



Government Gazette

of the State of

New South Wales

Number 150—Roads and Transport
Friday, 31 March 2023

The New South Wales Government Gazette is the permanent public record of official NSW Government notices. It also contains local council, non-government and other notices.

Each notice in the Government Gazette has a unique reference number that appears in parentheses at the end of the notice and can be used as a reference for that notice (for example, (n2019-14)).

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

To submit a notice for gazettal, see the Gazette page.

GREATER HUME SHIRE COUNCIL
NOTIFICATION OF CLOSING OF ROAD
Roads Act 1993

NOTICE is hereby given by Greater Hume Shire Council in pursuance of section 38D, Division 3 of Part 4 of the *Roads Act 1993*, that 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 will vest in the body specified in the schedule hereunder.

DESCRIPTION

Lot 1 in Deposited Plan 1279163 at Jindera, in the Local Government Area of Greater Hume, Parish of Huon and County of Goulburn and being land comprised in Certificate of Title Folio Identifier 1/1279163.

SCHEDULE

Upon closing, title to the land within Lot 1 DP 1279163 will vest in Greater Hume Shire Council as Operational and for the purposes of the *Local Government Act 1993*.

EVELYN ARNOLD

General Manager

Greater Hume Shire Council

39 Young Street

Holbrook NSW 2644

SHOALHAVEN CITY COUNCIL

NOTIFICATION OF CLOSING OF A ROAD

Notice is hereby given, under Section 38D, Division 3 of Part 4 of the *Roads Act 1993*, that the road hereunder described is closed and the lands comprised therein cease to be a public road and the rights of passage and access that previously existed in relation to the road is extinguished.

Description

Parish – Bunberra; County – Camden
Land District - Nowra; LGA – Shoalhaven;
Locality – Bomaderry

Road Closed: Lot 1 DP 1275936, formerly part of Bolong Road, Bomaderry

Schedule

Upon closing, title to the land, Lot 1 DP 1275936 will vest in Shoalhaven City Council and is classified as operational land for the purposes of the *Local Government Act 1993*.

Stephen Dunshea
Chief Executive Officer
Shoalhaven City Council
42 Bridge Road NOWRA NSW 2541

Council Ref: 64058E

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Murray River – between the 888 kilometre river marker and 100 metres further downstream from the landmark of the Mildura Rowing Club, near the township of Mildura (Victoria).

Duration

- 7:00am to 6:00pm – Saturday 8 April 2023
- 7:00am to 6:00pm – Sunday 9 April 2023

Detail

A rowing event will be conducted on the navigable waters of Murray River as detailed above.

An **EXCLUSION ZONE** is specified during the event, which will be marked by buoys at each end of the zone. A variety of rowing craft will be competing inside the exclusion zone on a 1 kilometre long course.

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

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

For full details visit the Transport for NSW website – <https://www.nsw.gov.au/driving-boating-and-transport/using-waterways/restrictions-and-closures/marine-notices>

Marine Notice: SO2326

Date: 13 March 2023



Nathaniel Jacobs

Manager Waterways Operations South

Delegate

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Shellharbour Boat Harbour and adjoining waters of the Tasman Sea defined by:

1. From the entrance of the Shellharbour Boat Harbour to,
2. The waters contained between the transit of the navigation leads for Shellharbour Boat Harbour and the southern shoreline of Cowrie Island, then
3. East to the location created by the transit of the Shellharbour Boat Harbour leads and the eastern extent of Cowrie Island at Shellharbour, then
4. To North Shellharbour beach directly in front of the Surf Club.

Duration

- 9.00am to 1.00pm – Sunday 2 April 2023

Detail

A swim event will be conducted on the navigable waters of Shellharbour Boat Harbour and the Tasman Sea as specified above.

An **EXCLUSION ZONE** is specified during the event, which will be marked by buoys and monitored by control vessels.

Unauthorised vessels and persons are strictly prohibited from entering the exclusion zone.

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

For full details visit the Transport for NSW website – <https://www.nsw.gov.au/driving-boating-and-transport/using-waterways/restrictions-and-closures/marine-notices>

Marine Notice: SO2310

Date: 28 March 2023



Nathaniel Jacobs

Manager Waterways Operations South

Delegate

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Murray River – near the townships of Mildura (VIC) and Gol Gol (NSW) and between the following locations:

- 7.00am to 2.00pm - Saturday 8 April 2023 –between the 888km River Marker upstream to the 938km river marker at Wickett’s Bend
- 2.00pm to 6.00pm - Saturday 8 April 2023 – between the 888km River Marker upstream to the 904km river marker at Psyche Bend
- 7.00am to 6.00pm - Sunday 9 April 2023 – between the 888km River Marker upstream to the 938km River Marker at Wickett’s Bend

Duration

- 7.00am to 6.00pm – Saturday 8 April 2023
- 7.00am to 6.00pm – Sunday 9 April 2023

Detail

Competitive ski racing will be conducted on the navigable waters of the Murray River as specified above.

The event will involve the use of high speed power vessels, persons being towed at speed using tow-lines and 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 and will comprise the full width of the Murray River between the locations detailed on the respective days above. The zone will be marked at each end by the presence of control vessels. Unauthorised vessels and persons are prohibited from entering the zone during the times specified above.

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

For full details visit the Transport for NSW website – <https://www.nsw.gov.au/driving-boating-and-transport/using-waterways/restrictions-and-closures/marine-notices>

Marine Notice: SO2333

Date: 28 March 2023



Nathaniel Jacobs

Manager Operations South

Delegate

TWEED SHIRE COUNCIL

Roads Act 1993, Section 10

Dedication of Land as Public Road

NOTICE is hereby given that the Tweed Shire Council, by resolution of the Council dated 20 August 2020, has resolved to dedicate the land described hereunder as public road pursuant to Section 10 of the Roads Act, 1993. Troy Green, General Manager, Tweed Shire Council, PO Box 816 Murwillumbah NSW 2484.

SCHEDULE
Lot 1 DP1264480

NSW VEHICLE MONITORING DEVICE EXEMPTION ORDER 2023

I, Paul Duignan, Director Vehicle Safety, a delegate of Transport for NSW, pursuant to section 158 of the *Road Transport Act 2013* and clause 78 of the *Road Transport (General) Regulation 2021*, make this Order.

Paul Duignan
Delegate

Date: 14/03/2023

Part 1 – PRELIMINARY

Explanatory Note

The object of this Order is to exempt buses (and any driver or responsible person for any such bus) from the requirement under the *Road Transport Act 2013* to ensure that a monitoring device is fitted to the bus. The Order applies to buses that are used to carry out services under a current and valid passenger service contract under the *Passenger Transport Act 2014*.

In addition, this Order applies where a bus that is normally used to carry out services under a passenger service contract, is used (by the same operator) to deliver a charter service, *but only* where the charter service journey is no greater than a 100km radius from the garage address of the bus (unless that charter service is a rail replacement service entered into with a passenger rail operator, in which case the 100km rule does not apply).

This Order is made under section 158 of the *Road Transport Act 2013* and clause 78 of the *Road Transport (General) Regulation 2021*.

1 Name of Order

This Order is the **NSW Vehicle Monitoring Device Exemption Order 2023**

2 Commencement

This Order has effect on and from the date of publication in the NSW Government Gazette.

3 Effect

This order remains in force up to and including 30 March 2026 unless it is revoked earlier.

4 Interpretation

LEX 37733 – NSW Vehicle Monitoring Device Exemption Order 2023

Words and expressions used in this Order have the same meaning as in the *Road Transport Act 2013* and *Road Transport (General) Regulation 2021* except for the following:

‘Accredited bus operator’ means a bus operator that holds an accreditation under Part 2 of the *Passenger Transport Act 1990*;

‘Bus’, ‘bus service’, ‘charter service’, ‘community transport service’, ‘public passenger service’, and ‘passenger service contract’ have the same meaning as in the definitions in Part 1 of the *Passenger Transport Act 2014*;

Part 2 – APPLICATION OF ORDER

5 Vehicles and persons to which this Order applies

5.1 This Order applies to a bus (and any driver or responsible person for the bus) used to provide public passenger services conducted according to regular routes and timetables under a passenger service contract between the accredited bus operator and Transport for NSW

5.2 This Order also applies to a bus (and any driver or responsible person for the bus) used by an accredited bus operator that is a party to a passenger service contract and where the bus is being used to provide charter services where the charter journey is within a 100km radius from the garage address of the bus. This includes bus services operating as community transport services.

5.3 Despite 5.2, where a charter service referenced in that subclause is a rail replacement service undertaken by the operator by way of agreement with a passenger rail operator, the 100km limitation on a journey from the garage area of the bus does not apply, and this Order applies to the bus.

5.4 This Order applies to a bus when it is used as a school bus to transport children from home to school and back under a passenger service contract.

5.5 This Order applies to buses, drivers and responsible persons for buses whether or not:

- a) the buses are registered in NSW, or
- b) the drivers hold NSW driver licences, or
- c) the responsible persons ordinarily reside (or, being corporations, are incorporated or have their principal places of business) in NSW.

6 Exclusions

6.1 This Order does not apply to any vehicle, driver or responsible person for a vehicle where:

- a) the vehicle is a bus conducting a charter service where the journey takes the bus outside a 100km radius from the garage address of the bus, except in the circumstances set out in 5.3 above;
- b) the vehicle is a bus that is not used under a passenger service contract from

time to time;

- c) the operator of the bus ceases to be an accredited bus operator or ceases to hold a passenger service contract; and
- d) the vehicle is any vehicle other than a bus which has a GVM exceeding 13.9 tonnes.

6.2 This Order does not exempt any vehicle, driver or responsible person from any provision of the *Road Transport Act 2013* other than those in Part 6.1, and does not provide any exemption from provisions or obligations under any other legislation, for instance the *Heavy Vehicle National Law (NSW)*, the *Passenger Transport Act 1990* or the *Passenger Transport Act 2014*.

ROADS ACT 1993

Notice of Dedication of Land as Public Road at Katoomba in the Blue Mountains City Council Area

Transport for NSW, by its delegate, dedicates the land described in the schedule below as public road under section 10 of the *Roads Act 1993*.

K DURIE
Statutory Land Transactions Manager
Transport for NSW

Schedule

All those pieces or parcels of land situated in the Blue Mountains City Council area, Parish of Megalong and County of Cook, shown as:

Lot 7 Deposited Plan 1077768; and

Lot 10 Deposited Plan 1020811.

(TfNSW Papers: SF2014/025906; RO SF2015/202397)