RACECOURSE ROAD	Temora
<b>Description</b>	
Road located adjoining to the south of Milvale Road approximately 0.77kms east of the intersection of Milvale Road and Narraburra Street (separating lots 1186 & 1187/750587). The road is approx. 0.91kms in length ending at 1196/750587	

GARY LAVELLE, General Manager, Temora Shire Council, PO Box 262, TEMORA NSW 2666

GNB Ref: 0164

[9319]

**TEMORA SHIRE COUNCIL**

## ROADS ACT 1993

## Naming of Roads

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

Name	Locality
SCHUBERTS ROAD	GidginbungundefinedTrungley Hall
<b>Description</b>	
Road commences at intersection of Trungley Hall Road (between Lot 2; DP 791673 & Lot 21; DP 874534) and ends by intersecting Lot 98; DP 750602. Road length is approximately 6.45km.	

GARY LAVELLE, General Manager, Temora Shire Council, PO Box 262, TEMORA NSW 2666

GNB Ref: 0163

[9320]

**TEMORA SHIRE COUNCIL**

**ROADS ACT 1993**

**Naming of Roads**

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

<b>Name</b>	<b>Locality</b>
TRUNGLEY HALL ROAD	Temora
<b>Description</b>	
Currently Trungley Road is gazetted from Allenby Street to Hoskins Street and Trungley Hall Road is from Allenby Street to Mr398 Mary Gilmore Way. The Trungley Road section is currently sign posted as Trungley Hall Road which adds to the confusion. Remove Trungley Road and re-gazette Trungley Hall Road from Hoskins Street intersection to MR398 Mary Gilmore Way. Will alleviate any need to change current rural addressing on Trungley Hall Road. Section previously addressed to Trungley Road will need to be adjusted.	

GARY LAVELLE, General Manager, Temora Shire Council, PO Box 262, TEMORA NSW 2666

GNB Ref: 0166

[9321]

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## PRIVATE NOTICES

### NOTICE OF SALE

UNLESS the Writ for Levy of Property issued from the District Court, Sydney, Court Case No. 2013/00159010, is previously satisfied, the Sheriff's Office at Parramatta intends to sell by Public Auction the following Real Property of Noel and Teressa Anne DONA located at 85 Isabella Street North Parramatta NSW 2151, being the whole of land in Certificate of Title Folio Identifier 7/7727, containing a dwelling thereon.

The sale will be held on site, 85 Isabella Street North Parramatta NSW, at 2:00PM, Saturday, 16th September 2017. Please address all enquiries relating to the proposed sale and copies of contract to Lisa Surian at Raine & Horne Real Estate, tel.: (02) 9635 4788. Eddie Temurcuoglu, OIC, Sheriff's Office, Parramatta, tel.: (02) 86884530.

[9322]