



# Government Gazette

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NEW SOUTH WALES

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## LEGISLATION

### Online notification of the making of statutory instruments

Week beginning 9 August 2010

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

#### Proclamations commencing Acts

Personal Property Securities (Commonwealth Powers) Amendment Act 2009 No. 103 (2010-422) – published LW 13 August 2010

Personal Property Securities Legislation Amendment Act 2010 No. 57 (2010-423) – published LW 13 August 2010

Road Transport Legislation Amendment Act 2008 No. 61 (2010-424) – published LW 13 August 2010

#### Regulations and other statutory instruments

Animal Research Regulation 2010 (2010-425) – published LW 13 August 2010

Guardianship Regulation 2010 (2010-426) – published LW 13 August 2010

Health Administration Regulation 2010 (2010-427) – published LW 13 August 2010

Protection of the Environment Operations (Clean Air) Regulation 2010 (2010-428) – published LW 13 August 2010

Roads Amendment (Tollways) Regulation 2010 (2010-429) – published LW 13 August 2010

State Authorities Non-contributory Superannuation Amendment (National Measurement Institute) Order 2010 (2010-430) – published LW 13 August 2010

State Authorities Superannuation Amendment (National Measurement Institute) Order 2010 (2010-431) – published LW 13 August 2010

Superannuation Amendment (National Measurement Institute) Order 2010 (2010-432) – published LW 13 August 2010

#### Environmental Planning Instruments

Albury Local Environmental Plan 2010 (2010-433) – published LW 13 August 2010

Baulkham Hills Local Environmental Plan 2005 (Amendment No. 22) (2010-434) – published LW 13 August 2010

Randwick Local Environmental Plan 1998 (Consolidation) (Amendment No. 42) (2010-435) – published LW 13 August 2010

# OFFICIAL NOTICES

## Department of Industry and Investment

### FISHERIES MANAGEMENT ACT 1994

Fisheries Management (Aquaculture) Regulation 2007  
Clause 39 (4) – Notice of Aquaculture Lease Renewal

THE Minister has renewed the following class 1 Aquaculture Leases:

OL79/065 within the estuary of Wallis Lake, having an area of 1.1591 hectares to Polson Oysters Pty Ltd of Oxley Island NSW, for a term of 15 years expiring on 20 February 2025.

OL65/048 within the estuary of the Pambula River, having an area of 1.0275 hectares to Michael Young of Pambula NSW, for a term of 15 years expiring on 28 February 2025.

OL79/059 within the estuary of Merimbula Lake, having an area of 0.7579 hectares to Thomas and Anita Alcock of Candelo NSW, for a term of 15 years expiring on 18 February 2025.

OL64/073 within the estuary of Wallis Lake, having an area of 0.9519 hectares to Graham Barclay of Forster NSW, for a term of 15 years expiring on 22 June 2025.

OL65/116 within the estuary of Manning River, having an area of 0.6817 hectares to Ian Crisp of Coopernook NSW, for a term of 15 years expiring on 19 April 2025.

OL99/018 within the estuary of Crookhaven River, having an area of 0.0937 hectares to Gregory Benson of Nowra NSW, for a term of 15 years expiring on 22 March 2025.

OL80/009 within the estuary of the Manning River, having an area of 0.1592 hectares to Jason Bloomfield of Mitchells Island NSW, for a term of 15 years expiring on 13 June 2025.

OL96/027 within the estuary of Pambula River, having an area of 1.0708 hectares to Greg Noel Comerford of Bald Hills NSW, for a term of 15 years expiring on 30 November 2024.

OL79/053 within the estuary of Hawkesbury River, having an area of 0.9211 hectares to Bruce Alford of Patonga NSW, for a term of 15 years expiring on 31 December 2024.

OL79/088 within the estuary of the Hawkesbury River, having an area of 0.4047 hectares to CE and Y Moxham Pty Ltd of Brooklyn NSW, for a term of 15 years expiring on 29 June 2025.

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

### FISHERIES MANAGEMENT ACT 1994

Fisheries Management (Aquaculture) Regulation 2007  
Clause 37 (3) – Notice of Granting of  
Class 1 Aquaculture Lease

THE Minister has granted the following Class 1 Aquaculture Lease:

OL67/267 within the estuary of Port Stephens, having an area of 0.5721 hectares to Peter and Elizabeth Brierley of Nelson, New Zealand, for a term of 15 years expiring on 18 May 2025.

OL70/306 within the estuary of Port Stephens, having an area of 1.4503 hectares to Peter and Elizabeth Brierley of Nelson, New Zealand, for a term of 15 years expiring on 18 May 2025.

OL70/307 within the estuary of Port Stephens, having an area of 3.1870 hectares to Peter and Elizabeth Brierley of Nelson, New Zealand, for a term of 15 years expiring on 1 June 2025.

OL77/180 within the estuary of Port Stephens, having an area of 1.4628 hectares to Peter and Elizabeth Brierley of Nelson, New Zealand, for a term of 15 years expiring on 18 May 2025.

OL86/007 within the estuary of Port Stephens, having an area of 3.4620 hectares to Peter and Elizabeth Brierley of Nelson, New Zealand, for a term of 15 years expiring on 18 May 2025.

OL86/163 within the estuary of Port Stephens, having an area of 2.0590 hectares to Peter and Elizabeth Brierley of Nelson, New Zealand, for a term of 15 years expiring on 18 May 2025.

OL72/203 within the estuary of Port Stephens, having an area of 0.2722 hectares to G Moffat and Son Pty Ltd of Swan Bay NSW, for a term of 15 years expiring on 6 May 2025.

OL76/010 within the estuary of Port Stephens, having an area of 0.4356 hectares to G Moffat and Son Pty Ltd of Swan Bay NSW, for a term of 15 years expiring on 6 May 2025.

OL77/183 within the estuary of Port Stephens, having an area of 4.8406 hectares to Paula and Debra Merrick of Tanilba Bay NSW, for a term of 15 years expiring on 18 May 2025.

OL84/078 within the estuary of Port Stephens, having an area of 3.4381 hectares to Paul and Debra Merrick of Tanilba Bay NSW, for a term of 15 years expiring on 18 May 2025.

AL10/003 within the estuary of Port Stephens, having an area of 0.2040 hectares to Graham and Lynette Dessent of Soldiers Point NSW, for a term of 15 years expiring on 23 June 2025.

AL10/004 within the estuary of Port Stephens, having an area of 0.3450 hectares to Johannes and Pauline de Koeyer of Lemon Tree Passage NSW, for a term of 15 years expiring on 23 June 2025.

OL80/118 within the estuary of Brisbane Water, having an area of 0.3981 hectares to Allan and Judith Ferguson of Empire Bay NSW, for a term of 15 years expiring on 6 May 2025.

OL71/255 within the estuary of the Manning River, having an area of 0.3429 hectares to Robert Baines of Mitchells Island NSW, for a term of 15 years expiring on 6 May 2025.

OL70/351 within the estuary of the Macleay River, having an area of 2.8331 hectares to Adflow Pty Ltd of Banora Point NSW, for a term of 15 years expiring on 6 May 2025.

OL75/207 within the estuary of the Macleay River, having an area of 3.0523 hectares to Adflow Pty Ltd of Banora Point NSW, for a term of 15 years expiring on 6 May 2025.

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

**FISHERIES MANAGEMENT ACT 1994**

## Sections 8 and 11 Notification – Fishing Closure

## Trout and Salmon

I, PAUL O'CONNOR, Principal Director, Fisheries and Compliance, with the delegated authority of the Minister for Primary Industries and the Director-General of the Department of Industry and Investment 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 following notifications:
  - (a) the notification titled "Inland Waters and Trout" published in Government Gazette No. 112 of 3 September 2007 at pages 6839 to 6852; and
  - (b) the notification titled "Penrith Weir" published in Government Gazette No. 123 of 4 September 2009 at page 5025, and any notifications revived as a result of these revocations;
2. pursuant to section 8 of the Act, prohibit the taking of fish of the species specified in Column 1 of the Schedule to this notification, by the methods of fishing specified opposite in Column 2 of the Schedule, from the waters described opposite in Column 3 of the Schedule, subject to the conditions specified opposite in Column 4 of the Schedule.

In the Schedule to this notification:

"artificial flies or lures" does not include the use of "power bait™" or any other similar artificial or manufactured bait product.

"attended rod and line" means a rod and line that is within a person's line of sight and that person remains within 50 metres of the rod and line.

"freshwater" means water in a river or creek that is not subject to tidal influence:

- (a) including any body of freshwater that is naturally or artificially stored (such as a freshwater lake, lagoon, dam, reservoir, pond, canal, channel or waterway), but
- (b) not including any coastal lake that is intermittently open to tidal influence.

"General Regulation" means the *Fisheries Management (General) Regulation 2010*.

"inland waters" means waters not subject to tidal influence.

"shore based fishing" means fishing from the bank or edge of the waters and does not include fishing from any vessel, flotation device or floating platform.

This notification is effective for a period of five (5) years commencing on 1 September 2010, unless sooner amended or revoked.

## SCHEDULE

Column 1 Species	Column 2 Methods	Column 3 Waters	Column 4 Conditions
All species	All methods other than: <ol style="list-style-type: none"> <li>(a) one attended rod and line with not more than 2 hooks attached, those hooks being artificial flies or lures, and with not more than 3 treble hooks, or 3 double hooks, attached to any lure; and</li> <li>(b) a landing net as prescribed by clause 33 of the General Regulation.</li> </ol>	The waters described in Table A1 below (except Thompsons Creek Dam and Black Lake).	EXCEPT: <ol style="list-style-type: none"> <li>1. When taking Atlantic Salmon (<i>Salmo salar</i>), Brook Trout (<i>Salvelinus fontinalis</i>), Brown Trout (<i>Salmo trutta</i>) or Rainbow Trout (<i>Oncorhynchus mykiss</i>), the maximum quantity that a person may take on any one day is 2 and the maximum quantity that a person may have in their possession is 4 – consisting of any single species or a combination of species.</li> <li>2. From the Tuesday after the June (Queen’s Birthday) long weekend until midnight on the last Friday before the start of the October (Labour Day) long weekend (inclusive) in each year, the taking of all species of fish by all methods is prohibited.</li> </ol>
All species	All methods other than shore based fishing using: <ol style="list-style-type: none"> <li>(a) one attended rod and line with not more than 3 hooks attached, those hooks being artificial flies or lures, and with not more than 3 treble hooks, or 3 double hooks, attached to any lure; and</li> <li>(b) a landing net as prescribed by clause 33 of the General Regulation</li> </ol>	Thompsons Creek Dam.	EXCEPT: <ol style="list-style-type: none"> <li>1. When taking Atlantic Salmon (<i>Salmo salar</i>), Brook Trout (<i>Salvelinus fontinalis</i>), Brown Trout (<i>Salmo trutta</i>) or Rainbow Trout (<i>Oncorhynchus mykiss</i>), the maximum quantity that a person may take on any one day is 2 and the maximum quantity that a person may have in their possession is 4 – consisting of any single species or a combination of species.</li> <li>2. From 3 hours after sunset to 1 hour before sunrise each night in each year, the taking of all species of fish by all methods is prohibited.</li> </ol>
All species	All methods other than: <ol style="list-style-type: none"> <li>(a) one attended rod and line with not more than 3 hooks attached, those hooks being artificial flies or lures, and with not more than 3 treble hooks, or 3 double hooks, attached to any lure; and</li> <li>(b) a landing net as prescribed by clause 33 of the General Regulation</li> </ol>	Black Lake.	EXCEPT: <ol style="list-style-type: none"> <li>1. When taking Atlantic Salmon (<i>Salmo salar</i>), Brook Trout (<i>Salvelinus fontinalis</i>), Brown Trout (<i>Salmo trutta</i>) or Rainbow Trout (<i>Oncorhynchus mykiss</i>), the maximum quantity that a person may take on any one day is 2 and the maximum quantity that a person may have in their possession is 4 – consisting of any single species or a combination of species.</li> </ol>
Atlantic Salmon ( <i>Salmo salar</i> ), Brook Trout ( <i>Salvelinus fontinalis</i> ), Brown Trout ( <i>Salmo trutta</i> ) or Rainbow Trout ( <i>Oncorhynchus mykiss</i> ).	All methods other than: <ol style="list-style-type: none"> <li>(a) one attended rod and line with not more than 2 hooks attached, those hooks being artificial flies or lures, and with not more than 3 treble hooks, or 3 double hooks, attached to any lure; and</li> <li>(b) a landing net as prescribed by clause 33 of the General Regulation</li> </ol>	The waters described in Table A2 below.	<ol style="list-style-type: none"> <li>1. The fish must be a minimum size of 50 centimetres.</li> <li>2. The maximum quantity that a person may take on any one day is 1 and the maximum quantity that a person may have in their possession is 2 – consisting of any single species or a combination of species.</li> <li>3. The methods specified in column 2 and the conditions in points 1 and 2 in column 4 apply from 1 May to the Monday of the June (Queen’s Birthday) long Weekend (inclusive), in each year.</li> <li>4. From the Tuesday after the June (Queen’s Birthday) long weekend until midnight on the last Friday before the start of the October (Labour Day) long weekend (inclusive) in each year, the taking of all species of fish by all methods is prohibited.</li> </ol>

Column 1 Species	Column 2 Methods	Column 3 Waters	Column 4 Conditions
All species	All methods other than: <ol style="list-style-type: none"> <li>(a) one attended rod and line with not more than 2 hooks attached and with not more than 3 treble hooks, or 3 double hooks, attached to any lure; and</li> <li>(b) a landing net as prescribed by clause 33 of the General Regulation</li> </ol>	The waters described in Table B1 below.	EXCEPT: <ol style="list-style-type: none"> <li>1. When taking Atlantic Salmon (<i>Salmo salar</i>), Brook Trout (<i>Salvelinus fontinalis</i>), Brown Trout (<i>Salmo trutta</i>) or Rainbow Trout (<i>Oncorhynchus mykiss</i>), the maximum quantity that a person may take on any one day is 5 and the maximum quantity that a person may have in their possession is 10 – consisting of any single species or a combination of species.</li> <li>2. From the Tuesday after the June (Queen's Birthday) long weekend until midnight on the last Friday before the start of the October (Labour Day) long weekend (inclusive) in each year, the taking of all species of fish by all methods is prohibited.</li> </ol>
All species	All methods other than: <ol style="list-style-type: none"> <li>(a) two attended rods and lines with:               <ol style="list-style-type: none"> <li>(i) not more than 2 hooks attached and with not more than 3 treble hooks, or 3 double hooks, attached to any lure; or</li> <li>(ii) up to 3 hooks attached where those hooks are artificial flies or lures and with not more than 3 treble hooks, or 3 double hooks, attached to any lure; and</li> </ol> </li> <li>(b) a landing net as prescribed by clause 33 of the General Regulation</li> </ol>	The waters described in Table B2 below.	EXCEPT: <ol style="list-style-type: none"> <li>1. When taking Atlantic Salmon (<i>Salmo salar</i>), Brook Trout (<i>Salvelinus fontinalis</i>), Brown Trout (<i>Salmo trutta</i>) or Rainbow Trout (<i>Oncorhynchus mykiss</i>), the maximum quantity that a person may take on any one day is 5 and the maximum quantity that a person may have in their possession is 10 – consisting of any single species or a combination of species.</li> <li>2. When taking Yabby (<i>Cherax destructor</i>) from the backed up waters of Lake Eucumbene and Lake Jindabyne, the use of the hoop or lift net as prescribed by clause 28 of the General Regulation is allowed in addition to the methods specified in column 2.</li> </ol>
Murray Crayfish ( <i>Euastacus armatus</i> ) and all other Spiny Crayfish species ( <i>Euastacus</i> spp.)	All methods.	Thompsons Creek Dam, Black Lake and the waters described in Tables A1, A2, B1 and B2 below.	All year.

TABLE A1

## Artificial fly and lure only waters

In Table A1, the waters described include the tributaries upstream from where those waters enter the backed up waters of all impoundments contained in those waters. The backed up waters of those impoundments are not included in the waters of Table A1 except for Black Lake and Thompsons Creek Dam where the backed up waters of impoundments are included.

<b>Southern NSW Trout Waters</b>	
BOBUNDARA CREEK	County of Wellesley. The whole of the waters of Bobundara Creek and its tributaries upstream from its junction with, but not including, the Snowy River.
EUCUMBENE RIVER	County of Wallace. The whole of the waters of the Eucumbene River, its creeks and tributaries upstream from the dam wall of Lake Eucumbene and including Providence Portal.
KHANCOBAN CREEK	County of Selwyn: The whole of the waters of Khancoban Creek, together with all of its tributaries, from its confluence with the backed-up waters of Khancoban Pondage upstream to its source and including that part of Broken Back Creek from the wall of Murray 2 Pondage downstream to its confluence with the waters of Khancoban Creek.
KYBEYAN RIVER	County of Beresford. The whole of the waters of the Kybeyan River, its creeks and tributaries upstream from its junction with, but not including, the Numeralla River.
M A C L A U G H L I N RIVER	County of Wellesley. The whole of the waters of the Maclaughlin River, its creeks and tributaries upstream from its junction, but not including, the Snowy River.
MOWAMBA RIVER	County of Wallace. The whole of the waters of the Mowamba River (or Moonbah River), its creeks and tributaries upstream from its junction, but not including, the Snowy River.
SWAMPY PLAIN RIVER	County of Selwyn. The whole of the waters of the Swampy Plain River, its creeks and tributaries downstream of the southern (upstream) boundary of Khancoban Station and upstream from its junction, but not including, the Murray River.
THREDBO RIVER	County of Wallace. The whole of the waters of the Thredbo River (or Crackenback River), its creeks and tributaries upstream from where it enters the backed-up waters of Lake Jindabyne.
FLEA CREEK	County of Cowley: The whole of the waters of Flea Creek and its tributaries including Tumbledown Creek and its tributaries upstream of the junction with the Goodradigbee River.
WILDE'S MEADOW CREEK	County of Camden: The whole of the waters of Wilde's Meadow Creek (including its creeks and tributaries, from a point where its visible flow merges with the backed-up waters of the Fitzroy Falls Reservoir, upstream to its source).
BLACK LAKE	County of Wellesley. The whole of the waters of Black Lake.
<b>Central NSW Trout Waters</b>	
BELL RIVER	County of Wellington. The whole of the waters of the Bell River, its creeks and tributaries upstream from the Belgravia Road crossing.
MOLONG CREEK	County of Wellington. The whole of the waters of the Molong Creek and its tributaries upstream from its junction, but not including, Borenore Creek.
THOMPSONS CREEK DAM	County of Cook. The whole of the waters of Thompsons Creek Dam (near Wallerawang).

TABLE A2

## Spawning Streams

In Table A2, the waters described include the tributaries upstream from where those waters enter the backed up waters of all impoundments contained in those waters. The backed up waters of those impoundments are not included in the waters of Table A2.

EUCUMBENE RIVER	County of Wallace. The whole of the waters of the Eucumbene River and its tributaries upstream of the dam wall and including the Providence Portal.
THREDBO RIVER	County of Wallace. The whole of the Thredbo River.

TABLE B1

## General trout waters

In Table B1, the waters described include the tributaries upstream from where those waters enter the backed up waters of all impoundments contained in those waters. The backed up waters of those impoundments are not included in the waters of Table B1.

<b>Southern NSW Trout Waters</b>	
BEMBOKA RIVER	County of Auckland. The whole of the waters of Bemboka River, its creeks and tributaries upstream its junction with, and including, Tantawangalo Creek.
GOODRADIGBEE RIVER	County of Buccleuch. The whole of the waters of the Goodradigbee River, its creeks and tributaries upstream from where it enters the backed-up waters of Burrinjuck Dam.
INGEEGOODBEE RIVER	County of Wallace. The whole of the waters of the Ingeegoodbee River, its creeks and tributaries upstream from the Victorian border.
MACPHERSONS SWAMP CREEK	County of Buccleuch. The whole of the waters of the Macphersons Creek and tributaries upstream from where it enters the backed-up waters of Burrinjuck Dam.
MOLONGLO RIVER	County of Murray. The whole of the waters of the Molonglo River, its creeks and tributaries upstream from the railway bridge at Burbong.
MURRAY RIVER	County of Selwyn. The whole of the waters of the Murray River, its creeks and tributaries upstream from the road bridge at Tintalra.
MURRUMBIDGEE RIVER	County of Cowley. The whole of the waters of the Murrumbidgee River, its creeks and tributaries upstream from its junction with, including, the Bredbo River.
QUEANBEYAN RIVER	County of Murray. The whole of the waters of the Queanbeyan River, its creeks and tributaries upstream of the fence boundary of the Googong Dam Reservoir (about 1 kilometres downstream of the wall of Googong Dam).
SHOALHAVEN RIVER	County of Murray. The whole of the waters of the Shoalhaven River, its creeks and tributaries upstream from its junction with, and including, the Mongarlowe River.
SNOWY RIVER	County of Wallace. The whole of the waters of the Snowy River, its creeks and tributaries upstream of the Victorian border.
TUMUT RIVER	County of Buccleuch. The whole of the waters of the Tumut River, its creeks and tributaries upstream from its junction with, but not including, the Murrumbidgee River.
TUROSS RIVER	County of Dampier. The whole of the waters of the Tuross River, its creeks and tributaries upstream from the Tuross Falls.
<b>Central NSW Trout Waters</b>	
BELL RIVER	County of Wellington. The whole of the waters of the Bell River, its creeks and tributaries upstream from its junction with, and including, the Molong Creek.
BELUBULA RIVER	County of Bathurst. The whole of the waters of the Belubula River, its creeks and tributaries upstream from the Cherry Tree Falls low level road bridge near Canowindra.

BOREE CREEK	County of Ashburnham. The whole of the waters of the Boree Creek and its tributaries upstream from its junction with, but not including, Mandagery Creek.
COXS RIVER	County of Westmoreland. The whole of the waters of the Coxs River, its creeks and tributaries upstream from its junction with, but not including, Little River.
CUDGEGONG RIVER	County of Phillip. The whole of the waters of the Cudgegong River, its creeks and tributaries downstream of the wall of Windermere Dam and upstream from the Lawson Park Weir at Mudgee.
GUINECOR CREEK	County of Argyle. The whole of the waters of Guinecor Creek and its tributaries upstream from its junction with, but not including, the Wollondilly River.
KOWMUNG RIVER	County of Westmoreland. The whole of the waters of the Kowmung River, its creeks and tributaries upstream from its junction with, and including, Morong Creek.
LACHLAN RIVER	County of Bathurst. The whole of the waters of the Lachlan River, its creeks and tributaries upstream from the Cowra-Young road bridge.
MACQUARIE RIVER	County of Bathurst. The whole of the waters of the Macquarie River, its creeks and tributaries upstream from its junction with, and including, Lewis Ponds Creek.
WOLLONDILLY RIVER	County of Argyle. The whole of the waters of the Wollondilly River, its creeks and tributaries upstream from its junction with, and including, the Tarlo River.
<b>Northern NSW Trout Waters</b>	
APSLEY RIVER	County of Vernon. The whole of the waters of the Apsley River, its creeks and tributaries upstream from its junction with, and including, the Tia River.
BARNARD RIVER	County of Hawes. The whole of the waters of the Barnard River, its creeks and tributaries upstream from its junction with, and including, Gulf Creek.
BARRINGTON RIVER	County of Gloucester. The whole of the waters of the Barrington River, its creeks and tributaries upstream from its junction with, and including, the Moppy River.
BEARDY WATERS	County of Gough. The whole of the waters Beardy Waters, its creeks and tributaries upstream from its junction with, and including, Furracabad Creek.
BLICKS RIVER	County of Fitzroy. The whole of the waters of the Blicks River, its creeks and tributaries upstream from the road bridge at Dundarrabin.
CARTERS BROOK	County of Durham. The whole of the waters of Carters Brook, its creeks and tributaries upstream from its junction with, and including, Stewarts Brook.
CHANDLER RIVER	County of Clarke. The whole of the waters of the Chandler River, its creeks and tributaries upstream from its junction with, and including, the Wollomombi River.
COBARK RIVER	County of Gloucester. The whole of the waters of the Cobark River, its creeks and tributaries upstream from its junction with, and including, the Dilgry River.
COPLACURRIPA RIVER	County of Hawes. The whole of the waters of the Coplacurripa River, its creeks and tributaries upstream from its junction with, and including, the Mummel River.
DEEPWATER RIVER	County of Gough. The whole of the waters of the Deepwater River, its creeks and tributaries upstream of the New England Highway road bridge near Deepwater.
DUNGOWAN CREEK	County of Parry. The whole of the waters of Dungowan Creek and its tributaries upstream from the road crossing near Ogunbil Station.
GEORGES CREEK	County of Hardinge. The whole of the waters of Georges Creek and its tributaries upstream from its junction with, and including, Louisa Creek.
GLOUCESTER RIVER	County of Gloucester. The whole of the waters of the Gloucester River, its creeks and tributaries upstream from its junction with, and including, Sharpes Creek.
GUY FAWKES RIVER	County of Gresham. The whole of the waters of the Guy Fawkes River, its creeks and tributaries upstream from its junction with, but not including, the Aberfoyle River.
GWYDIR RIVER	County of Hardinge. The whole of the waters of the Gwydir River, its creeks and tributaries upstream of the road bridge at Torryburn.



GWYDIR RIVER	County of Hardinge. The whole of the waters of the Gwydir River, its creeks and tributaries downstream of Copeton Dam and upstream of its junction with, but not including, Dingo Creek.
HORTON RIVER	County of Murchison. The whole of the waters of the Horton River, its creeks and tributaries upstream from its junction with, and including, Cut Road Creek.
HUNTER RIVER	County of Brisbane. The whole of the waters of the Hunter River, its creeks and tributaries upstream from its junction with, but not including, Pages Creek.
LAURA CREEK	County of Hardinge. The whole of the waters of Laura Creek and its tributaries of the ford at Baldeslie Station.
MACDONALD RIVER	County of Vernon. The whole of the waters of the Macdonald River, its creeks and tributaries upstream of the New England Highway road bridge at Bendemeer.
MACINTYRE RIVER	County of Gough. The whole of the waters of the MacIntyre River, its creeks and tributaries upstream from the road bridge at Elsmore.
MANNING RIVER	County of Gloucester. The whole of the waters of the Manning River, its creeks and tributaries upstream from the Gummi Trail crossing.
MOONAN BROOK	County of Durham. The whole of the waters of Moonan Brook and its tributaries upstream from its junction with, but not including, the Hunter River.
MOREDUN CREEK	County of Hardinge. The whole of the waters of Moredun Creek and its tributaries upstream of the ford immediately below its junction with Limestone Creek.
MULLA MULLA CREEK	County of Parry. The whole of the waters of Mulla Mulla Creek and its tributaries upstream from its junction with, but not including, the Cockburn River.
MYALL CREEK	County of Hawes. The whole of the waters of Myall Creek and its tributaries upstream from its junction with, and including, Tuggolo Creek.
NOWENDOC RIVER	County of Hawes. The whole of the waters of the Nowendoc River, its creeks and tributaries upstream from Nowendoc Falls.
NYMBOIDA RIVER	County of Sandon. The whole of the waters of the Nymboida River, its creeks and tributaries upstream from its junction with, and including, Wild Cattle Creek.
OAKY RIVER	County of Clarke. The whole of the waters of the Oaky River, its creeks and tributaries upstream from where it enters the backed-up waters of Oaky River Dam.
OBAN RIVER	County of Clarke. The whole of the waters of the Oban River (or Ann River), its creeks and tributaries upstream from its junction with, but not including, the Sara River.
OMADALE BROOK	County of Durham. The whole of the waters of Omadale Brook and its tributaries upstream from its junction with, and including, Polblue Creek.
STYX RIVER	County of Clarke. The whole of the waters of the Styx River, its creeks and tributaries upstream of the road crossing on the Armidale-Bellbrook road.
SWANBROOK	County of Gough. The whole of the waters Swanbrook and its tributaries upstream of the Kings Plains road crossing near Inverell.
WELLINGROVE CREEK	County of Gough. The whole of the waters of Wellingrove Creek and its tributaries upstream from the Gwydir Highway road bridge near Glenn Innes

TABLE B2  
General trout dams

In Table B2, the waters described include the backed up waters of all impoundments and weirs. The tributaries upstream from where those waters enter the backed up waters of all impoundments contained in those waters are not included.

<b>Waters</b>	<b>Nearest town</b>
BEARDY WATERS DAM	GLEN INNES
BEN CHIFLEY DAM	BATHURST
CAPTAIN'S FLAT DAM	QUEANBEYAN
CARCOAR DAM	CARCOAR
COOLUMBOOKA WEIR	BOMBALA
DIGGERS CREEK DAM	PERISHER VALLEY
DUMARESQ DAM	ARMIDALE
FITZROY FALLS RESERVOIR	FITZROY FALLS
GEEHI DAM	KHANCOBAN
GOOGONG DAM	QUEANBEYAN
GOSLING CREEK RESERVOIR	ORANGE
GUTHEGA LAKE	JINDABYNE
HAPPY JACKS PONDAGE	KHANCOBAN
ISLAND BEND DAM	JINDABYNE
JOUNAMA PONDAGE	TALBINGO
KHANCOBAN PONDAGE	KHANCOBAN
LAKE BATHURST	TARAGO
LAKE CANOBOLAS	ORANGE
LAKE CRACKENBACK	THREDBO
LAKE EUCUMBENE	ADAMINABY
LAKE JINDABYNE	JINDABYNE
LAKE LYELL	LITHGOW
LAKE WALLACE	WALLERAWANG
LAKE WILLIAMS	NIMMITABEL
MALPAS DAM	ARMIDALE
MARSDEN WEIR	GOULBURN
MURRAY 2 PONDAGE	KHANCOBAN
PADDY'S RIVER DAM	TUMBERUMBA
PEJAR DAM	GOULBURN
OBERON DAM	OBERON
REDGROUND DAM (Crookwell water supply)	CROOKWELL
ROSSI WEIR	GOULBURN
SHEBA DAMS	NUNDLE
TALBINGO DAM	TALBINGO

<b>Waters</b>	<b>Nearest town</b>
TANTANGARA DAM	ADAMINABY
TOD KILL PARK DAM	CROOKWELL
TOOMA DAM	KHANCOBAN
TUMUT PONDS	ADAMINABY
TUMUT 2 PONDAGE	KHANCOBAN
THREE MILE DAM	KIANDRA
WENTWORTH FALLS LAKE	WENTWORTH FALLS

Dated this 12th day of August 2010.

BILL TALBOT,  
A/Principal Director, Fisheries and Compliance,  
Department of Industry and Investment

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## Land and Property Management Authority

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### ARMIDALE OFFICE

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

Phone: (02) 6770 3100 Fax (02) 6772 8782

### ROADS ACT 1993

#### Notification of Closing of Roads

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

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

\_\_\_\_\_

#### Description

*Land District – Walcha; L.G.A. – Walcha*

Road Closed: Lots 1 to 3 (inclusive), DP 1155082 at Walcha, Parish Walcha, County Vernon.

File No.: 09/15211 (Oxley Drive).

#### Schedule

On closing, Lots 1 to 3 (inclusive), DP 1155082, remains vested in the Walcha Council as Operational Land.

**GOULBURN OFFICE**  
**159 Auburn Street (PO Box 748), Goulburn NSW 2580**  
**Phone: (02) 4824 3700 Fax: (02) 4822 4287**

**APPOINTMENT OF TRUST BOARD MEMBERS**

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

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

**SCHEDULE 1**

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Victor John GILLMAN (new member), Barry Hilton KENNEDY (new member).	Grabben Gullen Hall and Recreation Reserve Trust.	Reserve No.: 65615. Public Purpose: Public hall. Notified: 15 November 1935.
		Reserve No.: 71160. Public Purpose: Public recreation. Notified: 10 March 1944.
		Dedication No.: 530124. Public Purpose: Public recreation. Notified: 9 June 1897. File No.: GB80 R 57.

**Term of Office**

For a term commencing the date of this notice and expiring 30 January 2013.

**SCHEDULE 2**

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Vicky KENNEDY (new member), Michael KENNEDY (new member).	Tallong Public Hall and Recreation Trust.	Reserve No.: 88933. Public Purpose: Public recreation and public hall. Notified: 15 June 1973. File No.: GB91 R 56.

**Term of Office**

For a term commencing the date of this notice and expiring 20 March 2013.

**NOTIFICATION OF CLOSING OF A ROAD**

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

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

**Description**

*Parish – Childowla; County – Harden;*  
*Land District – Yass; L.G.A. – Yass Valley*  
 Lot 1, DP 1152800 (not being land under the Real Property Act).  
 File No.: 07/5203:JK.

**Schedule**

On closing, the title for the land in Lot 1, DP 1152800 remains vested in the State of New South Wales as Crown Land.

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

**ASSIGNMENT OF CORPORATE NAME OF  
RESERVE TRUST**

PURSUANT to Clause 4 (3), of Schedule 8 of the Crown Lands Act 1989, the name specified in Column 1 of the Schedule hereunder, is assigned to the reserve trust constituted as trustee for the reserve specified in Column 2 of the Schedule.

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Bowraville Memorial Park Reserve Trust.	Reserve No.: 97042. For: Public recreation. Notified: 4 November 1983. File No.: GF83R15.

**GRIFFITH OFFICE**  
**2nd Floor, Griffith City Plaza,**  
**120–130 Banna Avenue (PO Box 1030), Griffith NSW 2680**  
**Phone: (02) 6962 3600 Fax: (02) 6962 5670**

**NOTIFICATION OF CLOSING OF PUBLIC ROAD**

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

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

Description

*Parish – Youngareen; County – Gipps;  
Land District – Wyalong; L.G.A. – Bland*

Road Closed: Lot 1, DP 1152244.

File No.: 09/19135(MR).

Schedule

On closing, title to the land comprised in Lot 1 remains vested in the Crown as Crown Land.

## MAITLAND OFFICE

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

Phone: (02) 4937 9306

Fax: (02) 4934 8417

## NOTIFICATION OF CLOSING OF ROAD

IN pursuance of the provisions of the Roads Act 1993, the road hereunder described is closed and the land comprised therein ceases to be a public road and the rights of passage and access that previously existed in relation to the road are extinguished. On road closing, title to the land comprising the former public road vests in the body specified in the Schedule hereunder.

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

## Description

*Parish – Newcastle; County – Northumberland;  
Land District – Newcastle;  
Local Government Area – Newcastle*

Road Closed: Lot 1, DP 1154920 at Newcastle West.

File No.: 07/1058.

## Schedule

On closing, the land within Lot 1, DP 1154920 remains vested in Newcastle City Council as operational land for the purposes of the Local Government Act 1993.

Council's Reference: 2941463.

## Description

*Parish – Olney; County – Northumberland;  
Land District – Gosford; L.G.A. – Wyong*

Road Closed: Lot 1, DP 1152779 subject to Easement for Electricity and other purposes and Right of Carriageway created by Deposited Plan 1152779 (not being land under the Real Property Act).

File No.: MD05 H 87.

## Schedule

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

## Description

*Parish – Killoe; County – Brisbane;  
Land District – Muswellbrook; L.G.A. – Upper Hunter*

Road Closed: Lot 1, DP 1154348 not being land under the Real Property Act.

File No.: MD05 H 88.

## Schedule

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

## Description

*Parish – Awaba; County – Northumberland;  
Land District – Newcastle; L.G.A. – Lake Macquarie*

Road Closed: Lot 100, DP 1149240; Lot 102, DP 1149241 and Lot 103, DP 1149241, subject to Easement for Electricity and other purposes variable width as set out in memorandum registered number AC289041 and not being land under the Real Property Act.

File No.: MD98 H 274.

## Schedule

On closing, the land within Lots 100, 102 and 103 remains vested in the State of New South Wales as Crown Land.

**MOREE OFFICE****Frome Street (PO Box 388), Moree NSW 2400****Phone: (02) 6750 6400 Fax: (02) 6752 1707****NOTIFICATION OF CLOSING OF ROADS**

IN pursuance of the provisions of the Roads Act 1993, the roads hereunder described are closed and the land comprised therein ceases to be public road and the rights of passage and access that previously existed in relation to the roads is extinguished. On road closing, title to the land comprising the former public roads vest in the body specified in the Schedule hereunder.

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

\_\_\_\_\_  
Description

*Land District – Moree; Council – Moree Plains Shire;  
Parish – Yarouah; County – Benarba*

Roads Closed: Lots 1, 2, 3 and 4 in DP 1155054.

File No.: ME04 H 630.

Schedule

On closing, title to the land within Lots 1, 2, 3 and 4 in DP 1155054 remains vested in the State of New South Wales as Crown Land.

\_\_\_\_\_  
Description

*Land District – Wyallda; Council – Gwydir Shire;  
Parishes – Myalla and Gullungutta; County – Burnett*

Roads Closed: Lot 1 in DP 1152824.

File No.: ME05 H 366.

Schedule

On closing, title to the land within Lot 1 in DP 1152824 remains vested in the State of New South Wales as Crown Land.

Description

*Land District – Narrabri; Council – Narrabri Shire;  
Parish – Narrabri; County – Nandewar*

Roads Closed: Lots 1 and 2 in DP 1154824.

File No.: ME05 H 503.

Schedule

On closing, title to the land within Lots 1 and 2 in DP 1154824 remains vested in the State of New South Wales as Crown Land.

\_\_\_\_\_  
Description

*Land District – Moree; Council – Moree Plains;  
Parish – Wirrigurldonga; County – Courallie*

Roads Closed: Lot 1 in DP 1155055.

File No.: ME05 H 301.

Schedule

On closing, title to the land within Lot 1 in DP 1155055 remains vested in the State of New South Wales as Crown Land.



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

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

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

## Description

*Parish – Wallagoot; County – Auckland;  
Land District – Bega;  
Local Government Area – Bega Valley*

Road Closed: Lot 1, DP 1154323 at Wallagoot.

File No.: NA05 H 361.

## Schedule

On closing, the land within Lot 1, DP 1154323 remains vested in the State of New South Wales as Crown Land.

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

IN pursuance of the provisions of the Roads Act 1993, the road hereunder described is closed and the land comprised therein ceases to be a public road and the rights of passage and access that previously existed in relation to the road are extinguished. On road closing, title to the land comprising the former public road vests in the body specified in the Schedule hereunder.

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

## Description

*Parish – Cargo; County – Ashburnham;  
Land District – Molong; L.G.A. – Cabonne*

Road Closed: Lot 1 in Deposited Plan 1155571.

File No.: 08/11484.

## Schedule

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

## Description

*Parishes – Watton and Cox; County – Roxburgh;  
Land District – Bathurst; L.G.A. – Bathurst Regional*

Road Closed: Lot 1 in Deposited Plan 1128062.

File No.: OE80 H 1342.

## Schedule

On closing, title to the land comprised in Lot 1 remains vest in the Crown as Crown Land

## Description

*Parish – Kelso; County – Roxburgh;  
Land District – Bathurst; L.G.A. – Bathurst Regional*

Road Closed: Lot 1 in Deposited Plan 1155183.

File No.: 09/08004.

## Schedule

On closing, the land within Lot 1 in DP 1155183 remains vested in Bathurst Regional Council as operational land for the purposes of the Local Government Act 1993.

Council Reference: 25.00111.

**SYDNEY METROPOLITAN OFFICE**  
**Level 12, Macquarie Tower, 10 Valentine Avenue, Parramatta 2150**  
**(PO Box 3935, Parramatta NSW 2124)**  
**Phone: (02) 8836 5300 Fax: (02) 8836 5365**

**APPOINTMENT OF ADMINISTRATOR**

PURSUANT to section 117 of the Crown Lands Act 1989, the person named in Column 1 of the Schedule hereunder, is appointed to be the Administrator of the reserve trusts named in Column 2, which are the trustees of the reserves referred to in Column 3 of the Schedule.

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

SCHEDULE

Description

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Graham WAKELING.	Liverpool General Cemetery Seventh Day Adventist Portion Trust.	Dedication No.: 500703. Public Purpose: General cemetery. Notified: 16 December 1892. File No.: MN84 R 115.
Graham WAKELING.	Liverpool General Cemetery Muslim Portion Trust.	Dedication No.: 500706. Public Purpose: General cemetery. Notified: 16 December 1892. File No.: MN84 R 51.

Term of Office

For a term expiring 31 August 2010.

**SOIL CONSERVATION ACT 1938**

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

Notice of Compulsory Acquisition of Interests in Land

WITH the approval of Her Excellency the Governor and pursuant to section 24 of the Soil Conservation Act 1938, I, ANTHONY BERNARD KELLY, Minister for Lands (Administering Part 5 of the Soil Conservation Act), hereby

acquire by compulsory process in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, the interest in the Crown Land described in Part 1, of the Schedule below, for the purpose of services to the community.

File No.: LPMA 09/08470.

Dated at Sydney, this 16th day of July 2010.

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

SCHEDULE

Part 1 – Lot 1 in DP 848071.

**DECLARATION OF LAND TO BE CROWN LAND**

PURSUANT to section 12 of the Roads Act 1993, the Minister for Lands hereby dedicates the land specified in the Schedule hereunder, as Crown public road.

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

SCHEDULE

Land District: Metropolitan.

Local Government Area: Sutherland Shire.

Locality: Lucas Heights.

Lots: 1 and 2, DP 1142918.

Parish: Holsworthy.

County: Cumberland.

File No.: 09/09071.

**TAREE OFFICE**

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

**ERRATUM**

THE notification appearing in the *New South Wales Government Gazette* No. 99 of 6 August 2010, Folio 3728, under the heading 'Appointment of Reserve Trust as Trustee of a Reserve', is cancelled as of 6 August 2010.

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

**WAGGA WAGGA OFFICE****Corner Johnston and Tarcutta Streets (PO Box 60), Wagga Wagga NSW 2650****Phone: (02) 6937 2700****Fax: (02) 6921 1851****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 Schedules hereunder, is appointed to manage the affairs of the reserve trusts specified opposite thereto in Column 2, which are trustees of the reserves referred to in Column 3 of the Schedules.

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

**SCHEDULE 1**

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Lands Administration Ministerial Corporation.	Tumut Ecology Reserve Trust.	Reserve No.: 220020. Public Purpose: Promotion of the study and the preservation of native flora and fauna. Notified: 1 July 1988. File No.: WA89 R 21-03.

For a term commencing the date of this notice.

**SCHEDULE 2**

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Lands Administration Ministerial Corporation.	Mangoplah Public Hall Trust.	Reserve No.: 51995. Public Purpose: Public hall. Notified: 16 February 1917. File No.: WA80 R 198-02.

For a term commencing the date of this notice.

**SCHEDULE 3**

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Lands Administration Ministerial Corporation.	Union Jack Reserve Trust.	Reserve No.: 88542. Public Purpose: Public recreation and public hall. Notified: 30 March 1972. File No.: WA81 R 29-02.

For a term commencing the date of this notice.

**APPOINTMENT OF TRUST BOARD MEMBERS**

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

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

**SCHEDULE**

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Craig Maxwell MARSHALL (re-appointment).	Rennie Reserves Trust.	Reserve No.: 66805. Public Purpose: Public hall. Notified: 4 June 1937.

*Column 1 Column**2 Column**3*

Reserve No.: 89747.  
Public Purpose: Public recreation.  
Notified: 12 March 1976.  
File No.: WA04 R 6.

Term of Office

For a term commencing the date of this notice and expiring 31 January 2014.

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

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

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

**SCHEDULE 1**

Lands Administration Ministerial Corporation.

**SCHEDULE 2**

Silvalite Reserve Trust.

**SCHEDULE 3**

Reserve No.: 97572.  
Public Purpose: Environmental protection and plantation.  
Notified: 9 November 1984.  
File No.: WA99 R 13.

**DISSOLUTION OF RESERVE TRUST**

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

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

**SCHEDULE***Column 1*

Silvalite Reserve Trust.

*Column 2*

Reserve No.: 97572.  
Public Purpose: Environmental protection and plantation.  
Notified: 9 November 1984.  
File No.: WA93 R 13.

**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.

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Wagga Wagga City Council Crown Reserves Reserve Trust.	Reserve No.: 97572. Public Purpose: Environmental protection and plantation. Notified: 9 November 1984. File No.: WA99 R 13.

**NOTIFICATION OF CLOSING OF A ROAD**

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

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

Description

*Parish – Hovell; County – Hume;  
Shire – Greater Hume; Land District – Albury*

Road Closed: Lot 1 in DP 1152803 at Burrumbuttock.

File No.: WA05 H 139.

Note: On closing, the land within Lot 1 in DP 1152803 remains vested in the State of New South Wales as Crown Land.

Description

*Parish – Bull Plain; County – Denison;  
Shire – Corowa; Land District – Corowa*

Road Closed: Lot 1 in DP 1152801 at Savernake.

File No.: WA05 H 227.

Note: On closing, the land within Lot 1 in DP 1152801 remains vested in the State of New South Wales as Crown Land.

Description

*Parishes – Berry Jerry, Bullenbung and Munday;  
County – Mitchell; City – Wagga Wagga;  
Land District – Wagga Wagga*

Road Closed: Lots 1, 2 and 3 in DP 1144660 at Brookdale and Collingullie.

File No.: WA06 H 19.

Note: On closing, the land within Lots 1, 2 and 3 in DP 1144660 remains vested in the State of New South Wales as Crown Land.

Description

*Parish – Marrar; County – Bourke;  
Shire – Coolamon; Land District – Wagga Wagga*

Road Closed: Lot 1 in DP 1152864 at Coolamon.

File No.: WA06 H 201.

Note: On closing, the land within Lot 1 in DP 1152864 remains vested in the State of New South Wales as Crown Land.

Description

*Parish – Mangoplah; County – Mitchell;  
City – Wagga Wagga; Land District – Wagga Wagga*

Road Closed: Lot 1 in DP 1153087 at Mangoplah.

File No.: WA05 H 95.

Note: On closing, the land within Lot 1 in DP 1153087 remains vested in the State of New South Wales as Crown Land.

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

**REVOCATION OF RESERVATION OF CROWN  
LAND**

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

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Reserve No.: 79507.	That part within Lot 66,
Purpose: Public school site.	DP 875904, for an area of
Notified: 12 April 1957.	817 square metres.
Locality: Palinyewah.	
Parish: Palinyewah.	
County: Wentworth.	
File No.: WL05 R 27.	

**NOTIFICATION OF CREATION OF EASEMENT**

PURSUANT to Part 4, Division 5, section 52 (1) (b) (ii), Crown Lands Act 1989, the easement described hereunder is created.

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

Description

*County of Yancowinna;*  
*Administrative District of Broken Hill; City of Broken Hill*

Purpose: Right of access as described in terms and conditions below.

Land Benefited: Lot 5940, DP 725373 and Lot 5502, DP 768411.

Land over which created: The sites designated "A" and "B" in DP 1141672 affecting Crown reserve 23158 for Extension of Temporary Common, notified 8 November 1895.

TERMS AND CONDITIONS OF RIGHT OF WAY

1. The owner of the lot benefited, and every person authorised by them may:
  - (a) by any reasonable means pass across each lot burdened, but only within the site of this easement, to get to or from the lot benefited, and
  - (b) do anything reasonably necessary for that purpose, including:
    - entering the lot burdened, and
    - taking anything on to the lot burdened, and
    - carrying out work within the site of this easement, such as constructing, placing, repairing or maintaining trafficable surfaces, driveways or structures.
2. In exercising those powers, the owner of the lot benefited must:
  - (a) ensure all work is done properly, and
  - (b) cause as little inconvenience as is practicable to the owner and any occupier of the lot burdened, and
  - (c) cause as little damage as is practicable to the lot burdened and any improvement on it, and
  - (d) restore the lot burdened as nearly as is practicable to its former condition, and
  - (e) make good any collateral damage.

File No.: 09/2419.

# Department of Planning

## ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

State Environmental Planning Policy (Major Development) 2005

### NOTICE

I, the Minister for Planning, pursuant to clause 8 (1A) of State Environmental Planning Policy (Major Development) 2005 (Major Development SEPP), hereby give notice that I have received a proposal that Schedule 3 of the Major Development SEPP be amended to add the site described in Schedule 1 of this Notice.

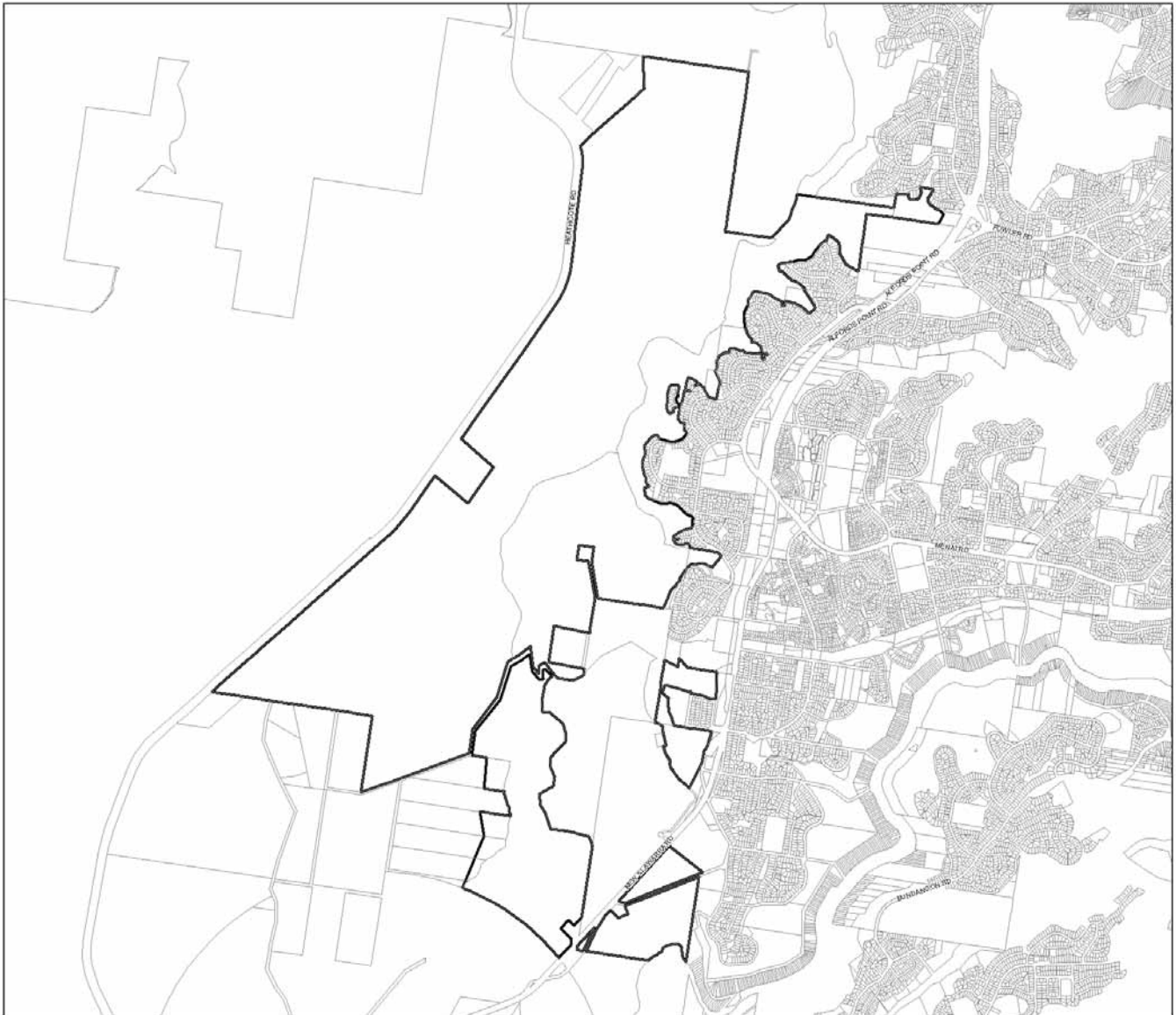
Sydney, 11 August 2010.

The Hon TONY KELLY, M.L.C.,  
Minister for Planning

### SCHEDULE 1

The site known as Heathcote Ridge as generally shown edged heavy black on the map called Heathcote Ridge – Cadastre, within the Sutherland Local Government Area.

Heathcote Ridge – Cadastre



ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

DECLARATION

I, the Minister for Planning, under clause 276 of the Environmental Planning and Assessment Regulation 2000, declare those parts of the precincts referred to in the Schedule to be released for urban development.

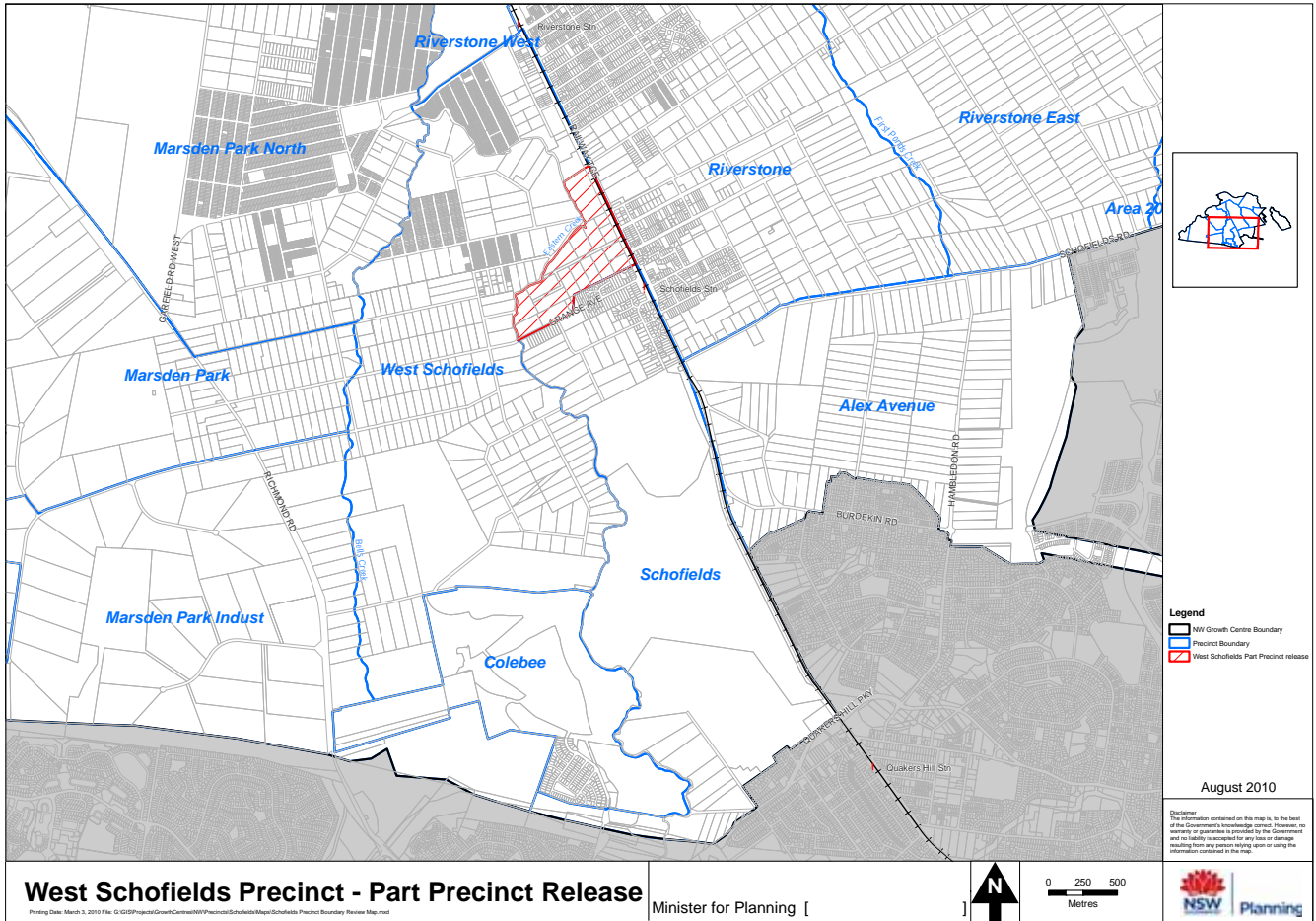
Dated at Sydney, 11 August 2010.

The Hon ANTHONY KELLY, M.L.C.,  
Minister for Planning

SCHEDULE

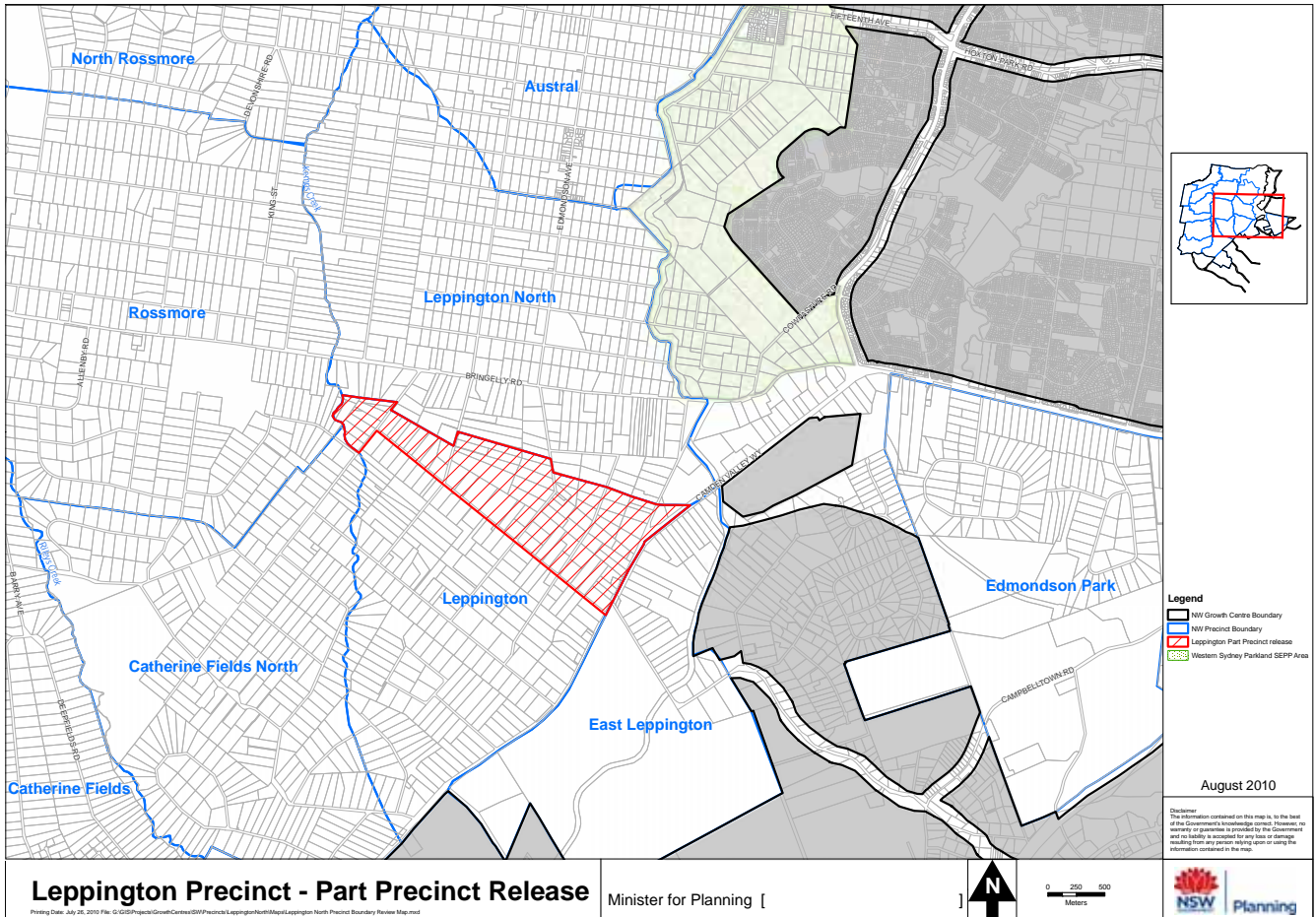
1. That part of the West Schofields Precinct shown with red hatching on the map held at the Department of Planning and marked:

West Schofields Precinct – Part Precinct Release.



- 2. That part of the Leppington Precinct shown with red hatching on the map held at the Department of Planning and marked:

Leppington Precinct – Part Precinct Release.





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# Roads and Traffic Authority

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## ROAD TRANSPORT (GENERAL) ACT 2005

### ROAD SAFETY AND TRAFFIC MANAGEMENT ACT 1999

#### Ministerial Exemption (Rail Replacement Bus Services) Order 2010

I, David Borger, Minister for Roads, pursuant to section 16 of the Road Transport (General) Act 2005, make the following Order.

Dated this 12 day of August 2010.

DAVID BORGER, M.P.,  
Minister for Roads

#### 1. Citation

This Order may be cited as the Ministerial Exemption (Rail Replacement Bus Service) Order 2010.

#### 2. Commencement

This Order takes effect on the day that it is published in the New South Wales Government Gazette.

#### 3. Effect

This Order remains in force until it is amended or repealed.

#### 4. Interpretation

4.1 In this Order:

*disrupted railway passenger services* means the unplanned disruption of railway passenger services operated by the Rail Corporation of NSW which are sufficiently serious to require the provision of rail replacement bus services.

*rail replacement bus services* means buses operated by an accredited service operator within the meaning of Passenger Transport Act 1990 for the purpose of carrying passengers, and persons who were proposing to be passengers, of disrupted railway passenger services.

4.2 Unless otherwise stated, words and expressions used in this Order have the same meaning as those defined in the Road Transport (Safety and Traffic Management) Act 1999 and the Road Transport (General) Regulation 2005.

#### 5. Exemption from vehicle monitoring device requirements

Without limiting any exemption in any Regulation or Order, Division 2 (Monitoring of heavy vehicles and heavy vehicles carrying dangerous goods) of Part 5 of the Road Transport (Safety and Traffic Management) Act 1999 is declared not to apply to a bus or to the drivers and responsible persons for a bus to which that Division would otherwise apply, in circumstances where the bus is being used to provide rail replacement bus services.

#### 6. Exemption from driver work diary requirements

Without limiting any exemption in any other Order, Subdivision 2 (Work diary requirements) of Division 4 of Part 6 of Road Transport (General) Regulation 2005 is declared not to apply to the driver of a bus to which that Subdivision would otherwise apply, in circumstances where:

6.1 The driver is engaged in providing rail replacement bus services; and

6.2 The record keeper for the driver:

(a) records the following information as soon as possible after receiving it:

- (i) the driver's name, driver licence number and contact details; and
- (ii) the dates on which the driver drives a bus on a road; and
- (iii) the registration number shown on the numberplate of each bus the driver drives; and
- (iv) the total of the driver's work and rest times on each day when the driver drives a bus; and
- (v) the total of the driver's work and rest times for each week when the driver drives a bus; and
- (vi) the driver's rosters and trip schedules, including details of driver changeovers; and

(b) keeps a copy of payment records relating to the driver, including timesheet records if the driver is paid according to time at work; and

(c) keeps the records required under subclauses (a) and (b) for 3 years after they are created; and

(d) keeps the records at the record location so that they are reasonably accessible to an authorised officer or police officer; and

(e) keeps the records in way that ensures:

- (i) they are readable and reasonably capable of being understood; and
- (ii) are capable of being used as evidence.

**Explanatory Notes**

This Order applies to buses which are providing passenger services to persons affected by unplanned disruptions of RailCorp rail services. It does not apply to bus services replacing rail services due to scheduled track maintenance.

The Order exempts unplanned rail replacement bus services from compliance with requirements under road transport laws for:

- buses which operate more than 80kms from their depots to be fitted with vehicle monitoring devices; and
- bus drivers working more than 100km from their base to carry and record their work and rest time in a work diary.

These exemptions are intended to ensure that accredited bus operators are not prevented from providing services to persons affected by unplanned disruptions to RailCorp rail services because their buses are not fitted with vehicles monitoring devices or their drivers do not own work diaries.

Operators and drivers of unplanned rail replacement bus services must still comply with driver work and rest time limits set out in Division 3 of Part 6 of the Road Transport (General) Regulation 2005.

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

CITY OF SYDNEY COUNCIL, in pursuance of Division 4 of Part 2 of the Road Transport (Mass, Loading, Access) Regulation 2005, by this Notice, specify the routes and areas on or in which 25 metre B-Doubles may be used subject to any requirements or conditions set out in the Schedule.

Date: 6 August 2010.

MONICA BARONE,  
Chief Executive Officer,  
City of Sydney Council  
(by delegation from the Minister for Roads)

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

This Notice may be cited as City of Sydney Council 25 Metre B-Double route Notice No. 01/2010.

**2. Commencement**

This Notice takes effect on the date of gazettal.

**3. Effect**

This Notice remains in force until 30 September 2010 unless it is amended or repealed earlier.

**4. Application**

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

**5. Routes**

<i>Type</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25	Bourke Road, Alexandria	Doody Street, Alexandria	Collins Street, Alexandria	Left turn only when exiting from 90-96 Bourke Road
25	Collins Street, Alexandria	Bourke Road, Alexandria	O'Riordan Street, Alexandria	Right turn only when entering rear of premises 90-96 Bourke Road

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

Notice of Compulsory Acquisition of Land at West  
Wollongong in the Wollongong City Council area

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

T D Craig

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

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**SCHEDULE**

ALL that piece or parcel of land situated in the Wollongong City Council area, Parish of Wollongong and County of Camden, shown as Lot 23 Deposited Plan 1050759, being part of the land in Certificates of Title Volume 3020 Folio 160, Volume 2556 Folio 21 and Volume 2493 Folio 25.

The land is said to be in the possession of the Roads and Traffic Authority of New South Wales and Wollongong City Council (which has care, control and management by a notice in Government Gazette No.8 of 26 January 1962 Folio 244).

(RTA Papers: 10M2046; RO F6/497.11470)

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

Notice of Compulsory Acquisition of Land at Holbrook  
in the Greater Hume Shire Council area

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

T D Craig

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

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**SCHEDULE**

ALL that piece or parcel of land situated in the Greater Hume Shire Council area, Parish of Holbrook and County of Goulburn, shown as Lot 296 Deposited Plan 753340, being the whole of the land in Certificate of Title 296/753340.

The land is said to be in the possession of the Crown, Greater Hume Shire Council (lessee), Country Energy (lessee) and Central Rural Fire Brigade (occupant).

(RTA Papers: 10M2320; RO 2/186.1122)

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

Notice of Compulsory Acquisition of Land at  
Alstonville in the Ballina Shire Council area

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

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

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SCHEDULE

ALL that piece or parcel of land situated in the Ballina Shire Council area, Parish of Tuckombil and County of Rous, shown as Lot 11 Deposited Plan 1151573, being part of the land in Certificate of Title 133/261579.

The land is said to be in the possession of Ballina Shire Council.

(RTA Papers: 10M2002; RO 16/23.1308)

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

Notice of Compulsory Acquisition of Land at Little  
Billabong in the Greater Hume Shire Council area

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

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

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SCHEDULE

ALL that piece or parcel of public road situated in the Greater Hume Shire Council area, Parish of Little Billabong and County of Goulburn, shown as Lot 4 Deposited Plan 1115333.

The land is said to be in the possession of the Greater Hume Shire Council.

(RTA Papers: 10M2164; RO 2/186.1161)

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

Notice of Compulsory Acquisition of Land at Perthville  
in the Bathurst Regional Council area

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

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

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**SCHEDULE**

ALL that piece or parcel of land situated in the Bathurst Regional Council area, Parish of Bathurst and County of Bathurst, shown as Lot 12 Deposited Plan 1148274 being part of the land in Certificate of Title 1/137459.

The land is said to be in the possession of Labocus Precious Metals Pty Limited (registered proprietor) and Tom Wayne Powers (mortgagee).

(RTA Papers: 10M1209; RO 30.1305)

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## Office of Water

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### WATER ACT 1912

AN application for a licence, under the section 10 of Part 2 of the Water Act 1912, as amended, has been received as follows:

Murray John McCracken, Lynette Majorie Ellis, David Peter Anthony & Robert Pelham Thorman for a pump on Currajuggle Creek being Lot 208, DP 755918, Parish of Budawang, County of St Vincent for water supply for industrial (native nursery) purposes. New license. Partly replacing 10SL055057 due to the permanent transfer of 1.0 megalitre. (Exempt from the 2003 Shoalhaven River & Tributaries embargo). Ref: 10SL056923.

Any inquiries should be directed to (02) 9895 7306. Written objections, from any local occupier or statutory authority, specifying grounds and how their interests are affected, must be lodged with the NSW Office of Water, PO Box 3720, Parramatta NSW 2124, within 28 days of this publication.

PAUL MADDOCKS,  
Customer Programs

## Other Notices

### ANTI-DISCRIMINATION ACT 1977

#### Exemption Order

- (A) Under the provisions of section 126 of the Anti-Discrimination Act 1977, an exemption is given from sections 25, 51, 52 and 53 of the Anti-Discrimination Act 1977, to Trivett Classic Pty Ltd, to designate and recruit for female sales consultants and female service advisors.
- (B) The Applicant is required to advise the Anti-Discrimination Board, every six months from the date of this Exemption Order, over the two year period specified in the Order, of the number of females recruited in the designated positions within each reporting period.

This exemption will remain in force for a period of two years from the date given.

Dated this 16th day of August 2010.

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

### APPRENTICESHIP AND TRAINEESHIP ACT 2001

NOTICE is given that the Commissioner for Vocational Training has made Vocational Training Orders for the recognised trade vocations of:

- Electrical (Appliance Servicing)
- Electrotechnology (Industrial Electronics and Control)
- Electrotechnology (Instrumentation and Control),

under Section 6 of the Apprenticeship and Traineeship Act 2001.

The Orders specify a number of matters relating to the required training for these vocations, including the term/s of apprenticeship, probationary period/s, and course/s of study to be undertaken.

The Orders will take effect from the date of publication in the NSW Government Gazette.

A copy of the Orders may be inspected at any State Training Services Regional Office of the Department of Education and Training or on the Internet at [https://www.training.nsw.gov.au/cib\\_vto/cibs/cib\\_472.html](https://www.training.nsw.gov.au/cib_vto/cibs/cib_472.html)

Notice is also given that the recognised trade vocation of Electrotechnology (Refrigeration and Air Conditioning Servicing) is now repealed.

### ASSOCIATIONS INCORPORATION ACT 2009

#### Reinstatement of Cancelled Association Pursuant to Section 84

THE incorporation of MANLY-WARRINGAH CRICKET ASSOCIATION INC (Y1511205) cancelled on 29 May 2009 is reinstated pursuant to section 84 of the Associations Incorporation Act 2009.

Dated 17th day of August 2010.

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

### ASSOCIATIONS INCORPORATION ACT 2009

#### Reinstatement of Cancelled Association Pursuant to Section 84

THE incorporation of NEWCASTLE & HUNTER RUGBY UNION INCORPORATED (Y0372733) cancelled on 5 February 2010 is reinstated pursuant to section 84 of the Associations Incorporation Act 2009.

Dated 16th day of August 2010.

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

### ASSOCIATIONS INCORPORATION ACT 2009

#### Reinstatement of Cancelled Association Pursuant to Section 84

THE incorporation of BATEMANS BAY RUGBY LEAGUE FOOTBALL CLUB INC (Y0830240) cancelled on 22 May 2009 is reinstated pursuant to section 84 of the Associations Incorporation Act 2009.

Dated 16th day of August 2010.

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

### ASSOCIATIONS INCORPORATION ACT 2009

#### Reinstatement of Cancelled Association Pursuant to Section 84

THE incorporation of HENTY AUSTRALIAN FOOTBALL CLUB INC (Y0602501) cancelled on 2 January 2009 is reinstated pursuant to section 84 of the Associations Incorporation Act 2009.

Dated this 16th day of August 2010.

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

### ASSOCIATIONS INCORPORATION ACT 2009

#### Cancellation of incorporation pursuant to section 76

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

Cancellation is effective as at the date of gazettal.

Belongil Dunecare Incorporated – Inc9875204  
Batemans Bay Wave Ski Association Inc – Y0433447  
Bunyip Special Needs Group Incorporated –  
Y1987139  
Business Port Kembla Incorporated – Inc9880720  
Bombo Headland Landcare Group Incorporated –  
Y2969723

Business Turnaround Association Incorporated –  
Inc9879114  
Berry Racing and Turf Association Incorporated –  
Inc9877767  
Berridale Alpine Lodge Inc – Y1420307  
Botfield Sub Catchment Landcare Group Incorporated  
– Inc9877947  
Bogan River Landcare Group Incorporated –  
Inc3436803  
Bodalla District Community Group Incorporated –  
Inc9883253  
Bombala District Squash Rackets Club Incorporated  
– Y1942121  
Bulahdelah Telecentre Incorporated – Inc9879159  
Brisbane Waters Kayak Club Incorporated –  
Inc9887068  
Adelong Batlow Bears Rugby League Football Club  
Incorporated – Y2151105  
All Bikes Social Club Incorporated – Inc9877121  
Albailaty Association Incorporated – Inc9878756  
Armidale Community Christmas Committee  
Incorporated – Inc9878741  
Australia China Sports Tour Association Incorporated  
– Inc9879579  
Australian Kurdish Community Association  
Incorporated – Y2538121  
Amity Australia Incorporated – Inc9887558  
Association for Better Health Incorporated –  
Inc9878823  
Association for International Economic and  
Technology of Australia Incorporated –  
Inc9877182  
Tumut and District Soccer Club Inc – Y0895446  
Tumut Senior Soccer Club Incorporated – Inc9883171  
Orange Multicultural Group Incorporated –  
Inc9876936  
Dhoongang Aboriginal Health Service Inc –  
Inc9877407  
Wollondilly Disability Support Association  
Incorporated – Y1876445  
Coffs International Friendship Club Incorporated –  
Inc9890718  
West Lindfield Garden Club Inc – Y1746413  
Australian Dance Folkloric Inc – Y0480534  
Collegiate Association for the Research of the  
Principle Incorporated – Inc9877830  
Castle Hill In-Line Hockey Club Incorporated –  
Y2882839  
Condobolin Sports Awards Incorporated – Y2570325  
Coocoo Boonah Landcare Group Incorporated –  
Y2921126  
Currency Creek Landcare Group Incorporated –  
Y2518423  
District 9650 Prostate Cancer Prevention Inc –  
Inc9889111

Dated: 18 August 2010.

ANTHONY DONOVAN,  
A/Manager, Financial Analysis,  
Registry of Co-operatives & Associations,  
Office of Fair Trading,  
Department of Services, Technology  
and Administration

#### ASSOCIATIONS INCORPORATION ACT 2009

Cancellation of Incorporation Pursuant to Section 72

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 72 of the Associations Incorporation Act 2009.

Cancellation is effective as at the date of gazettal.

Jerilderie Arts Council Incorporated – Inc9876665  
Parramatta Female Factory Precinct Incorporated –  
Inc9885940  
Nepean Bushwalking and Outdoor Club Incorporated  
– Y1746217  
Miracle Babies Incorporated – Inc9884397  
T2E Impacted Land Owners Group Incorporated –  
Inc9887168  
Narooma Hydrotherapy Club Inc – Y0852422  
Tareela Catchment Landcare Group Incorporated –  
Y2618222  
Bellhaven School (Young) Inc – Y1746511

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

#### BANKS AND BANK HOLIDAYS ACT 1912

Proclamation

I, Professor Marie Bashir, AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 19(1) of the Banks and Bank Holidays Act 1912, do, by this my Proclamation, appoint Saturday, 23 April 2011, to be observed as a public holiday throughout New South Wales for the purpose of Easter Saturday.

Signed and sealed at Sydney, this 18th day of August 2010.

By Her Excellency's Command,

PAUL GERARD LYNCH, M.P.,  
Minister for Industrial Relations.

GOD SAVE THE QUEEN !

#### BANKS AND BANK HOLIDAYS ACT 1912

Proclamation

(L.S.) Marie Bashir, Governor.

I, Professor Marie Bashir, AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 20 of the Banks and Bank Holidays Act 1912, in that it has been made to appear to me that it is inexpedient that Monday, 25 April 2011, should be a bank holiday under that Act for the purpose of celebrating the Anniversary of the Birthday of Her Majesty the Queen, do, by this my Proclamation, appoint Monday, 13 June 2011, to be a bank holiday instead of that first mentioned day for the purpose of that celebration.

Signed and sealed at Sydney, this 18th day of August 2010.

By Her Excellency's Command,

PAUL GERARD LYNCH, M.P.,  
Minister for Industrial Relations.

GOD SAVE THE QUEEN !



**BANKS AND BANK HOLIDAYS ACT 1912**

## Proclamation

(L.S.) Marie Bashir, Governor

I, Professor Marie Bashir, AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 19(1) of the Banks and Bank Holidays Act 1912, do, by this my Proclamation, appoint Monday, 13 June 2011, to be observed as a public holiday throughout New South Wales for the purpose of celebrating the Anniversary of the Birthday of Her Majesty the Queen.

Signed and sealed at Sydney, this 18th day of August 2010.

By Her Excellency's Command,

PAUL GERARD LYNCH, M.P.,  
Minister for Industrial Relations.

GOD SAVE THE QUEEN !

**BANKS AND BANK HOLIDAYS ACT 1912**

## Proclamation

(L.S.) Marie Bashir, Governor

I, Professor Marie Bashir, AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 19(1) of the Banks and Bank Holidays Act 1912, do, by this my Proclamation, appoint Monday, 3 October 2011, to be observed as a public holiday throughout New South Wales for the purpose of Labour Day.

Signed and sealed at Sydney, this 18th day of August 2010.

By Her Excellency's Command,

PAUL GERARD LYNCH, M.P.,  
Minister for Industrial Relations.

GOD SAVE THE QUEEN !

**DISTRICT COURT OF NEW SOUTH WALES**

## Direction

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

Albury	10.00am	31 January 2011 (2 weeks)
Griffith	10.00am	20 September 2010 (2 weeks) Sittings Cancelled
Griffith	10.00am	31 January 2011 (3 weeks) Sittings Cancelled
Taree @ Port Macquarie	10:00am	21 February 2011 (2 weeks) In lieu of 14 February 2011 (3 weeks)
Taree @ Port Macquarie	10:00am	28 March 2011 (2 weeks) In lieu of 21 March 2011 (2 weeks)
Taree @ Port Macquarie	10:00am	23 May 2011 (3 weeks) In lieu of 9 May 2011 (3 weeks)
Wagga Wagga	10.00am	20 September 2010 (2 weeks)
Wagga Wagga	10.00am	14 February 2011 (4 weeks) In lieu of 21 February 2011 (3 weeks)

Dated this 9th day of August 2010.

R. O. BLANCH,  
Chief Judge

**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:

Griffith	10.00am	5 October 2010 (1 week) Sittings Cancelled
Taree @ Port Macquarie	10.00am	11 April 2011 (1 week) In lieu of 4 April 2011 (1 week)
Taree @ Port Macquarie	10.00am	13 June 2011 (1 week) In lieu of 30 May 2011 (2 weeks)
Wagga Wagga	10.00am	7 February 2011 (1 week) In lieu of 7 February 2011 (2 weeks)

Dated this 9th day of August 2010.

R. O. BLANCH,  
Chief Judge

**GEOGRAPHICAL NAMES ACT 1966**

Notice of Proposal to Amend Address Locality Boundaries within the Lithgow Local Government Area

PURSUANT to the provisions of section 8 of the Geographical Names Act 1966, the Geographical Names Board hereby notifies that it proposes to amend address locality boundaries in the Lithgow Local Government Area to allow the creation of a new address locality called Good Forest as shown on map GNB 3689-2-A.

A Copy of map GNB 3689-2-A may be viewed at Lithgow City Council Chambers, 180 Mort Street Lithgow from Thursday 19 August 2010 until Friday 17 September 2010.

A copy of Map GNB 3689-2-A will also be on display at the office of the Geographical Names Board, Land and Property Management Authority, 346 Panorama Ave, Bathurst NSW 2795 during the above dates. This proposal may also be viewed and submissions lodged on the Geographical Names Board website at [www.gnb.nsw.gov.au](http://www.gnb.nsw.gov.au) during the above dates.

Any person wishing to make comment upon this proposal may prior to Saturday 18 September 2010 write to the Secretary of the Board with that comment. All submissions lodged in accordance with section 9 of the Geographical Names Act 1966 may be subject to a freedom of information application and may be viewed by a third party to assist the board in considering this proposal.

WARWICK WATKINS, A.M.,  
Chairperson

Geographical Names Board  
PO Box 143  
Bathurst NSW 2795

**GEOGRAPHICAL NAMES ACT 1966**

Notice of Proposal to Amend Address Locality Boundaries within the Warringah Local Government Area

PURSUANT to the provisions of section 8 of the Geographical Names Act 1966, the Geographical Names Board hereby notifies that it proposes to amend address locality boundaries

in the Warringah Local Government Area to enable the creation of two new address localities named Wheeler Heights and Collaroy Plateau as shown on map GNB 3704-3-A.

Copies of map GNB 3704-3-A may be viewed at the Warringah Council Customer Service Centre, 725 Pittwater Road, Dee Why, Dee Why Library, Belrose Library, Forestville Library and Warringah Mall Library from Friday 20 August 2010 until Friday 17 September 2010.

A copy of Map GNB 3704-3-A will also be on display at the office of the Geographical Names Board, Land and Property Management Authority, 346 Panorama Ave, Bathurst NSW 2795 during the above dates. This proposal may also be viewed and submissions lodged on the Geographical Names Board website at [www.gnb.nsw.gov.au](http://www.gnb.nsw.gov.au) during the above dates.

Any person wishing to make comment upon this proposal may prior to Saturday 18 September 2010 write to the Secretary of the Board with that comment. All submissions lodged in accordance with section 9 of the Geographical Names Act 1966 may be subject to a freedom of information application and may be viewed by a third party to assist the board in considering this proposal.

WARWICK WATKINS, A.M.,  
Chairperson

Geographical Names Board  
PO Box 143  
Bathurst NSW 2795

#### GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of Section 8 of the Geographical Names Act, 1966, the Geographical Names Board proposes to assign the following dual names:

“*Beulee*” for an Indigenous dual name for a river which is already named and known as “Endrick River”. This river rises on the SW side of Sassafras and flows to its confluence with the Shoalhaven River. Both names will be entered into the Geographical Names Register as dual names and neither name will have precedence over the other.

“*Cooyoyo*” for an Indigenous dual name for a prominent mesa which is already named and known as “The Castle”. This rocky eminence overlooks the valley of the Clyde and Yabboro Rivers. Both names will be entered into the Geographical Names Register as dual names and neither name will have precedence over the other.

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

Any person wishing to make comment upon this proposal may within one (1) month of the date of this notice, write to the Secretary of the Board with that comment. In accordance with Section 9 of the Geographical Names Act 1966 all submissions lodged may be subject to a Freedom of Information application and may be viewed by a third party to assist the Board in considering this proposal. GNB 5460

WARWICK WATKINS, A.M.,  
Chairperson

Geographical Names Board of NSW  
Panorama Avenue  
Bathurst NSW 2795

#### HOME BUILDING ACT 1989

##### Section 31

Education course for issue of owner-builder permit

I, Peter Duncan, Director-General, Department of Services, Technology and Administration, pursuant to section 31(2) (d) of the *Home Building Act 1989*:

determine that the applicable education course or training is possession of a statement of attainment in 91509NSW Course in Owner-Builder Compliance to be necessary for an applicant for the issue of an owner-builder permit.

This Instrument commences on the Commencement Date.

Dated this 18 day of August 2010.

PETER DUNCAN,  
Director-General,  
Department of Services, Technology and  
Administration

#### Definitions

In this Instrument:

**Commencement Date** means 30 August 2010;

**Registered Training Organisation** has the same meaning as **Registered Provider** in the Vocational Education and Training Accreditation Act 1990;

**TAFE** means the New South Wales Technical and Further Education Commission;

**the Act** means the Home Building Act 1989;

**the Regulation** means the Home Building Regulation 2004.

Table 1

Transitional arrangements
<p><b>Education Course or Training completed before 30 September 2010</b></p> <p>Any applicable education course or training approved by the Director-General attained on or before 30 September 2010 that was necessary immediately before the Commencement Date pursuant to section 31 of the Act will meet the requirement for the issue of an Owner-Builder Permit up until 31 December 2010.</p>

#### HOME BUILDING REGULATION 2004

##### Clause 28

Qualification Requirements for an Endorsed Contractor Licence or Supervisor Certificate for General Building Work

I, Peter Duncan, Director-General, Department of Services, Technology and Administration, pursuant to Clause 28 (1) of the Home Building Regulation 2004:

determine the possession of qualifications or the passing of examinations specified in Column 1 of the Table to the Schedule; and

consider the possession of experience specified in Column 2 of that Table opposite the relevant matter in Column 1,

to be necessary for an applicant for the issue of a Certificate.

This Instrument commences on the Commencement Date.

Dated this 12 day of August 2010.

PETER DUNCAN,  
Director-General,  
Department of Services, Technology  
and Administration

**Definitions**

In this Instrument:

References to *Certificate* and *Licence* are respectively to a supervisor certificate, or endorsed contractor licence, to do or supervise general building work;

*Commencement Date* means date of approval;

*Registered Training Organisation* has the same meaning as Registered Provider in the Vocational Education and Training Accreditation Act 1990;

*TAFE* means the New South Wales Technical and Further Education Commission;

*the Act* means the Home Building Act 1989;

*the Regulation* means the Home Building Regulation 2004.

SCHEDULE 1

Table 1

Qualifications	
Column 1 Qualifications or Examinations	Column 2 Experience
Completion of Certificate IV in Building and Construction (BCG40106 or CPC40108 or CPC40110 Building) or (BCG40206 or CPC40208 Contract Administration) or (BCG40306 or CPC40308 Estimating) or (BCG40506 or CPC40508 Site Management) including the units of competency listed in Schedule 2. <b>AND</b> a licence or qualification for Carpentry, Carpentry & Joinery or Bricklaying <b>OR</b> Diploma of Building and Construction (Building) (BCG50206 or CPC50208 or CPC50210) including the units listed in Schedule 3	At least two years relevant industry experience in a wide range of building construction work
Completion of a Degree, Diploma or Advanced Diploma in Building, Construction, Construction Management, Construction Economics, Applied Science (Building) or Quantity Surveying from an Australian University.	At least two years relevant industry experience in a wide range of building construction work
Completion of a degree in Civil Engineering, Structural Engineering, Architecture or Bachelor of Housing from an Australian University <b>AND</b> Completion of Certificate IV in Building and Construction (BCG40106 Building) or (BCG40206 Contract Administration) or (BCG40306 Estimating) or (BCG40506 Site Management) including the units of competency listed in Schedule 2	At least two years relevant industry experience in a wide range of building construction work

Table 2

Transitional arrangements	
Column 1 Qualifications or Examinations	Column 2 Experience
<b>1 Existing Licence or Certificate</b> A Licence or Certificate held immediately before the Commencement Date.	N/A
<b>2 Licence or Certificate held before the Commencement Date</b> A licence or certificate held within two years of the Commencement Date	
<b>3 Qualifications before the Commencement Date</b> Any qualification attained before the Commencement Date that was necessary immediately before the Commencement Date pursuant to clause 28(1) of the Regulation for the issue of a Certificate.  A list of superseded qualifications is set out in Schedule 4.	At least 2 years relevant industry experience in a wide range of building construction works.
<b>4 Transitional arrangements in respect of examinations</b> The passing of any examination that was necessary immediately before the Commencement Date pursuant to clause 28(1) of the Regulation for the issue of a Certificate <b>PROVIDED THAT</b> immediately before the Commencement Date the applicant was enrolled in the course or program relating to that examination.	The experience relating to such examination that was necessary immediately before the Commencement Date pursuant to clause 28(1) of the Regulation for the issue of a Certificate.

## SCHEDULE 2

<b>Units of competency required for Certificate IV in Building and Construction</b>
<p>The following units must be achieved and indicated in the applicants transcript of the qualification:</p> <p>BCGBC4001A or CPCCBC4001A Apply building codes and standards to the construction process for low-rise building projects</p> <p>BCGBC4002A or CPCCBC4002A Manage occupational health and safety in the building and construction workplace</p> <p>BCGBC4003A or CPCCBC4003A Select and prepare a construction contract</p> <p>BCGBC4004A or CPCCBC4004A Identify and produce estimated costs for building and construction projects</p> <p>BCGBC4005A or CPCCBC4005A Produce labour and material schedules for ordering</p> <p>BCGBC4006A or CPCCBC4006A Select, procure and store construction materials for low-rise projects</p> <p>BCGBC4007A or CPCCBC4007A Plan building or construction work</p> <p>BCGBC4008A or CPCCBC4008A Conduct on-site supervision of the building and construction project</p> <p>BCGBC4009A or CPCCBC4009A Apply legal requirements to building and construction projects</p> <p>BCGBC4010A or CPCCBC4010A Apply structural principles to residential low rise constructions</p> <p>BCGBC4011A or CPCCBC4011A Apply structural principles to commercial low rise constructions</p> <p>BSBSBM406A Manage finances</p> <p>BCGBC4012A or CPCCBC4012A Read and interpret plans and specifications</p> <p>BCGBC4018A or CPCCBC4018A Apply site surveys and set out procedures to building and construction projects</p> <p>BCGBC4024A or CPCCBC4024A Resolve business disputes</p>

## SCHEDULE 3

<b>Units of competency required for Diploma of Building and Construction (Building)</b>
<p>The following units must be achieved and indicated in the applicants transcript of the qualification:</p> <p>CPCCBC5004A Supervise and apply quality standards to the selection of building and construction materials</p> <p>CPCCBC5005A Select and manage building and construction contractors</p> <p>CPCCBC5007A Administer the legal obligations of a building and construction contract</p> <p>CPCCBC5009A Identify services layout and connection methods in medium rise construction projects</p>

## SCHEDULE 4

<b>Superseded Qualifications</b>
<ol style="list-style-type: none"> <li>1. Certificate IV in Building (3477) conducted by a Registered Training Organisation PLUS either a – Carpentry, Carpentry &amp; Joinery or Bricklaying Trade Course from TAFE or a Registered Training Organisation or hold a current Carpentry, Carpentry &amp; Joinery or Bricklaying contractor licence or supervisor certificate.</li> <li>2. Diploma in Building (3475) conducted by a Registered Training Organisation including TAFE.</li> <li>3. Advanced Diploma in Building (3471) conducted by Registered Training Organisation including TAFE.</li> <li>4. Certificate IV in Building Studies (1261) from TAFE AND either – a Carpentry, Carpentry &amp; Joinery or Bricklaying Trade Course from TAFE or a Registered Training Organisation or hold a current Carpentry, Carpentry &amp; Joinery or Bricklaying contractor licence or supervisor certificate.</li> <li>5. Diploma in Building Studies (1262) from TAFE.</li> <li>6. Advanced Diploma in Building Studies (1263) from TAFE.</li> <li>7. Advanced Diploma in Structural Engineering (6443) from TAFE.</li> <li>8. Degree, Diploma or Advanced Diploma in Building, Construction, Construction Management, Construction Economics, Applied Science (Building), Structural Engineering or Quantity Surveying from an Australian University.</li> <li>9. Certificate of Registration as an Architect under the <i>Architects Act 2003</i>.</li> <li>10. A degree in Civil Engineering or Architecture from and Australian University PLUS Certificate IV in Building (3477 or TAFE Course 1261)</li> <li>11. Diploma of Structural Engineering (2992) from TAFE.</li> <li>12. Associate Diploma in Applied Science (Building) (5185) TAFE.</li> <li>13. Certificate in Building (5102) TAFE.</li> <li>14. Certificate in Building Foreman &amp; Clerk of Works (135) from TAFE.</li> <li>15. Advanced Certificate in Building Supervision (5189) from TAFE.</li> <li>16. Advanced Building Studies Course – Diploma in Building Studies Level V (2183) from TAFE.</li> <li>17. Advanced Building Studies Course – Certificate IV in Building Studies – Residential Level IV (2182) from TAFE PLUS either a Carpentry, Carpentry &amp; Joinery or Bricklaying Trade Course.</li> <li>18. Certificate IV in Contractors Management Program conducted by Back to Basics Business Training Pty Ltd PLUS either a Carpentry, Carpentry &amp; Joinery or Bricklaying Trade Course.</li> </ol>

**MENTAL HEALTH ACT 2007**

## Section 109

## Declaration of mental health facility

I, Dr Richard Matthews, A.M., Acting Director-General of the NSW Department of Health, pursuant to section 109 of the Mental Health Act 2007, DO HEREBY

- (a) DECLARE the following premises to be a declared mental health facility for the purposes of the Mental Health Act 2007:
- the Psychiatric Emergency Care Centre of Wollongong Hospital, located in the Emergency Department of Wollongong Hospital, on the Wollongong Hospital campus, Crown Street, Wollongong NSW 2500; and
- (c) DECLARE this facility to be designated as a “mental health assessment and inpatient treatment” facility.

Signed, this 11th day of August 2010.

Dr RICHARD MATTHEWS, A.M.,  
Acting Director-General

**MENTAL HEALTH ACT 2007**

## Section 109

## Declaration of mental health facility

I, Dr Richard Matthews AM, Acting Director-General of the NSW Department of Health, pursuant to section 109 of the Mental Health Act 2007 and section 43 of the Interpretation Act 1987, DO HEREBY

- (a) REVOKE the Order published in the *Government Gazette* No. 166 of 13 November 2009, declaring the Emergency Department of Wollongong Hospital, to be a declared mental health facility for the purposes of the Mental Health Act 2007;
- (b) DECLARE the following premises to be a declared mental health facility for the purposes of the Mental Health Act 2007:
- the Emergency Department of Wollongong Hospital, with the exception of the Wollongong Hospital Psychiatric Emergency Care Centre, located on the Wollongong Hospital campus, Crown Street, Wollongong NSW 2500; and
- (c) DECLARE this facility to be designated as a “mental health emergency assessment” facility; and
- (d) RESTRICT this facility to the provision of acute assessment functions, where a patient can be held in anticipation of discharge should their clinical condition resolve rapidly, or transferred to a declared mental health facility of the “mental health assessment and inpatient treatment” class if required, in accordance with all provisions of the Mental Health Act 2007, with the exception of:
- i. Chapter 2;
  - ii. Division 1 of Part 3 of Chapter 3;
  - iii. Sections 57, 58 and 59 of Division 2 of Part 3 of Chapter 3; and
  - iv. Division 3 of Part 3 of Chapter 3.

Signed, this 11th day of August 2010.

Dr RICHARD MATTHEWS, A.M.,  
Acting Director-General

**NATIONAL PARKS AND WILDLIFE ACT 1974**

## Notice of Reservation of a National Park

I, Professor Marie Bashir, A.C., C.V.O., Governor of the State of New South Wales, with the advice of the Executive Council, reserve the land described in the Schedule below, as part of Kings Plains National Park, under the provisions of section 30A (1) of the National Parks and Wildlife Act 1974.

Signed and sealed at Sydney this 2nd day of June 2010.

MARIE BASHIR,  
Governor

By Her Excellency’s Command,

FRANK SARTOR,  
Minister for Climate Change and the Environment

GOD SAVE THE QUEEN!

## Description

*Land District – Inverell; LGA – Inverell*

County Arrawatta, Parish Weean, about 1318 hectares, being Lot 2 in DP 1141782 and that part of the bed of Kings Plains Creek that separates Lot 2 from Lot 64 in DP 750102; inclusive of that part of the bed of Kings Plains Creek and the Crown Public road within Lot 2: DECCW/09/3680

**NATIONAL PARKS AND WILDLIFE ACT 1974**

## Notice of Reservation of a National Park

I, Professor Marie Bashir, A.C., C.V.O., Governor of the State of New South Wales, with the advice of the Executive Council, reserve the land described in the Schedule below, as part of Kwiambal National Park, under the provisions of section 30A (1) of the National Parks and Wildlife Act 1974.

Signed and sealed at Sydney this 2nd day of June 2010.

MARIE BASHIR,  
Governor

By Her Excellency’s Command,

FRANK SARTOR,  
Minister for Climate Change and the Environment

GOD SAVE THE QUEEN!

## Description

*Land District – Warialda; LGA – Inverell*

County Arrawatta, Parish Ena, about 472 hectares, being the remainder of Lot 382 in DP 1133076 not previously reserved as Kwiambal National Park by notice in *NSW Government Gazette* dated 19 May 2000, folio 4226 and that part of the bed of the Macintyre River that separates Lot 382 from Lot 12 in DP 722479: DECCW/07/6888

**THREATENED SPECIES CONSERVATION ACT 1995**

## Notice of Preliminary Determination

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

**Endangered Ecological Community**  
(Part 3 of Schedule 1)

Carex Sedgelands of the New England Tableland, Nandewar, Brigalow Belt South and NSW North Coast Bioregions

Any person may make a written submission regarding this Preliminary Determination. Send submissions to Suzanne Chate, NSW Scientific Committee, PO Box 1967, Hurstville BC 1481. Submissions close 15 October 2010.

#### Notice of Final Determination

The Scientific Committee, established by the Threatened Species Conservation Act, has made a Final Determination to REJECT a proposal to remove the Border Thick-tailed Gecko *Underwoodisaurus sphyurus* (Ogilby 1892) from the list of VULNERABLE SPECIES in Part 1 of Schedule 2 of the Act.

Copies of these Determinations, which contain the reasons for the determinations, may be obtained free of charge on the Internet [www.environment.nsw.gov.au](http://www.environment.nsw.gov.au), by contacting the Scientific Committee Unit, PO Box 1967 Hurstville BC 1481. Tel: (02) 9585 6940 or Fax (02) 9585 6989 or in person at the Department of Environment, Climate Change and Water Information Centre, Level 14, 59-61 Goulburn Street, Sydney. Copies of the determinations may also be obtained from National Parks and Wildlife Service Area Offices and Visitor Centres, subject to availability.

Dr RICHARD MAJOR,  
Chairperson,  
Scientific Committee

### PESTICIDES ACT 1999

#### Notice under Section 48 (4)

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

SEAN NUNAN,  
Team Leader, Licensing and Registration  
by delegation

#### SCHEDULE

##### Pilot (Pesticide Rating) Licence

<i>Name and Address of Licensee</i>	<i>Date of Granting of Licence</i>
Mr Angus Ashby 22 Gwydir Street Moree NSW 2400	13 August 2010

### PRACTICE NOTE SC CL 2

Supreme Court Common Law Division –  
Criminal Proceedings

#### Commencement

1. This Practice Note was issued on 13 August 2010 and commences 16 August 2010.

#### Application

2. This Practice Note applies to committals for trial or sentence and ex-officio indictments in the Criminal List of the Common Law Division.

#### Definitions

3. None applicable.

#### Introduction

4. The purpose of this Practice Note is:

to ensure that criminal proceedings are dealt with in a timely way; and

to assist an accused person to take advantage of legislation which provides for a discount in sentence where an early plea of guilty is entered.

#### Listing for arraignment

5. Arraignments are held on the first Friday of each month in Sydney.
6. When committing an accused person for trial or sentence to the Supreme Court, the magistrate will direct the person to appear at the next arraignment, not less than 4 weeks after the date of the committal. If this practice would result in a January date, the matter will be listed on the first Friday in February.
7. Ex-officio criminal prosecutions will be listed by the registry in the same way.

#### Arraignment procedures

8. On the day fixed for the arraignment, the Director of Public Prosecutions shall present an indictment to the Court and shall provide copies of the indictment for each accused person.
9. The court expects matters to be ready to proceed at the arraignment so that a trial date can be given. Legal representatives are expected to identify the issues for trial and estimate the likely hearing time required. The arraignment judge may give directions and rulings as to the conduct of the trial.
10. Unless the court makes a specific direction pursuant to section 136 of the Criminal Procedure Act or waives the requirement to do so, the standard directions that are to apply at the arraignment are:

The prosecution is to give the accused notice of the prosecution case no later than 6 weeks before the trial date

The defence is to respond no later than 4 weeks before the trial date

The defence is to provide notice of alibi within the period prescribed in section 150 of the Criminal Procedure Act and

The parties are to hold a pre-trial conference before the trial judge pursuant to section 140 of the Criminal Procedure Act one week prior to the trial date to determine whether the parties can reach agreement regarding the evidence to be admitted at the trial. This does not apply if the accused is not legally represented.

#### Entering a plea

11. Upon presentment of the indictment, the accused person will be arraigned by the Court and shall enter his or her plea. The Court may, if the indictment is not presented on the day fixed for the arraignment of the accused person, fix a further date for the arraignment of the accused and the presentment of the indictment.

#### Trial

12. By the date set for the trial, the matter must be ready to proceed. If there is an unavoidable problem or change to the conduct or length of the trial, legal practitioners are to notify the criminal registry or the criminal list judge at the earliest possible stage to avoid inconvenience to jurors and witnesses.

An application to vacate a trial date is to be made by way of Notice of Motion with a supporting affidavit, setting out the grounds for the application.

An application to vacate a trial date shall be made to the Criminal List judge, unless the application is made within two weeks of the date fixed for trial.

An application to vacate a trial date that is made within two weeks of the date fixed for trial may be made to the Criminal List judge or to the trial judge.

#### **Direction under Section 128 of the Criminal Procedure Act 1986**

13. Prosecuting authorities are directed to present all indictments in the District Court, rather than in the Supreme Court, except for indictments relating to offences under any of the following sections:

sections 12, 19A, 21, 22A and 24 of the Crimes Act 1900;

sections 24, 24AA, 24AB and 78 of the Crimes Act 1914 of the Commonwealth;

section 9 of the War Crimes Act 1945 of the Commonwealth;

section 7 of the Geneva Conventions Act 1957 of the Commonwealth;

section 8 of the Crimes (Internationally Protected Persons) Act 1976 of the Commonwealth;

offences for which the maximum penalty is life imprisonment in a case in which either the Director of Public Prosecutions (Commonwealth) or the Director of Public Prosecutions of New South Wales has formed the opinion that the imposition of a life sentence may be appropriate.

14. It will be noted that, by reason of clause 22 of the Criminal Procedure Regulation 2005, the District Court currently does not have jurisdiction in respect of sections 12 and 19A of the Crimes Act 1900.

15. Subject to the usual practice as to joinder of counts, an indictment charging an offence under any of the above sections may also contain counts charging other offences.

16. Applications for exemption under section 128 (2) of the Criminal Procedure Act 1986 should be made by letter addressed to the Chief Justice setting out a brief description of the nature of the case and identifying the basis upon which it is claimed that it is an appropriate case to be tried in the Supreme Court. Matters that involve particular difficulty or that are test cases or in which there is particular public significance, will ordinarily be given an exemption.

Dated 13 August 2010.

J. J. SPIGELMAN, A.C.,  
Chief Justice of New South Wales

#### **Related information**

This practice note replaces former Practice Note SC CL 2 which was issued and commenced on 17 August 2005.

This Practice Note replaced Former Practice Note Nos 57, 98 and 112 on 17 August 2005.

21 December 2009: This Practice Note replaced former Practice Note SC CL 2 which was issued and commenced on 17 August 2005.

13 August 2010: This Practice Note replaces former Practice Note SC CL 2 which was issued and commenced on 21 December 2009.

#### **STATUTORY AND OTHER OFFICES REMUNERATION ACT 1975**

Report and Determination Pursuant to Section 14 of the Act

#### **REPORT:**

1. On 19 July 2010, the Minister for Public Sector Reform, the Hon Paul Lynch MP, directed the Statutory and Other Offices Remuneration Tribunal (the Tribunal), pursuant to section 14 (1) of the Statutory and Other Offices Remuneration Act 1975 (SOOR Act), to make a determination concerning the remuneration to be paid to the Assistant Commissioner of the NSW Crime Commission
2. For remuneration purposes the office of Assistant Commissioner is listed in Schedule 1 of the SOOR Act. The Tribunal has not previously made a determination on the remuneration payable for this office.
3. The office of Assistant Commissioner is constituted under the NSW Crime Commission Act 1985. Various functions are conferred on the Assistant Commissioner. Most notably, the Assistant Commissioner can carry out all the functions of the Commissioner to assist the Commissioner. He has a responsibility, as a member of the Commission, for management of the Commission.
4. The Assistant Commissioner will provide very high level advice on legal and strategic matters and is responsible for operational supervision of a range of activities including investigation, civil litigation and intelligence functions.
5. The Assistant Commissioner will also assume primary responsibility for leading major investigations of the Commission and conducting hearings under the Act.
6. Having regard to the above, the Tribunal is of the view that the Assistant Commissioner of the NSW Crime Commission should receive an annual salary of \$367,230 and so determines.
7. The amount determined is a salary only. Should the office holder wish to avail himself of remuneration packaging it would be necessary for him/her to make an application pursuant to section 11A of the Act.

#### **DETERMINATION:**

Pursuant to section 14 of the Statutory and Other Offices Remuneration Act 1975 the Tribunal determines that the office of Assistant Commissioner of the NSW Crime Commission shall receive a salary of \$367,230 per annum.

Dated: 12 August 2010.

ALEX SMITH,  
Statutory and Other Offices Remuneration Tribunal

#### **SYDNEY WATER CATCHMENT MANAGEMENT ACT 1998**

Compulsory Acquisition of Crown Land

HER Excellency the Governor, with the advice of the Executive Council, that the land described in the Schedule hereto be declared by the Sydney Catchment Authority to be acquired by compulsory process under the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Sydney Water Catchment Management Act 1998 as amended and vested in the Sydney Catchment Authority.

The Sydney Catchment Authority (SCA) is a statutory corporation representing the Crown. The Agency is constituted under section 6 of the Sydney Water Catchment Management Act 1998 (SWCM Act) and is able to compulsorily acquire land or an interest in land.

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SCHEDULE

*Description of land to be acquired*

All that piece or parcel of Crown Land having an area of 368.1 m<sup>2</sup> situated in the Kangaroo Valley, Local Government Area of Shoalhaven, Parish of Burrawang, County of Camden being Lot 3 in Deposited Plan 1129355.



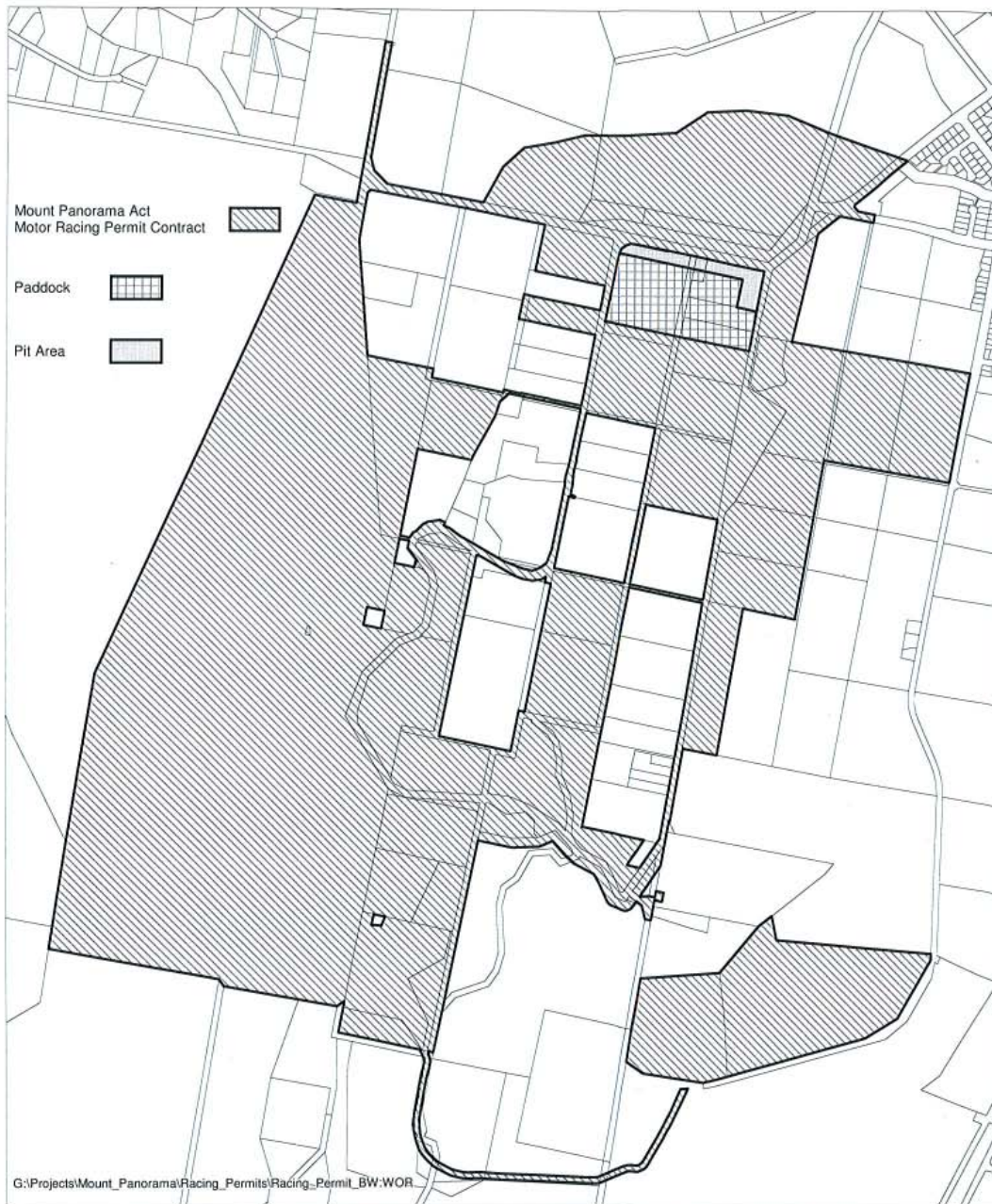
**MOUNT PANORAMA MOTOR RACING ACT 1989**

Conduct of Motor Racing and Associated Events  
Mount Panorama

IN pursuance of the provisions of Section 4 of the Mount Panorama Motor Racing Act 1989, I declare that the lands, as shown by hatching on the diagram hereunder, shall constitute the Mount Panorama Circuit for the purpose of motor racing, practice and associated events during the period 5 October to 11 October 2010, both dates inclusive.

KEVIN GREENE, M.P.,  
Minister for Gaming and Racing, Minister for Major Events  
and Minister for Sport and Recreation

**BATHURST REGIONAL COUNCIL**  
Mt Panorama Circuit  
V8 Supercar Event  
October 2010



Bathurst Regional Council expressly disclaims all liability for errors or omissions of any kind whatsoever, or any loss, damage or of consequence which may arise from any person relying on information in this Plan.

Date 24/06/2010

Note: The colours on this Plan do not indicate zones under the Bathurst Local Environmental Plan 1997.

Department of Lands



Local Court of New South Wales

**AMENDED**

**PRACTICE NOTE 1 OF 2000  
LEGAL COSTS**

**First Issued 22 May 2000  
Re-issued pursuant to section 27 of the Local Court Act 2007  
Re-issued: 9 November 2009  
Re-issued 5 August 2010**

As a joint initiative between the Local Court and the Law Society of NSW, guidelines for the calculation of legal profession costs in Local Court civil litigation have been prepared.

The Local Court has the power to determine costs under s 366 of the Legal Profession Act 2004, and in short and straightforward cases it is both just and efficient to finalise the question of costs before the Local Court. Assessment under the Costs Assessment Scheme remains an available option for deciding costs in long and more complex cases.

Legal costs always remain at the discretion of the Court and the guideline figures set out below do not diminish that discretion. The guidelines ensure that both parties are aware of the manner in which the Court will determine costs where necessary. This will assist the parties to reach an agreement on costs without the Court's intervention.

**Local Court Costs Procedure:**

1. On the hearing day, practitioners for each party should have a summary of the fair and reasonable costs that will be sought if their client is successful. Evidence of time spent, such as copies of time ledger print outs, file notes and memoranda should be available.
2. At the end of the hearing, the Court will encourage the parties to negotiate an agreement on costs. The application of the costs guidelines will assist the parties to reach agreement. If necessary, the Court will adjourn the question of costs for that purpose. If agreement is reached after the hearing day, consent orders can be filed without a further appearance in Court.
3. Costs will be allowed by reference to time reasonably spent on the case, however the Court will not engage in taxing exercise (whereby individual items on a bill of costs are either allowed or disallowed). There is no requirement to distinguish between time spent on the hearing and on interlocutory matters, unless costs in the interlocutory matter have been separately determined. The legal practitioner seeking costs bears the onus of establishing what time was spent on the case, and that the time spent was reasonable in all the circumstances.
4. On request, the Court will determine any application for indemnity costs before asking the parties to negotiate an agreement on costs.
5. If the parties are unable to reach an agreement on costs, and a party is opposed to the Court determining costs, the question of reasonable costs will be referred for assessment under the Costs Assessment Scheme.

6. Guideline Amounts
- (a) Statement of Claim - instructions, drawing, typing, checking, and filing **\$572**
  - (b) Certificate of Readiness - drawing, typing, checking, filing and service **\$125**
  - (c) Other documents, such as defences and subpoenas - drawing, typing, checking, filing and service **\$20**  
(per 6 minutes actual time Involved)
  - (d) Perusals, letters, telephone calls etc **\$20**  
(per 6 minutes actual time involved)
  - (e) Conferences (client and witnesses) **\$200**  
(per hour based on 6 minute units of actual elapsed time)
  - (f) Attending call-overs, preparation for hearing (including preparing witness statements), attending court (including travelling and waiting time) **\$50**  
(per ¼ hour or part thereof)
  - (g) Disbursements As reasonably incurred
  - (h) Counsel's fees As disclosed, in a reasonable amount, and as reasonably incurred.
7. Where a clerk or para-legal carries out the attendances, costs for that person should be allowed at 40% of the amount for a qualified legal practitioner.
8. Any increases in the Consumer Price Index since the publication of this Practice Note should be reflected in the costs awarded.

Judge Graeme Henson  
**Chief Magistrate**



## **PRACTICE NOTE: 1/2001**

Re-issued pursuant to section 27 Local Court Act 2007

Re-issued 5 August 2010

### **VACATING HEARING DATES AND APPLICATIONS FOR ADJOURNMENT**

1. The Chief Magistrate is concerned to ensure that proceedings before the court are conducted in an efficient and expeditious manner and that practitioners and those who appear before the Court do all they can to facilitate the just, quick and cost effective disposal of proceedings before the Court.

#### **2. This Practice Note revokes the following Practice Notes:**

- a) 1/1990 : Vacating hearing dates
- b) 2/1990 : Schedules – Section 20 Criminal Procedure Act, 1986
- c) 1/1991 : Changes to the manner of committals to the District Court
- d) 1/1995 : Time Standards
- e) 1/1996 : Compensation as a condition of recognizances under S. 556A or S. 558 of the Crimes Act
- f) 1/1997 : Justices Amendment (Committals) Act, 1996

In lieu thereof, the following Practice Note will apply to the consideration of applications for adjournment that will facilitate the timely and proper finalisation of matters in both the criminal and civil jurisdictions of the Court.

#### **3. Setting matters down for hearing**

3.1 When setting matters down for hearing, parties must be in a position to advise the court:

- a) The dates upon which the parties and their witnesses are available;
- b) The estimated length of hearing time;
- c) That all interlocutory matters have been completed;
- d) That the matter is otherwise ready to proceed;
- e) If subpoenae are to be issued and if a date prior to the hearing date is required for return of subpoenae

#### **4. Vacating hearing dates**

4.1 When a hearing date has been allocated, it will not be vacated unless the party seeking to vacate shows cogent and compelling reasons.

4.2 Any application to vacate a hearing date must be in writing on Form 1 being part of this Practice Note and must be made not less than 21 days prior to the allocated hearing date, or such other period (whether longer or shorter) as in the opinion of the presiding magistrate will allow time to list other matters for hearing on the date(s) to be vacated.

4.3 In the first instance the application shall be dealt with by a Magistrate in Chambers and shall only be listed in court at the direction of the Magistrate.

4.4 The party bringing the application must give notice to the opposing party(ies) of the application.

## 5. Urgent applications

5.1 Where urgent and unforeseen circumstances arise within the 21 day period, applications to vacate a hearing date should be made as soon as practicable after a party has become aware of grounds for such application and, in any event, not later than the next working day.

5.2 A party wishing to make an urgent application should advise the opposing party of the application and grounds for such application at the earliest opportunity. The court should be advised, by telephone, at the earliest opportunity that an application is to be made.

5.3 Upon an application to vacate a hearing date on the grounds of illness, the party making the application will be required to produce a medical certificate within a period specified by the court.

## 6. Change of plea

6.1 When instructions are received to enter a plea of guilty in a matter fixed for defended hearing, the prosecution and the court should be advised at the earliest opportunity.

6.2 Whilst it is appreciated that defendants often give instructions to change plea on or close to the day of hearing, legal representatives should advise clients that any change of instructions (whether change of plea in criminal matters or settlement in civil matters) should be submitted to the legal representatives at the earliest opportunity. Early conferences in preparation for hearing will, of course, assist to this end.

## 7. Adjournments

7.1 Adjournment applications are a decision for the court in the proper exercise of judicial discretion. While there can be no hard and fast rule on the acceptable number of adjournments that should be granted in any matter, as a general rule, practitioners cannot expect the court to consider applications for adjournment in any matter without cogent and compelling reasons. Tardiness in preparation, the late obtaining of instructions, the making of representations or change of counsel does not, of itself, justify the granting of an adjournment by the court.

7.2 The intention at all times is to ensure the efficient and expeditious conduct of proceedings. Practitioners and those who appear before the court should do all they can to facilitate the just, quick and cost effective disposal of proceedings before the court. Ways in which practitioners can assist the work of the court in finalising matters include:

- \* ready identification of issues genuinely in dispute
- \* either directly, or by giving appropriate advice to a client, observing the listing procedures, rules and court directions

- \* ensuring readiness for trial
- \* providing reasonable estimates of the length of hearings
- \* giving the earliest practicable notice of an adjournment application

## **8. Costs and witnesses' expenses**

8.1 Practitioners should bear in mind the power of the court to order costs and witnesses' expenses to be paid in appropriate cases.

Judge Graeme Henson  
**Chief Magistrate**



**FORM 1 - PRACTICE NOTE 1/2001**

Re-issued pursuant to Section 27 Local Court Act 2007  
Re-issued 5 August 2010

**APPLICATION TO VACATE A HEARING DATE  
PARTS A & B MUST BE COMPLETED IN FULL PRIOR TO THE APPLICATION  
BEING LODGED IN PERSON BY THE APPLICANT OR THE APPLICANT'S  
REPRESENTATIVE**

**Note:** This application will be dealt with in Chambers unless there is good reason for it to be listed before a Court. This application, together with all relevant information should be submitted in writing not less than **21 days** before the hearing date **OR**, in the case of urgent circumstances arising after that time, as soon as practicable before the date of hearing.

You will be advised of the outcome of the application and the date on which it is next listed (where applicable).

You must lodge all relevant supporting documentation with this application.

---

**PART A** (Applicant to complete)

Name of the matter:.....  
Date listed for hearing..... Time estimate.....  
Place listed for hearing..... Local Court  
Offence(s).....

Application lodged on behalf of the.....(Prosecution/defence)

Name of applicant:  
(Informant/Defendant/Representative)

Signature:  
Address:

Date:...../...../.....

Phone:

Fax:

**I apply to vacate the hearing date for the following reasons:**

*(Please provide as much information as possible in support of the application - attach additional pages if more space required)*

.....  
.....  
.....  
.....  
.....

.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....



If the application has arisen because of the non availability of any relevant person in the matter, including witnesses, legal representatives or a defendant you must provide answers to the following questions:

1. When was this person first notified of the hearing date?.....(date)
2. Was the event which has caused this person to be unavailable arranged before or after the person became aware of the hearing date?.....  
.....
3. If before, why was the court advised that this date was a suitable date for hearing?.....  
.....
4. If after, why did this person arrange another commitment for the day of hearing?.....  
.....
5. Why is it essential for this person to be present at the hearing?.....  
.....

Contact address (include telephone number/e-mail)

Applicant..... Respondent.....  
 .....  
 .....

**PART B** (Other party to complete - a faxed copy is sufficient)

**(Note: Adjournments will not be granted simply because both parties consent to an adjournment)**

- I agree with this application. I have notified the applicant of my unavailable dates
- I do not agree to this application because:  
 .....  
 .....
- I do/do not wish to be present if the application is heard in court

Name of other party:

(Informant/Defendant/Representative)  
(Delete where not applicable)

Signed:  
Address:

Date:

Phone:

Fax:

**PART C** (Court/office use only)

- APPLICATION  GRANTED - NEW HEARING DATE IS.....
- REFUSED
- WILL BE HEARD IN COURT (NO: ) ON...../...../.....

.....  
Magistrate  
Date:...../...../.....

- COPY TO:
1. List Office/Registry
  2. Police Prosecutors
  3. Other (specify)



**LOCAL COURT PRACTICE NOTE NO: 5 of 2002**

**ISSUED: 20<sup>TH</sup> AUGUST 2002**  
**Re-issued 5 August 2010**

**Re-issued pursuant to section 27 Local Court Act 2007**

**MAGISTRATES EARLY REFERRAL INTO TREATMENT (MERIT)**

**PROGRAMME**

**NATURE AND PURPOSE**

1. The MERIT programme is a pre plea diversion programme for defendants with illicit drug problems conducted in the Local Courts of NSW.
2. The programme provides for the early referral for assessment of arrested persons who are eligible for bail and who are motivated and volunteer to engage in treatment and rehabilitation for their drug use problem.
3. The programme brings together the health, justice and law enforcement systems with the focus on the reduction of criminally offending behaviour associated with drug use.
4. The success of the MERIT programme at each Court will depend to a significant degree on the appropriate professional relationship between the Magistrate and the MERIT Team leader. The thoroughness of the assessments, the appropriateness of the treatment plan, the detail of the reports and the exercise of sound judgement in relation to action on breaches by the MERIT Team will all impact on efficient case management of the criminal charges and hopefully lead to a reduction in drug associated criminal behaviour in the future.

**REFERRALS TO THE MERIT PROGRAMME**

5. Referrals to the programme may come from one of the following sources:
  - (i) on apprehension by the Police who may refer a defendant for assessment into the programme
  - (ii) at the commencement of proceedings:
    - \* the defendant;
    - \* the defendant's lawyer; or
    - \* the presiding Magistratemay make a referral for assessment into the programme.

**PRELIMINARY CONSIDERATIONS FOR ENTRY INTO MERIT PROGRAMME:**

6. The MERIT programme is designed as a pre-plea scheme to encourage referral for assessment at an early stage of the Court process and entry into the programme is not dependant on the person's guilt or innocence.
7. Notwithstanding (6) above a plea may be entered at any time from the person's first appearance before the Court until the conclusion of the programme.

**CRITERIA FOR ELIGIBILITY TO PARTICIPATE IN MERIT PROGRAMME:**

8. To be eligible to participate in the MERIT programme the defendant must meet the following criterion:
  - (i) they must be an adult.
  - (ii) the offences charged must be related to a serious drug problem.
  - (iii) the offences should not involve strictly indictable offences, allegations of sexual assault or matters of significant violence and should not have like offences pending before a Court.
  - (iv) the defendant must have a demonstrable and treatable drug problem.
  - (v) the defendant must be eligible for bail and suitable for release on bail into the MERIT Programme.
  - (vi) the defendant must give informed consent to participation into the scheme.
  - (vii) the defendant must be deemed suitable for the programme.
  - (viii) the defendant should usually reside in the defined catchment area. This criteria will have less impact as the scheme is expanded throughout the State where transfers of matters may occur.

**GENERAL PROCEDURE:**

9. If considered eligible to participate, the defendant should be referred to the MERIT assessment team attached to the Court for the relevant assessment to be undertaken to ensure that the defendant is suitable for the programme. The Court proceedings should be adjourned for a short period to allow that assessment to occur.
  - 9.1 As part of the assessment, the MERIT case worker will assess the nature of the defendant's drug use and other associated problems.
  - 9.2 The case worker is to assess the defendant against the criteria for entry to the programme and then formulate a proposed treatment plan for the defendant to undertake and prepare a report for the Court.
  - 9.3 If the defendant is considered suitable for the MERIT programme, the Magistrate will approve placement of the defendant onto the programme.
  - 9.4 If the defendant is considered **not** suitable for the programme, the defendant will be asked to enter a plea and the matter will proceed in the usual way.
10. While awaiting the assessment report from the MERIT case worker, bail may be granted with specific conditions such as reporting and particular residential conditions applying. Alternatively the defendant may be remanded in custody awaiting the outcome of the assessment report.
  - 10.1 When placed on the programme, bail should be granted in accordance with the Bail Act and consideration should be given to imposing relevant bail conditions such as allowing the defendant to reside where approved by the MERIT Team and requiring compliance with all directions of the MERIT Team. Once on the programme the defendant is, in effect, subject to

the supervision of the MERIT Team and will be subject to breach of bail action if there is continued non compliance.

11. Once the Magistrate formally approves the placement of the defendant on the MERIT programme, the treatment plan as devised by the MERIT case worker, if it has not already commenced, will be commenced.
- 11.1 The determination of an appropriate treatment module is a matter solely within the discretion of the MERIT case worker. Their trained role is to identify the needs, risks, long and short term goals of the participant and then to oversee the provision of available treatment services in the best interests of that participant. Examples of the drug treatment programmes available include:
  - medically supervised and home based detoxification;
  - methadone and other pharmacotherapies such as naltrexone and buprenorphine;
  - residential rehabilitation;
  - individual and group counselling and psychiatric treatment.
- 11.2 The MERIT programme is generally planned as a 12 week intensive programme. It may be extended in special circumstances with the agreement of the Magistrate, the MERIT case worker and the defendant.
- 11.3 During the treatment phase the Court effectively case manages the process. Once accepted into the MERIT Programme, the defendant is required to return to Court at such intervals as determined by the Magistrate usually on the recommendation of the MERIT Team. At each adjournment, an update report is provided and the defendant required to attend unless excused by the Court with the concurrence of the MERIT Team. At the conclusion of the programme a final report is provided by the MERIT team.
12. Should the defendant fail the programme despite sufficient opportunities to comply with the directions of the MERIT Team, or commits further offences, or does not comply with other bail conditions, the MERIT Team must, as soon as possible, notify the Court of these major breaches. Thereafter, the defendant is no longer participating in the programme. The matter should be relisted as soon as possible for normal judicial management. Bail may need to be reviewed and, if required, a warrant issued.
- 12.1 If the breach of bail involves a significant threat to the community or the offender himself then the breach should be reported as a matter of urgency by the MERIT Team to the Police and the Court for their immediate action.
- 12.2 While minor breaches need not necessarily be actioned, reference to such conduct should appear in the interim or final reports.
- 12.3 An appropriate breach policy should be established by the Magistrates at each Court operating the MERIT Programme.

13. At the conclusion of the programme, the final report will set out the achievements or otherwise of the participant under the programme. At that time, the defendant will be asked (if it has not already happened) to enter a plea. The case will then proceed through the normal justice process.
- 13.1 On sentence, the successful completion of the MERIT programme is a matter of some weight to be taken into account in the defendant's favour. At the same time, as the MERIT programme is a voluntary opt in programme, its unsuccessful completion will not, on sentence, attract any additional penalty.
- 13.2 The final sentencing outcome should be formally communicated by the Court to the MERIT Team for their recording purposes.

Judge Graeme Henson  
**Chief Magistrate**



**LOCAL COURT PRACTICE NOTE NO: 7 of 2003**

**ISSUED: 7 JULY 2003**  
**Re-issued 10 August 2010**

**Re-issued pursuant to section 27 Local Court Act 2007**

**COMMITTALS FOR TRIAL INVOLVING CODEFENDANTS**

Codefendants should be committed for trial together so as to avoid unnecessary separate trials unless the Court considers it in the interests of justice not to do so.

If a defendant seeks a “paper committal” and a codefendant makes a section 91 application, the proceedings involving the defendant should be adjourned to the same date as the proceedings involving the codefendant. In such circumstances the hearing of the section 91 application\* and the subsequent committal proceedings should be expedited so as not to unduly delay the defendant’s opportunity for an early trial particularly where that defendant is in custody.

It is the responsibility of the prosecution to advise the court of matters involving codefendants where the codefendants are not listed at the same time.

This Practice Note does not apply to proceedings before the Children’s Court.

Judge Graeme Henson  
**Chief Magistrate**



**LOCAL COURT PRACTICE NOTE NO: 10 of 2003**

ISSUED: 25 AUGUST 2003

AMENDED: 20 NOVEMBER 2006

Re-issued 5 August 2010

Re-issued pursuant to section 27 Local Court Act 2007

Representations for Withdrawal and Time Standards

for matters being dealt with Summarily

The procedures outlined in this Practice Note are intended to facilitate the expeditious determination by a prosecuting authority of representations for the withdrawal of a prosecution and to ensure that the Court's published time standards are complied with.

**1. The following procedures apply to matters being dealt with summarily**

In all proceedings in which the Court is informed by a party it is intended to make representations for withdrawal, before granting an adjournment for this purpose the Court is to inquire of the defendant's legal representative or of a self represented defendant whether the representations have been prepared for lodgement with the prosecuting authority. If they have not been prepared the Court is to direct that they be served in writing or electronically on the Officer in Charge. Wherever possible a copy of the representations is also to be served on the Senior Local Police Prosecutor at the Court where the case is listed.

The proceedings are then to be adjourned for a period of five weeks to allow for the completion and service of the representations upon the prosecuting authority at the location outlined in paragraph number 2 of this Practice Note.

The representations are to specify so far as is relevant the full name of the defendant, the name of the informant, the station of charging, the CAN numbers, the last and next Court dates, the Court location, the name and address of the defendant's legal representatives or the address of a self represented defendant. The prosecuting authority is to acknowledge in writing receipt of the representations. Subject to the interests of justice where there

has been a failure to abide by the Orders of the Court regarding service of representations such an option will be deemed to have been abandoned. No further adjournments for the purpose of making representations will be permitted and the accused person must indicate the relevant plea to the Court. The legal representative of the defendant or a self-represented defendant is to inform the Court in writing of the fact and date of service of the representations. A copy of the representations **is not** to be filed with the Court.

Upon the adjournment date, the Court is to be informed of the result of the representations. If the representations are still under consideration on the initial adjournment, the proceedings are to be adjourned for another three weeks. If the representations are unsuccessful, a plea of guilty or not guilty must be indicated to the Court. Where a plea of not guilty is entered, the proceedings will be listed for hearing and the Court will order service of the brief within two weeks.

Where the representations have not been resolved by the further adjourned date, no subsequent adjournment is to be granted other than for the purpose of sentence or a defended hearing unless the Court considers it in the interests of justice to do so. The attention of the parties is drawn to the provisions of Section 257F of the Criminal Procedure Act in relation to the granting of adjournments in circumstances of unreasonable conduct or delay. In view of the extended period of adjournments proceedings in which representations are unsuccessful or unresolved will be listed for hearing at a time commensurate with the Court's published Time Standards.

## **2. Place of Service of Representations**

Representations are to be served:

- (i) when the prosecuting authority is the NSW Police - at the Local Area Command or specialist command where the police informant is located and on the Senior Local Police Prosecutor of the relevant court,
- (ii) when the prosecuting authority is the New South Wales Director of Public Prosecutions [DPP] the Sydney office of the DPP for matters conducted by the Sydney office and the relevant regional office of the DPP for other matters,
- (iii) when the prosecuting authority is the Commonwealth Director of Public Prosecutions by post to Locked Bag A4020 Sydney South NSW 1235, or by DX to 11497 Sydney Downtown.

Judge Graeme Henson  
**Chief Magistrate**





## **LOCAL COURT PRACTICE NOTE NO: 11 of 2003**

**ISSUED: 25 AUGUST 2003**

Re-issued pursuant to section 27 Local Court Act 2007

**Re-issued 5 August 2010**

### **Representations for Withdrawal and Time Standards**

#### **for matters being dealt with upon indictment**

The procedures outlined in this Practice Note are intended to facilitate the expeditious determination by a prosecuting authority of representations for the withdrawal of a prosecution and to ensure that the Court's published time standards are complied with.

#### **The following procedures apply to matters which are being dealt with upon indictment**

In proceedings in which the Court is informed by a party it is intended to make representations for withdrawal, the Court in accordance with paragraph 2.1 of Practice Note 6/2002 or Practice Note 9/2003 (proceedings commenced on or after 7 July 2003) will adjourn the matter for not less than eight weeks, allowing six weeks for service of the brief and two weeks for reply. Representations for withdrawal are to be served on the prosecuting authority by the date for reply at the location outlined in paragraph number 2 Practice Note 10/2003 and are to specify so far as are relevant those particulars referred to in paragraph number 1 Practice Note 10/2003. Upon the date for reply, the Court is to be informed of the fact and date of service of the representations. A copy of the representation **is not** to be filed with the Court. The proceedings are then to be adjourned for four weeks to enable the prosecuting authority to consider the representations.

Upon the adjournment date, the Court is to be informed of the result of the representations. If the representations are unsuccessful or not resolved the proceedings are then to be managed by the Court in accordance with paras 2.3, 2.4, 2.5, 2.6 and 3 of Practice Note 6/2002 or Practice Note 9/2003. In view of the extended period of adjournments proceedings in which representations are unsuccessful or unresolved will be listed for hearing at a time commensurate with the Court's published Time Standards.

Judge Graeme Henson  
**Chief Magistrate**



**LOCAL COURT PRACTICE NOTE NO. 1 OF 2004**

**FORM OF ADDRESS IN COURT**

**ISSUED 1 APRIL 2004  
Re-issued 5 August 2010**

**Re-issued pursuant to section 27 Local Court Act 2007**

The Honourable James Jacob Spigelman AC, Chief Justice of New South Wales and the Honourable Robert John Debus MP, Attorney General of New South Wales have approved a change of the address for Magistrates in court from “Your Worship” to “Your Honour”.

The address “Your Worship” is antiquated and creates confusion with the titles of other Judicial Officers. The change of in court form of address is intended to promote uniformity between jurisdictions in New South Wales, to remove confusion for members of the public and to recognise the judicial office of Magistrates.

**As and from 3 May 2004, Magistrates are to be addressed in court as “Your Honour” and not as “Your Worship”.**

**This Practice Direction applies to all courts in New South Wales in which Magistrates preside.**

Judge Graeme Henson  
**Chief Magistrate**

**LOCAL COURT PRACTICE NOTE NO. 3 of 2004**

**ISSUED: 16 SEPTEMBER 2004**  
**AMENDED 3 NOVEMBER 2008**

Re-issued pursuant to section 27 Local Court Act 2007  
Re-issued 5 August 2010

**CRIMINAL PROCEEDINGS INVOLVING CHILDREN AND INTELLECTUALLY  
IMPAIRED PERSONS AS WITNESSES**

The purpose of this Practice Note is to ensure the timely management and expeditious hearing of criminal proceedings involving children and intellectually impaired persons as witnesses and to ensure such witnesses are afforded protection available under the *Criminal Procedure Act 1986* and other relevant legislation as are appropriate in the circumstances of each case.

In criminal proceedings involving a **witness who is a vulnerable person for the purposes of the provisions of the *Criminal Procedure Act 1986*** the following shall apply:

**1. The parties obligation to notify the Court**

On the date listed for reply following the service of the brief of evidence on the defendant, the parties are to notify the Court that the proceedings involve a witness who is a vulnerable person for the purposes of the provisions of the *Criminal Procedure Act 1986*.

**2. Directions to be made by the Court – recordings of interviews with vulnerable persons.**

The Court will make such directions as are appropriate to ensure:

- a) that arrangements are made, where necessary, to facilitate the giving of evidence in chief by the vulnerable witness in the form of a recording of the vulnerable witness' initial investigative interview, in accordance with the provisions of S76 of the *Criminal Procedure Act 1986*. In particular, the directions should include as necessary:
  - i) that the prosecution serve a notice of intention to adduce a recorded interview in accordance with s19E of the *Criminal Procedure*

- Regulations 2005* not less than 14 days before the summary trial/committal hearing is to commence;
- ii) that the defence serve a notice of intention to access a recorded interview in accordance with clause s19F of the *Criminal Procedure Regulations 2005* not less than 7 days before the summary trial/committal hearing is to commence;
  - iii) that the responsible authority provide access to a recorded interview in accordance with s19F of the *Criminal Procedure Regulations 2005* within 7 days of receiving notice of intention to access the recording.
- b) that where necessary, arrangements are made to facilitate editing of the recorded interview and any transcript of that interview as agreed between the parties or as directed by the Court.
  - c) that where necessary, an order is made under section 76 (2) *Criminal Procedure Act 1986* to supply a transcript of the recorded interview to the Court.
  - d) that consideration, where necessary, is given to any order which may be made under section 306Y *Criminal Procedure Act 1986* prohibiting the vulnerable witness from giving evidence by means of a recording.

**It is to be noted that section 185 (5) *Criminal Procedure Act 1986* provides that nothing in Division 2 *Criminal Procedure Act 1986* requires the prosecutor to serve on the accused person a copy of the actual recording made by an investigating official of an interview with a vulnerable person.**

### **3. Further Directions – CCTV Facilities or other arrangements**

The Court will make such directions as are appropriate to ensure:

- a) that arrangements are made to facilitate the giving of evidence by the vulnerable witness by:
  - i) closed circuit television or other similar technology; or
  - ii) using screens or planned seating arrangements where closed circuit television facilities are not available;in accordance with the provisions of Division 4 of the *Criminal Procedure Act 1986*.
- b) that consideration, where necessary, is given to any order which may be made under section 306ZB of the *Criminal Procedure Act 1986* prohibiting the vulnerable witness from giving evidence by means of closed-circuit television facilities or any other similar technology.

**It is to be noted that the Court may only make such an order if it is satisfied that it is not in the interest of justice for the vulnerable person's evidence to be given by such means or that the urgency of the matter makes their use inappropriate.**

- c) the presence of a court officer and/or an interpreter, in accordance with section 306ZD of the *Criminal Procedure Act* 1986, if the vulnerable witness will be giving evidence from a location outside a Court;
- d) the presence of a supportive person or persons near the vulnerable witness and within the vulnerable person's sight when giving evidence, in accordance with section 306ZK of the *Criminal Procedure Act* 1986;
- e) that if identification evidence is to be given by the vulnerable witness, arrangements are in place to facilitate the giving of such evidence in accordance with section 306ZE of the *Criminal Procedure Act* 1986;
- f) that, where necessary, arrangements are in place to facilitate the presentation of exhibits or images of those exhibits if the vulnerable witness will be giving evidence from a location outside a Court.

#### **4. Further Directions – accused unrepresented**

The Court will make such directions as are appropriate to ensure that if the accused is to be unrepresented at the hearing, a person is appointed to ask the questions that the accused requests that person to put to a vulnerable witness in accordance with section 306ZL of the *Criminal Procedure Act* 1986, subject to the exception set out in that section. **It is to be noted that in sexual offence proceedings, section 294A of the *Criminal Procedure Act* 1986, which is a mandatory provision, will be applicable.**

#### **5. Committal Hearings**

**It is to be noted that a direction may not be given under section 91 *Criminal Procedure Act* 1986 requiring the attendance of the complainant in proceedings for a child sexual assault offence if the complainant was under the age of 16 years at the time of the alleged offence and is currently under the age of 18 years.**

**This Practice Note commences on 20 September 2004**

Judge Graeme Henson  
**Chief Magistrate**



Local Court of New South Wales

## Practice Note 1 of 2005

ISSUED: 15 August 2005

AMENDED: 16 February 2007

Re-issued 5 August 2010

**Re-issued pursuant to section 27 Local Court Act 2007**

**Issued pursuant to section 15 of the *Civil Procedure Act 2005 (CPA)***

### **CASE MANAGEMENT OF CIVIL PROCEEDINGS (GENERAL DIVISION)**

1. This Practice Note revokes Practice Note 2/2001.

#### **2. Objective**

**2.1** The overriding purpose of the Civil Procedure Act 2005 (CPA) is to facilitate the **just, quick and cheap resolution of the real issues** in the proceedings: (s.56 (1) CPA).

**2.2** The Court's Time Standards aim to finalise **90% of civil proceedings within 6 months of commencement and 100% within 12 months.**

**2.3** The Court by this Practice Note seeks to give effect to the overriding purpose of the CPA and to the finalisation of all civil proceedings within the Court's Time Standards. Parties must plan to meet these Time Standards.

**2.4** A party to civil proceedings is under a duty to assist the Court to further the overriding purpose of the CPA and, to that effect, to participate in the processes of the Court and to comply with the directions of the Court (s. 56(3) CPA).

**2.5** The just, quick and cheap resolution of the real issues in proceedings requires that proceedings are expeditiously and properly prepared by the parties.

#### **3. Case Management**

The Court will case manage the proceedings having regard to the objects specified in s57(1) CPA.

#### 4. Dismissal of Proceedings on the Court's own motion

If within 9 months after a statement of claim has been filed:

- (a) a defence or cross claim is not filed, or
- (b) a default judgment is not entered, or
- (c) the proceedings are not otherwise disposed of,

the proceedings may be **on the Court's own motion and order dismissed** (Rule 12.9(2)).

No such order is made if there are any Notices of Motion or other applications in the proceedings that are yet to be determined (Rule 12.9(4))

The order may be set aside upon application (Rule 36.16(2)(b)). Further, an order dismissing proceedings generally will not bar the commencement of fresh proceedings.

#### 5. No proceedings are ever stood over generally. Section 66(1) CPA.

#### 6. Representation

**6.1** Where there is a legal practitioner on the record for a party, a legal practitioner with full knowledge of the proceedings must represent that party at the Call-over and Review. That legal practitioner must have sufficient instructions to enable the Court to make all appropriate orders and directions.

**6.2** It is therefore generally **inappropriate** for parties to be represented by **agents or clerks**.

**6.3** The court has a wide discretion with respect to costs. It should be anticipated that non-compliance with directions and orders may result in adverse costs orders.

#### 7. Management of the Court Lists

**7.1** On the filing of the first defence (the defence filing date), but subject to paragraph 7.2 of this Practice Note, the proceedings will be given a first Call-over **within six weeks** of the defence filing date. Standard Directions will be served by the Court on service of the defence [Rule 10.8(3)].

**7.2** Where on the filing of a defence, the defendant also files an application for the proceedings to be transferred to another Local Court, the proceedings will be given a first Call-over date **within six weeks** of the defendant's application for transfer of proceedings being determined [s151 CPA].

### 7.3 The first Call-over

7.3.1 The first Call-over shall be conducted by a Magistrate or Registrar (the Court). The Court may, by order, give directions as the Court thinks fit for the speedy determination of the real issues between the parties to the proceedings. Such orders may include:

- (i) that the parties comply with the Standard Directions
- (ii) allocating a date for return of subpoenas
- (iii) an order for the preparation and filing of the agreed list of exhibits that are page numbered and indexed
- (iv) such other directions with respect to the conduct of the proceedings as it considers appropriate
- (v) any other matter mentioned in Part 6 CPA.
- (vi) a referral of the proceedings for mediation by a mediator (s26 CPA)
- (vii) a referral of the proceedings for determination by an arbitrator (s38 CPA)
- (viii) directions for the calling of expert witnesses pursuant to Division 2 of Part 31 of the UCPR.

7.3.2 At the first Call-over the Court may fix a date for trial and for review but where the Court is unable to do so in accordance with the dictates of justice the Court may adjourn the proceedings to a second Call-over which **must be held within 28 days** of the first Call-over.

### 7.4 The Second Call-over

7.4.1 At the second Call-over, the Court shall

- (i) Fix a date for trial. **Trial dates will be fixed to give effect to the overriding purposes of the CPA – the just, quick and cheap resolution of the proceedings and the Court’s Time Standards**
- (ii) Fix a Review date **not more than 42 days** prior to the trial date
- (iii) Make orders in accordance with paragraph 7.3.1 of this Practice Note

7.4.2 Where the proceedings at the second Call-over are before a Registrar and the parties are unable to take a trial date, the Registrar **must** refer the proceedings for a **Directions Hearing** before a Magistrate which is to be held **not more than 14 days** after the date of the second Call-over.

### 7.5 The Review

The Magistrate at the Review shall ensure that the proceedings are ready for trial and the Court’s directions have been complied with. If the Court’s directions have not been complied with, the Court may make orders including dismissing the proceedings, striking out a defence or cross claim,



directing a party to pay the whole or part of the costs of another party or making such orders as it considers appropriate (s61(3) and s61(4) CPA).

## 7.6 Arbitration

7.6.1 Suitable proceedings may be finalised through mediation or arbitration. A referral by the Court to mediation or arbitration can be considered at the **first or second Call-over**. Proceedings will generally only be considered for arbitration if they are property damage claims arising out of motor vehicle accidents or other uncomplicated proceedings estimated to take 3 hours or less at hearing.

7.6.2 Where proceedings are referred to arbitration and a request for re-hearing is lodged the parties will be advised of a Call-over date to be held **within 28 days** of the filing of the request for re-hearing. At the Call-over, the Court will make orders in accordance with paragraph 7.3.1 of this Practice Note. The Call-over of proceedings to be reheard shall be pursuant to Paragraph 7.4 of this Practice Note (a second Call-over) and **shall not** be adjourned by the Court to a further Call-over.

## 8. Subpoenas

The parties must issue subpoenas as early as possible so that documents can be produced and inspected and are available for the proper preparation of the case, including submission to experts.

## 9. Motions

Parties must file any motions as soon as practicable. A motion will be allocated a hearing date in the general motions list on the first available date and the parties should be ready to argue the motion on that date.

## 10. Vacation of Trial Date

**10.1** Any application to vacate a trial must be by Notice of Motion and must be made **not less than 21 days** prior to the allocated trial date.

**10.2** Applications to vacate a trial **within 21 days** of the trial date on the basis of unforeseen circumstances (for example on the ground of illness) must be made as soon as practicable and not later than the next working day after a party becomes aware of the unforeseen circumstances. If the trial is within 21 days the party seeking to vacate a trial should not wait to obtain the consent of the other party before approaching the Court.

## 11. Expert Evidence

11.1 So far as is practicable to do so without compromising the interests of justice, expert evidence is to be given on an issue in proceedings by a single expert engaged by the parties or appointed by the Court.  
R 31.17(d)

**11.2** Parties must seek directions from the Court before calling any expert witness.

11.2.1 Directions may be sought at Call-over before a Magistrate. If a Call Over is held before a Registrar, the matter is to be referred to a Magistrate for directions.

11.2.2 If, after Call-over, a party decides that it is necessary to call an expert witness, he/she may apply to the court for directions by notice of motion or pursuant to liberty to restore.

11.2.3 It is the responsibility of the parties or their legal representatives to inform the Court that expert evidence will be called.

11.3 The Court may at any time give such directions as it considers appropriate in relation to the use of expert evidence in proceedings.  
Rule 31.20

Judge Graeme Henson  
**Chief Magistrate**



**Local Court of New South Wales  
GENERAL DIVISION  
STANDARD DIRECTIONS**  
(Pursuant to Practice Note 1 of 2005)

**COURT APPEARANCES**

**DATE**

**TIME**

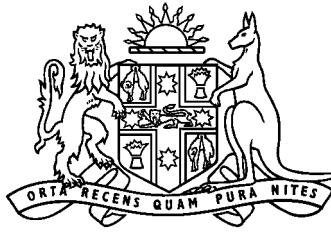
**CALL OVER DATE** (Attendance of behalf of all parties is required if a Notice of Listing is received)  
(Review and Trial date will be allocated at Call Over)

**If the parties fail to comply with the Court's directions it can be expected that the statement of claim will be dismissed or the defence struck out and orders will be made that the non complying party pays the costs of the other party.**

**STANDARD DIRECTIONS**  
(applicable only to matters to be heard by the Court)

1. Each party shall serve upon all other parties copies of written statements or affidavits of the intended evidence of all witnesses, together with copies of any annexures, reports or other documentation (all which should be numbered) intended to be relied upon, on a day at least 14 days prior to the Review date of this matter (being a date at least 42 days prior to the day fixed for trial).
2. Each party or their legal representative is directed to attend on the Review date allocated by the Court. On the Review date each party shall file a written summary of the case, including a reference to any relevant case law or statute.
3. The Plaintiff shall prepare and file a statement of agreed facts and issues 7 days prior to the date fixed for hearing.
4. Unless there is more than one defendant, each party must prepare four copies of all statements or affidavits and other documents. In the case of each additional party, one additional copy should be provided.
5. Where a written statement or affidavit of a witness has not been filed and exchanged, evidence may not be admitted, unless the non-complying party satisfies the Court that it is the interests of justice to do so.
6. Failure to comply with the Court's directions may result in the statement of claim or cross claim being dismissed, or the defence being struck out, with costs.
7. Where a legal practitioner acts as agent for a party he/she must forward a copy of the direction to the principal legal practitioner immediately.

Parties should acquaint themselves with Practice Note 1 of 2005 which can be located at [http://www.lawlink.nsw.gov.au/lc.nsf/pages/practice\\_collections](http://www.lawlink.nsw.gov.au/lc.nsf/pages/practice_collections)



**Local Court of New South Wales  
Practice Note 2 of 2005  
Issued pursuant to section 15 of the *Civil Procedure Act 2005 (CPA)*  
Re-issued pursuant to section 27 Local Court Act 2007  
Re-issued 18<sup>th</sup> December 2009  
Re-issued 5 August 2010**

**CASE MANAGEMENT OF PROCEEDINGS IN THE SMALL CLAIMS  
DIVISION OF THE LOCAL COURT**

1. This Practice Note applies to all matters in the Small Claims Division of the Local Court in New South Wales.
2. This Practice Note commences on 18<sup>th</sup> December, 2009.

**3. Objective**

- 3.1 The overriding purpose of the Civil Procedure Act 2005 (CPA) is to facilitate the just, quick and cheap resolution of the real issues in the proceedings: (s.56(1)CPA).
- 3.2 Proceedings in the Small Claims Division are to be conducted with as little formality and technicality as the proper consideration of the proceedings permit.
- 3.3 The Court's Time Standards aim to finalise 90% of civil proceedings within 6 months of commencement and 100% within 12 months. Parties must plan to meet these Time Standards.
- 3.4 The Court by this Practice Note seeks to give effect to the overriding purpose of the Act and to the finalisation of all civil proceedings within the Court's Time Standards.
- 3.5 A party to civil proceedings is under a duty to assist the Court to further the overriding purpose and, to that effect, to participate in the processes of the Court and to comply with the directions of the Court: (s.56(3)CPA).
- 3.6 The just, quick and cheap resolution of the real issues in proceedings requires that proceedings are expeditiously and properly prepared by the parties.
- 3.7 The rules of evidence do not apply to proceedings being heard in the Small Claims Division.

**4. Case Management**

- 4.1 The Court will case manage the proceedings having regard to the objects specified in s57(1) CPA.

**5. Dismissal**

- 5.1 If within 9 months after a statement of claim has been filed:

- (a) a defence or cross claim is not filed, or
  - (b) a default judgment is not entered, or
  - (c) the proceedings are not otherwise disposed of,
- the proceedings are on the Court's own motion and order dismissed (Rule 12.9(2)).  
No such order is made if there are any Notices of Motion or other applications in the proceedings that are yet to be determined (Rule 12.9(4))

## **6. Directions**

- 6.1 The Court may give such directions as it thinks fit for the speedy determination of the real issues between the parties to the proceedings.

## **7. No proceedings are ever stood over generally. Section 66(1) CPA.**

## **8. Transfer to General Division**

- 8.1 Where the court is of the opinion that the issues likely to arise in the proceedings are so complex or difficult as to law or fact, or that the action or cross-claim is of such importance that it should not be heard in the Small Claims Division, the Court may order its transfer to the General Division. Such an order may be made at any time before judgment on the court's own motion or no later than 28 days before the hearing on the application of any of the parties.

## **9. Pre-Trial Review**

- 9.1 On the filing of the first defence (the defence filing date), the proceedings will be given a Pre Trial Review Date within six weeks of the defence filing date.
- 9.2 The objective of the Pre Trial Review is to provide the opportunity for the Court to assist the parties to settle their dispute. Parties must attend in person or, if legally represented, the legal representative must have authority to settle the dispute. The Court or Registrar may refer the parties to mediation.
- 9.3 If the matter is not settled at the Pre Trial Review the parties must identify the issues in dispute and disclose, as far as is known, the statements and documents upon which they propose to rely at the hearing. The parties shall record these matters on the Pre Trial Review Sheet that is attached to this Practice Note and lodged with the Registrar at the Pre Trial Review.
- 9.4 The parties are required to make any interlocutory applications at the Pre Trial Review.
- 9.5 The Case Management Order given by the Magistrate, Assessor or Registrar at the Pre Trial Review shall be in accordance with the Case Management Orders forming part of this Practice Note.
- 9.6 In determining whether a direction may be given at the Pre Trial Review that a witness attend the trial of the proceedings to be orally examined, the Magistrate, Assessor or Registrar will have regard to the particular circumstances of the case, including the amount involved and whether there is a real issue as to creditability or a significant conflict in the evidence.
- 9.7 A party will not be permitted to rely on documents or statements at the hearing that have not been filed and served in accordance with the Case Management Order unless the Court grants leave.

**10. Small Claims Hearings**

- 10.1. A 'formal trial', that is, the normal adversarial trial where oral evidence is taken on oath, and witnesses cross-examined is not available in the Small Claims Division. There is no right to call witnesses to give evidence, or to cross-examine a witnesses or for a party to give oral evidence at the hearing.
- 10.2. Where a direction has not been given at the Pre Trial Review by the Magistrate, Assessor or Registrar for the attendance or cross examination of any witness at the trial of the proceedings, the proceedings will be heard and determined in open Court on the basis of the documentary evidence served and filed in accordance with the Case Management Order. Parties have the right to attend and to make comments, present arguments and make final submissions on the evidence.
- 10.3. Where a direction has been given at the Pre-trial review by the Magistrate, Assessor or Registrar, that a witness attend for cross-examination, the proceedings will be heard and determined on the oral evidence and the written statements and other documents and materials which have been tendered. Submissions on the evidence will also be allowed.
- 10.4. The procedure at the trial of the proceedings in the Small Claims Division will be determined by the Magistrate or Assessor as he or she thinks fit.

Judge Graeme Henson  
**Chief Magistrate**

## PRE TRIAL REVIEW SHEET

Plaintiff:

File Number:

Defendant:

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**PLAINTIFF'S SUMMARY OF CASE:**

(This section to be completed by or on behalf of plaintiff)

Documentary evidence intended to be relied upon at hearing:

Name of Witnesses:

Other Material

- 1.
- 2.
- 3.
- 4.

- 1.
- 2.
- 3.
- 4.

Has the plaintiff made offers of settlement, attempted mediation or otherwise attempted to resolve the issues in dispute? Yes/No

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**DEFENDANT'S SUMMARY OF CASE:**

(This section to be completed by or on behalf of defendant)

Documentary evidence intended to be relied upon at hearing:

Name of Witnesses:

Other Material

- 1.
- 2.
- 3.
- 4.

- 1.
- 2.
- 3.
- 4.

Issues in dispute:

Motor vehicle claims:

Ownership /Liability /Agency /Quantum /Demurrage /Loss of Use  
(Circle relevant issues)

Other claims:

Has the defendant made offers of settlement, attempted mediation or otherwise attempted to resolve the issues in dispute? Yes/No

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**SMALL CLAIMS DIVISION  
CASE MANAGEMENT ORDER**

**COURT DETAILS**

Court  
Division  
Registry  
Case number

**TITLE OF PROCEEDINGS**

First plaintiff  
Number of plaintiffs  
First defendant  
Number of defendants

**HEARING DETAILS**

Date:  
Time:  
Place:

**Last Date for Exchange and Filing of Documentary Evidence:**

***Case Management Order:***

1. Unless the Magistrate, Assessor, or Registrar made a direction permitting oral evidence to be given at the hearing, the proceedings will be determined on the basis of the written statements and other documentary material that is filed at the Local Court registry and exchanged between the parties no later than the date referred to above (being no later than 14 days before the hearing). The Court may allow any documents produced under subpoena issued with the leave of the Court or produced under a Notice to Produce to be admitted as evidence.
2. If a party fails to exchange statements and other documentary material at least 14 days before the hearing then the Court may refuse to allow the party to rely on that evidence at the hearing.
3. The hearing will be conducted with as little formality as possible. The rules of evidence do not apply at the hearing.
4. Each party will have the opportunity to attend and make comments and present arguments and provide final submissions on the evidence.
5. If a party fails to attend the hearing the Court may strike out the statement of claim or defence.

**Magistrate/Assessor/Registrar  
(Date)**





## **LOCAL COURT PRACTICE NOTE NO 3 OF 2005**

Issued: 17 October 2005  
Re-issued 5 August 2010

Re-issued pursuant to section 27 Local Court Act 2007

### **COMMUNITY CONFERENCING FOR YOUNG ADULTS PILOT (CCYAP) PROGRAM**

#### **Nature and Purpose**

1. The **Community Conferencing for Young Adults Pilot (CCYAP)** program is a post plea intervention program for defendants aged between 18 and 24 years, conducted at the Liverpool Local Court and the Tweed Heads Local Court Circuit of New South Wales.
2. The program provides for the referral of defendants who have pleaded guilty or have been found guilty of offences and for whom there is a likelihood of a custodial sentence, to be referred to a conference with the victim or victims of the offence as arranged by the program Facilitator in order to develop an intervention plan for the defendant. Referral to the conference is as an additional option for the sentencing Court.
3. The program provides for greater participation in the justice process by defendants, victims and their respective support persons, with the aims of promoting the reintegration of the defendant into the community and to increase the satisfaction of victims and the community in the justice process.
4. **Criteria for Eligibility to Participate in the CCYAP Program**

To be eligible to participate in the CCYAP program, the defendant:

- (a) must be aged between 18 and 24 years;
- (b) must have pleaded or be found guilty of an eligible offence;
- (c) must give informed consent to participation in the scheme;
- (d) must be deemed suitable for the program;
- (e) should usually reside in the defined catchment area;
- (f) must be eligible for bail; and

(g) must not have any prior convictions at the time of referral for any offences listed in Sec 7(1)(d) of Schedule 5 of the *Criminal Procedure Regulation 2005*.

Offences that are not an eligible offence:

- Strictly indictable offences;
- Offences for which an election has been made or offences under ss 35 or 35A of the *Crimes Act 1900* - malicious wounding or infliction of GBH, or maliciously cause dog to inflict GBH;
- Offences under Division 10 or 15 of the *Crimes Act 1900*, - allegations of sexual assault or child prostitution or pornography;
- Offences under s 562AB of the *Crimes Act 1900*– stalking or intimidation with intent to cause harm;
- Offences under ss 91H, 578B or 578C (2A) of the *Crimes Act 1900*– child pornography offences;
- Any offence involving the use of firearms under ss 23(1)(b) or 23(2)(b) or s 25A of the *Drugs Misuse and Trafficking Act 1985* – supply, ongoing supply or offences with respect to prohibited plants;
- Offences of domestic violence as defined in the *Crimes Act 1900*;
- Any Commonwealth offences

## **General Procedure**

### **5. Referrals to the CCYAP Program**

Referrals to the program may be made by the Court on application by the defendant or their representative or by the prosecutor.

**5.1** If considered eligible to participate, the defendant should be referred to the CCYAP Administrator attached to the Court for the relevant suitability assessment to be undertaken to ensure that the defendant is suitable for the program. The Court proceedings should be adjourned for a short period to allow that assessment to occur.

- (a) As part of the assessment, the CCYAP Administrator will assess the suitability for participation, based on the operating procedure.
- (b) The Administrator is to assess the defendant against the criteria for entry to the program and then formulate a suitability assessment report for the Court.
- (c) If the defendant is considered suitable for the CCYAP program, the Magistrate will consider placement of the defendant onto the program. Both the defendant and the prosecutor may be heard with respect to whether a CCYAP referral should be made. If the defendant is considered **not** suitable for the program, the matter will proceed in the usual way.

**6.** Where the defendant is before the Court on more than one offence, the Court will consider whether to refer the defendant for one or more than one offence after considering the advice of the Administrator as to the practicality of a referral.

## 7. If a referral to CCYAP is made

- 7.1 When a referral to conferencing is made, the Court should consider bail, taking into account considerations as they apply pursuant to the *Bail Act* 1978. The Court may consider adjourning the matter and making conditions that the defendant attends conferences as directed by the Administrator.
- 7.2 If the Court makes a conference participation order:
- (a) The sentencing of the defendant will be adjourned for such time as is necessary to allow the conference to occur.
  - (b) The Court will also consider requesting other sentencing aids, such as a pre-sentence report. It is anticipated that if such a report is ordered, subject to the consent of the defendant, information obtained by Probation and Parole may be made available to the Conference Facilitator.
  - (c) The Court should request and direct the police to supply, through the officer in charge, the victim's name and contact details to the Conference Administrator. Such information shall remain confidential and shall not be released to any participant at the conference.
- 7.3 It is anticipated that a conference will be held within four weeks of the referral, and the Court should adjourn sentence for a period of not less than six weeks or more than eight weeks to allow the conference to occur. It should be noted that if a full PSR is required, it will take five weeks to prepare, and if an options only report is ordered, then three weeks will be required. These times should be taken into account when setting an adjournment date.

## 8. Intervention Plan Orders

- 8.1 The determination of a draft **intervention plan** and participation at the conference is a matter solely within the discretion of the Administrator and Conference Facilitator. The Facilitator's role is to identify the needs, including the long and short term goals of the participants and then to oversee preparation of a draft intervention plan for presentation to the Court. The plan will specify attendances at the conference and give details of any agreement that has been reached at the conference, and whether that agreement requires any further action on behalf of the defendant that would require supervision by either the Administrator or Probation and Parole. The draft plan will also make clear if there is a recommendation to the Court for an intervention order sentence or further matters to be considered, such as financial compensation, individual and group counselling or psychiatric treatment.
- 8.2 It is anticipated that the draft intervention plan will contain detail of any special features noted at the conference.

**8.3** The draft intervention plan will be filed with the Court at least two days before the adjourned date.

**9. In the event that the Court is satisfied with the draft intervention plan, the Court may:**

**9.1** Make an order approving the plan and in doing so, make an order  
a) pursuant to s 36A of the *Bail Act* 1978, or  
b) for sentence pursuant to s 10(c) (conditional discharge/dismissal), s 11(1) (b2) (deferral of sentence) or s 95A (ss 9, 10 or 12 good behaviour bonds) of the *Crimes (Sentencing Procedure) Act* 1999.

**9.2** The successful completion of the CCYAP program is a matter of some weight to be taken into account by the Court upon sentence in the defendant's favour. At the same time, as the CCYAP program is a voluntary program, its unsuccessful completion must not, on sentence, attract any additional penalty.

**9.3** Where the Court makes an order in which an approved plan is part of the sentence, the Court should specify who is to supervise the plan and any other part of the order, and shall set time limits within which parts of the intervention plan are to be completed. It is contemplated that an order of the Court can, if it is required, be supervised by either the Administrator, by Probation and Parole, or both.

**10. In the event that the Court does not approve the draft intervention plan:**

**10.1** The Court may refer the plan back to the conference Administrator either in open Court or by correspondence. If the Administrator decides that a revised plan is feasible, the Administrator shall take such action as necessary to revise the agreement and report back to the Court within seven days.

**10.2** No more than one referral to revise the intervention plan is permitted. If the plan is not approved and a revised plan is not approved, sentencing will proceed in the normal manner.

**10.3** The Court has available to it full sentencing options pursuant to the *Crimes (Sentencing Procedure) Act* 1999, including community service orders and imprisonment.

**11. After Sentencing**

**11.1** The Administrator is to advise the Court whether or not the plan is satisfactorily completed within the time specified by the plan, or at the end of the order, whichever occurs first.

- 11.2** In the event the Administrator advises the Court that the plan has not been satisfactorily completed, the Court may:
- (a) Take no action;
  - (b) Issue a notice of call up; or
  - (c) Issue a warrant.
- 11.3** In the event the plan is supervised by both the Administrator and Probation and Parole, the Court should ensure there is a report from both supervisors before taking action as referred to above.
- 11.4** If the plan is part of a sentence supervised only by Probation and Parole, breach action by Probation and Parole will be dealt with in the usual way.

This Practice Note commences on 17 October 2005.

Judge Graeme Henson  
**Chief Magistrate**



**LOCAL COURT PRACTICE NOTE NO. 4 of 2005**

**ISSUED: 28 NOVEMBER 2005**

**Re-issued 5 August 2010**

**Re-issued pursuant to section 27 Local Court Act 2007**

**MEDIA ACCESS TO SEXUAL ASSAULT PROCEEDINGS  
HEARD IN CAMERA**

The purpose of this practice note is to provide arrangements under s291C(2) of the *Criminal Procedure Act* 1986 (the Act) for the media to access sexual assault proceedings held in camera.

In circumstances where s 291C(2) of the Act applies, and such arrangements are sought, the media representative should contact the registrar of the court where the proceedings are to be held.

Upon application by a media representative, the registrar will discuss with the media representative the reasonable and practical options available. Wherever possible, the application is to be made prior to the date of hearing. The longer the period of notice given to the registrar the more likely it will be that a practical arrangement can be made.

The registrar will discuss with the media representative the options available and then provide a written report to the court advising what is reasonably practical to provide pursuant to s 291C(2) of the Act. The court will then determine what arrangements should be made and these will usually be announced in court.

Any additional costs incurred in making arrangements pursuant to s 291C(2) of the Act are to be met by the media representative (eg cost of installing live audio/visual feeds, cost of a sheriff/court officer to supervise access to a remote audio/visual feed, cost of providing a real time or a daily transcript). The registrar may require an undertaking to be given by the media representative to pay the additional costs.

If the media is given electronic access to the evidence, the media must not make an electronic recording of the proceedings.

Judge Graeme Henson  
**Chief Magistrate**



## **CHIEF INDUSTRIAL MAGISTRATE'S COURT PRACTICE NOTE NO. 1 of 2005**

**ISSUED: 24 JUNE 2005**

Re-issued pursuant to section 27 Local Court Act 2007

Re-issued 5 August 2010

### **LISTING PROCEDURE FOR WORKCOVER AND OTHER SUMMARY PROSECUTIONS IN THE CHIEF INDUSTRIAL MAGISTRATE'S COURT COMMENCED ON OR AFTER 1 JULY 2005**

The procedures outlined in this Practice Note apply to all prosecutions for indictable offences to be heard summarily and all other summary prosecutions commenced on or after 1 July 2005. The objects to the Practice Note are to ensure that summary defended hearings are heard within the Chief Industrial Magistrates Court published Time Standards and to avoid prosecution witnesses not required for cross examination unnecessarily attending Court to give evidence.

1. On the first appearance date a brief order must be made by the Court unless a plea of guilty is entered or the defendant fails to appear.
2. (a) The Court where the prosecution brief **has been served** prior to or on the first appearance date will adjourn the matter for **not more than six weeks** for reply.  
  
(b) The Court where the prosecution brief **has not been served** will adjourn the matter for **not more than ten weeks** allowing not more than four weeks for service of the brief and not more than six weeks for reply.

The date to which the matter is adjourned is hereafter referred to as the **reply date**.

3. A Court Listing Advice listing the statements contained within the brief is to be served by the prosecution with the brief. The form of the Court Listing Advice is that attached to this Practice Note.
4. The period of six weeks for reply is to be utilised by the defendant and /or legal representatives to consider the evidence and the prosecution witnesses required for cross-examination.
5. All requests for particulars or representations for withdrawal by the defendant must be served on the prosecution **no later than 14 days** prior

to the reply date. Failure to comply with this requirement **will not entitle** the defendant to an adjournment on the reply date.

6. The parties have liberty to restore the matter to the list prior to the reply date for a plea of guilty to be entered.
7. Service of the prosecution brief is to be effected upon the defendant in accordance with the Part 4 Clause 21 Local Courts (Criminal and Applications Procedure) Rule 2003.
8. **Case Management on the reply date**  
On the reply date the defendant **must** enter a plea (if not previously entered).
9. On the reply date, the Court must
  - (a) proceed to hear a plea of guilty or allocate a date for hearing of the plea
  - (b) where a plea of not guilty is adhered to or is entered, allocate a date for hearing
  - (c) where no plea is entered allocate a date for hearing
10. Where the defendant fails to appear on the reply date, the Court may proceed to hear and determine the matter in the absence of the defendant or allocate a date for a hearing in accordance with section 196 Criminal Procedure Act 1986 in the absence of the defendant.
11. **Further Case Management Directions**  
The following is to apply only **where the defendant is represented by a barrister or a solicitor:**
  - (a) to assist in the prompt and effective service of the prosecution brief the legal representative of the defendant at the time of the making of the brief order is to complete, sign and hand to the prosecutor and to the Court a Notice of Appearance. The form of the Notice of Appearance is that attached to this Practice Note.
  - (b) on the reply date, in the event that a plea of not guilty is entered, the legal representative of the defendant is to hand to the Court and to the prosecutor a completed Local Court Listing Advice.
  - (c) The prosecution is required only to call at the hearing those witnesses nominated for cross-examination on the Listing Advice Form. A notation on the Listing Advice Form by the legal representative of the defendant that a witness is not required to be called for cross examination does not prevent the prosecution calling that witness in the prosecution case if the prosecutor is of the opinion the



witness if required. The remainder of the brief of evidence must be tendered by the prosecution in its case.

- (d) The legal representative of the defendant is to notify the prosecutor of any changes in the witnesses nominated for cross-examination **no later** than 14 days prior to the date of hearing.

This Practice Note does not operate to make a written statement or any part of the written statement admissible if it is not otherwise admissible.

12. There are to be **no more than** two mentions before a Registrar, after which the matter must be referred to the Chief Industrial Magistrate

13. Adjournments

**No adjournments of the above procedural time table will be granted unless compelling circumstances exist in the interests of justice.**

**Failure by a party to comply with orders made by the Court may result in a costs order against that party.**

This Practice Note commences on 1 July 2005.

Judge Graeme Henson  
**Chief Magistrate**

Magistrate G Hart  
**Chief Industrial Magistrate**

**WILDERNESS ACT 1987**

## Additions to West Ettrema, Ettrema and Budawang Wilderness Areas

I, FRANK SARTOR, M.P., Minister for Climate Change and the Environment in the State of New South Wales,

- (a) declare to be wilderness area under the provisions of section 8 (1A) of the Wilderness Act 1987 the land within Morton National Park described in Schedule 1 hereunder, and to be known as part of the West Ettrema Wilderness,
- (b) declare to be wilderness area under the provisions of section 8 (1A) of the Wilderness Act 1987 the land within Morton National Park described in Schedule 2 hereunder, and to be known as part of the Ettrema Wilderness,
- (c) declare to be wilderness area under the provisions of section 8 (1A) of the Wilderness Act 1987 the land within Morton National Park described in Schedule 3 hereunder, and to be known as part of the Budawang Wilderness,

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

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**SCHEDULE 1***LGA – Shoalhaven*

County St Vincent, Parish Borimbadal, about 770 hectares being the area shown by hatching in Diagram A.

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**SCHEDULE 2***LGA – Shoalhaven*

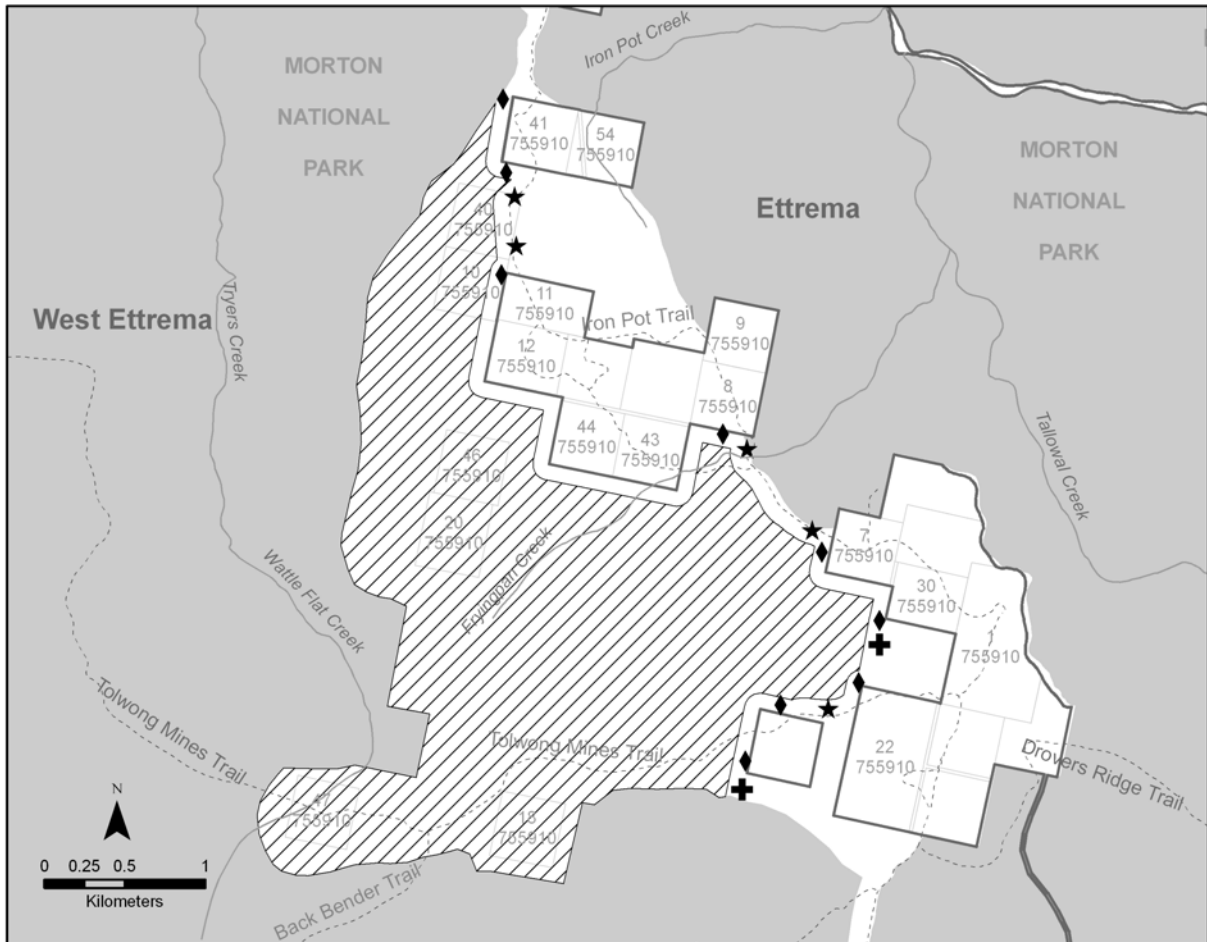
County St Vincent, Parish St George, about 2,600 hectares being Lot 1, DP 755960 and the area shown by hatching in Diagram B.

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**SCHEDULE 3***LGA – Shoalhaven*

County St Vincent, Parishes Meangora, Coolumburra and Sassafras, about 840 hectares being the area shown by hatching in Diagram C.







**DIAGRAM A - ADDITION TO WEST ETTREMA WILDERNESS**






**NOTES:**

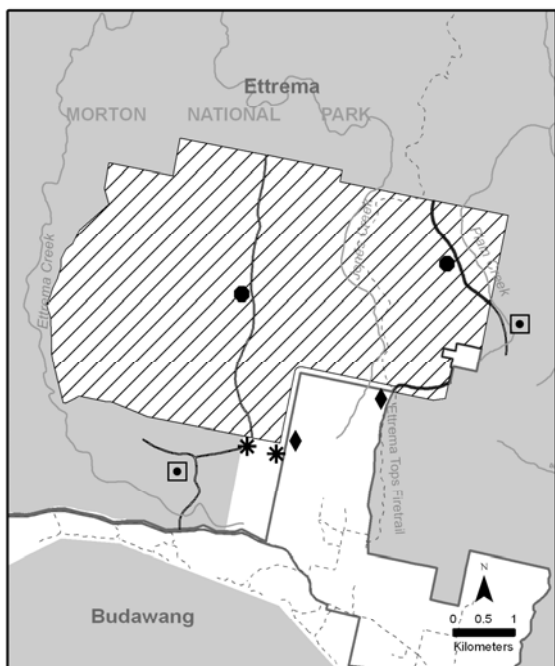
EXCEPT WHERE INDICATED THE WILDERNESS BOUNDARY IS THE EXISTING WILDERNESS BOUNDARY.

**Legend**

-  WEST ETTREMA WILDERNESS AREA ADDITION
-  NATIONAL PARK BOUNDARY
-  CREEK / RIVER
-  ROAD / TRAIL
-  LOT AND DEPOSITED PLAN
-  EXISTING WILDERNESS AREA

-  WILDERNESS BOUNDARY IS 100M OFFSET FROM PARK BOUNDARY AND IS WITHIN THE PARK
-  WILDERNESS BOUNDARY IS 100M OFFSET FROM CENTRELINE OF ROAD/TRAIL
-  WILDERNESS BOUNDARY IS PROLONGATION OF 100M OFFSET FROM PARK BOUNDARY










**DIAGRAM B - ADDITION TO ETTREMA WILDERNESS**



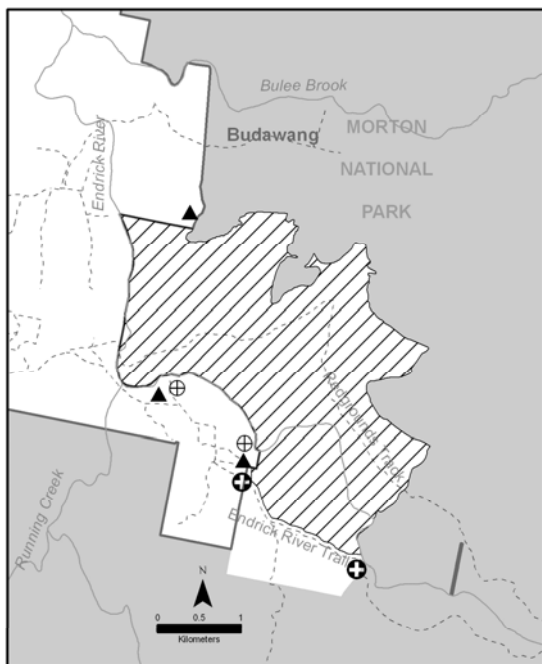
**NOTES:**

EXCEPT WHERE INDICATED THE WILDERNESS BOUNDARY IS THE EXISTING WILDERNESS BOUNDARY.

**Legend**

-  ETTREMA WILDERNESS AREA ADDITION
-  NATIONAL PARK BOUNDARY
-  CREEK / RIVER
-  ROAD/TRAIL
-  EXISTING WILDERNESS AREA
-  WILDERNESS BOUNDARY IS 100M OFFSET FROM PARK BOUNDARY AND IS WITHIN THE PARK
-  ROADS DECLARED AS WILDERNESS
-  WILDERNESS BOUNDARY IS NATIONAL PARK BOUNDARY - ROAD EXCLUDED.
-  WILDERNESS BOUNDARY IS THE PROLONGATION OF THE EXISTING WILDERNESS BOUNDARY.









**DIAGRAM C - ADDITION TO BUDAWANG WILDERNESS**



**NOTES:**

EXCEPT WHERE INDICATED THE WILDERNESS BOUNDARY IS THE EXISTING WILDERNESS BOUNDARY.

**Legend**

-  BUDAWANG WILDERNESS AREA ADDITION
-  NATIONAL PARK BOUNDARY
-  CREEKS / RIVERS
-  ROAD/TRAIL
-  EXISTING WILDERNESS AREA
-  WILDERNESS BOUNDARY IS THE NATIONAL PARK BOUNDARY.
-  WILDERNESS BOUNDARY IS THE CREEK BANK.
-  WILDERNESS BOUNDARY IS 50m OFFSET FROM THE CENTRELINE OF THE ROAD/TRACK FORMATION.

# PRIVATE ADVERTISEMENTS

## COUNCIL NOTICES

### CANTERBURY CITY COUNCIL

THE Canterbury City Council gives notice that the lands referred to in the attached Schedule are vested in the Council pursuant to the provisions of section 50(4) of the Local Government Act 1993. J. MONTAGUE, General Manager, PO Box 77, Campsie NSW 2194.

#### SCHEDULE

The land shown as public garden and recreation space in Deposited Plan 30227 at Canterbury, Parish of St George, County of Cumberland, being residue of the land in Certificate of Title Volume 7757, Folio 5. [5410]

### CLARENCE VALLEY COUNCIL

Roads Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

CLARENCE VALLEY COUNCIL declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below, excluding any mines or deposits of minerals in the lands, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for public road. Dated at Grafton, this 6th day of August 2010. STUART McPHERSON, General Manager, Locked Bag 23, Grafton NSW 2460.

#### SCHEDULE

Lot 1, DP 1143966. [5411]

### COWRA SHIRE COUNCIL

Roads Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

COWRA SHIRE COUNCIL declares with the approval of Her Excellency the Governor, that the lands described in the Schedule below, excluding any mines or deposits of minerals in the lands, are acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for road purposes. Dated at Cowra, this 12th day of August 2010. PAUL DEVERY, General Manager, Cowra Shire Council, Private Bag 342, Cowra NSW 2794.

#### SCHEDULE

Part Lot 120, DP 723801. [5412]

### GILGANDRA SHIRE COUNCIL

Roads Act 1993

Roads (General) Regulation 2000  
Part 2, Division 2

Naming of Roads

NOTICE is hereby given that Gilgandra Shire Council, in pursuance of section 162 of the Roads Act 1993 and Part 2 of the Roads (General) Regulation 2000, has approved the following new names, renaming of the following roads for gazettal:

<i>Location Road</i>	<i>Name</i>
Unnamed Road through Yalcogrin State Forest to property "Fair Oaks".	Aldersons Road.
Formerly Armatree-Warren Road, Armatree.	Armatree Road.
Back Creek Bus Road between Back Creek Road and Ulungra Springs Road.	Back Creek Road.
Formerly Ryans Access Road.	Back Memsie Road.
Eura Forest Road between Newell Highway and Balladoran Railway Road.	Balladoran Railway Road.
Cul-de-sac in Cooee Lodge Retirement Village off Cooee Drive.	Banskia Place.
Formerly Barden Road, Gilgandra.	Barden Street.
Formerly Barden Street, Curban.	Bardens Road.
Unnamed street – Stage 3 Pines Subdivision off proposed Christie Drive.	Bensley Close.
Formerly Healeys Road.	Bellhaven Road.
Formerly Curban-Berida Road and Curban Railway Road to Berida-Bullagreen Road from intersection of Castlereagh Highway.	Berida Road.
Formerly Bundah Access Road.	Bundah Road.
Formerly Burrells Access Road.	Burrells Road.
Formerly Yarrandale Hall Road, Armatree.	Cadonia Road.
Unnamed street – Stage 3 Pines Subdivision off Middleton Memorial Road.	Christie Drive.
Formerly Dubbo – Collie Road.	Collie Road.
Unnamed road off Leeches Creek Road to property "Collina".	Collina Road.
Unnamed road Castlereagh Highway north of Gilgandra.	Collins Road.
Formerly Commerfords Access Road	Commerfords Road.
Entrance road into Cooee Lodge Retirement Village from Chelmsford Avenue – extension of Dudley Street.	Cooee Drive.
Formerly Kilbys Access Road.	Coralie Road.
Formerly Curban Railway Road.	Berida Road.

<i>Location Road</i>	<i>Name</i>	<i>Location Road</i>	<i>Name</i>
7.56km east along Back Creek Road access to 91//753372.	Ellimatta Road.	Cul-de-sac in Cooee Lodge Retirement Village off Cooee Drive.	Wattle Crescent.
Formerly Narromine – Eumungerie Road.	Eumungerie Road.	Formerly Mialla Road at Balladoran from Newell Highway to unnamed Forest Road known as Breelong Road.	West Mialla Road.
10.9km east along Back Creek Road access to 27//753371.	Gaffs Road.	Former Developmental Road 1080 between National Park Road and Dooroombah Road.	Windurong Road.
Cul-de-sac in Cooee Lodge Retirement Village off Cooee Drive.	Grevillia Place.	Unnamed road off Grandchester Road to property “Yarran Camp”.	Yarran Camp Road.
Formerly Gular Railway Road.	Gular Rail Road.	Former Developmental Road 1080 between Castlereagh Highway and National Park Road.	Yarrandale Road.
Formerly Ilfracombe Road.	Gydenboyne Road.	Formerly Collie – Balladooran Road.	Yungundi Road.
Formerly Mahers Hill Road between Hilliers Road and Mudfords Road.	Hilliers Road.	The above road names have been advertised and notified. No objections to the proposed name/s have been received. PAUL MANN, General Manager, Gilgandra Shire Council, Warren Road (PO Box 23), Gilgandra NSW 2827. [5413]	
Formerly Hubbards Access Road.	Hubbards Road.	<p style="text-align: center;"><b>GREAT LAKES COUNCIL</b> Roads Act 1993, Section 162 Roads (General) Regulation 2000 Naming of Roads</p> <p>NOTICE is hereby given that Great Lakes Council, pursuant to the aforementioned Act and Regulation, has named the roads described hereunder. KEITH O’LEARY, General Manager, Great Lakes Council, Breese Parade, Forster NSW 2428.</p>	
Unnamed extension of Inglewood Road, Warren Shire.	Inglewood Road.		
Former Regional Road 205 north to John Renshaw Parkway.	John Renshaw Parkway.	<p style="text-align: center;"><b>GREATER TAREE CITY COUNCIL</b> Erratum</p> <p>A notice originally published in the <i>New South Wales Government Gazette</i> on 13 August 2010, under the heading of ROADS ACT 1993, ROADS (GENERAL) REGULATION 2008, SECTION 162 – NAMING OF PUBLIC INFRASTRUCTURE, referred to the naming of James O’Brien Crossing on The Big Run at Wherrol Flat, is hereby amended to:</p> <ul style="list-style-type: none"> <li>• John O’Brien Crossing.</li> </ul> <p>GERARD JOSE, General Manager, Greater Taree City Council, PO Box 482, Taree NSW 2430. [5415]</p>	
Former Regional Road 205 from its intersection of Regional Road 4053 to Tooraweenah.	John Renshaw Parkway.		
Unnamed road off Seven Mile Lane to property “Collagreen”.	Kellys Road.	<p style="text-align: center;"><b>GREATER TAREE CITY COUNCIL</b> Roads Act 1993 Roads (General) Regulation 2000 Naming of Roads</p> <p>NOTICE is hereby given that Greater Taree City Council, pursuant to the aforementioned Act and Regulation, has named the roads described hereunder. KEITH O’LEARY, General Manager, Great Lakes Council, Breese Parade, Forster NSW 2428.</p>	
Unnamed Street in Tooraweenah between Denman and Garling Streets.	Manusu Street.		
Right 1.54km along Collie Road through to 14km west along Old Mill Road.	Mawbeys Road.	<p style="text-align: center;"><b>GREATER TAREE CITY COUNCIL</b> Erratum</p> <p>A notice originally published in the <i>New South Wales Government Gazette</i> on 13 August 2010, under the heading of ROADS ACT 1993, ROADS (GENERAL) REGULATION 2008, SECTION 162 – NAMING OF PUBLIC INFRASTRUCTURE, referred to the naming of James O’Brien Crossing on The Big Run at Wherrol Flat, is hereby amended to:</p> <ul style="list-style-type: none"> <li>• John O’Brien Crossing.</li> </ul> <p>GERARD JOSE, General Manager, Greater Taree City Council, PO Box 482, Taree NSW 2430. [5415]</p>	
Off Townsend Drive and meets up again with Townsend Drive.	McCarthy Crescent.		
Formerly Muirs Access Road off Grandchester Road.	Muirs Road.	<p style="text-align: center;"><b>GREATER TAREE CITY COUNCIL</b> Erratum</p> <p>A notice originally published in the <i>New South Wales Government Gazette</i> on 13 August 2010, under the heading of ROADS ACT 1993, ROADS (GENERAL) REGULATION 2008, SECTION 162 – NAMING OF PUBLIC INFRASTRUCTURE, referred to the naming of James O’Brien Crossing on The Big Run at Wherrol Flat, is hereby amended to:</p> <ul style="list-style-type: none"> <li>• John O’Brien Crossing.</li> </ul> <p>GERARD JOSE, General Manager, Greater Taree City Council, PO Box 482, Taree NSW 2430. [5415]</p>	
Formerly Lambells Road.	Myall Plains Road.		
Former Regional Road 205 between Box Ridge Road and John Renshaw Parkway.	National Park Road.	<p style="text-align: center;"><b>GREATER TAREE CITY COUNCIL</b> Erratum</p> <p>A notice originally published in the <i>New South Wales Government Gazette</i> on 13 August 2010, under the heading of ROADS ACT 1993, ROADS (GENERAL) REGULATION 2008, SECTION 162 – NAMING OF PUBLIC INFRASTRUCTURE, referred to the naming of James O’Brien Crossing on The Big Run at Wherrol Flat, is hereby amended to:</p> <ul style="list-style-type: none"> <li>• John O’Brien Crossing.</li> </ul> <p>GERARD JOSE, General Manager, Greater Taree City Council, PO Box 482, Taree NSW 2430. [5415]</p>	
Box Ridge Road between National Park Road and former Regional Road 205.	National Park Road.		
Formerly Curban Road.	National Park Road.	<p style="text-align: center;"><b>GREATER TAREE CITY COUNCIL</b> Erratum</p> <p>A notice originally published in the <i>New South Wales Government Gazette</i> on 13 August 2010, under the heading of ROADS ACT 1993, ROADS (GENERAL) REGULATION 2008, SECTION 162 – NAMING OF PUBLIC INFRASTRUCTURE, referred to the naming of James O’Brien Crossing on The Big Run at Wherrol Flat, is hereby amended to:</p> <ul style="list-style-type: none"> <li>• John O’Brien Crossing.</li> </ul> <p>GERARD JOSE, General Manager, Greater Taree City Council, PO Box 482, Taree NSW 2430. [5415]</p>	
Formerly East Coonamble Road between Curban Road and National Park Road.	National Park Road.		
Unnamed road off Berida Innisfail Road.	Prouts Road.	<p style="text-align: center;"><b>GREATER TAREE CITY COUNCIL</b> Erratum</p> <p>A notice originally published in the <i>New South Wales Government Gazette</i> on 13 August 2010, under the heading of ROADS ACT 1993, ROADS (GENERAL) REGULATION 2008, SECTION 162 – NAMING OF PUBLIC INFRASTRUCTURE, referred to the naming of James O’Brien Crossing on The Big Run at Wherrol Flat, is hereby amended to:</p> <ul style="list-style-type: none"> <li>• John O’Brien Crossing.</li> </ul> <p>GERARD JOSE, General Manager, Greater Taree City Council, PO Box 482, Taree NSW 2430. [5415]</p>	
Right 880m east of Newell Highway and Castlereagh Highway Junction.	Riveredge Road.		
Unnamed road from Oxley Highway into Collie Village.	Sunshine Road.	<p style="text-align: center;"><b>GREATER TAREE CITY COUNCIL</b> Erratum</p> <p>A notice originally published in the <i>New South Wales Government Gazette</i> on 13 August 2010, under the heading of ROADS ACT 1993, ROADS (GENERAL) REGULATION 2008, SECTION 162 – NAMING OF PUBLIC INFRASTRUCTURE, referred to the naming of James O’Brien Crossing on The Big Run at Wherrol Flat, is hereby amended to:</p> <ul style="list-style-type: none"> <li>• John O’Brien Crossing.</li> </ul> <p>GERARD JOSE, General Manager, Greater Taree City Council, PO Box 482, Taree NSW 2430. [5415]</p>	
Unnamed street – Stage 1 Andersons Subdivision known as Aralee Estate.	Timbara Court.		
Formerly unnamed regional road MR205 South of Newell Highway to Mendooran.	Tooraweenah Road.	<p style="text-align: center;"><b>GREATER TAREE CITY COUNCIL</b> Erratum</p> <p>A notice originally published in the <i>New South Wales Government Gazette</i> on 13 August 2010, under the heading of ROADS ACT 1993, ROADS (GENERAL) REGULATION 2008, SECTION 162 – NAMING OF PUBLIC INFRASTRUCTURE, referred to the naming of James O’Brien Crossing on The Big Run at Wherrol Flat, is hereby amended to:</p> <ul style="list-style-type: none"> <li>• John O’Brien Crossing.</li> </ul> <p>GERARD JOSE, General Manager, Greater Taree City Council, PO Box 482, Taree NSW 2430. [5415]</p>	
Formerly Tuglands Cottage Access Road.	Tuglands Cottage Road.		

- Koolyangarra Way, Johns River.
- Valhaven Road, Moorland.
- Riddles Brush Road, Johns River.
- Whitton Road, Johns River.
- Jericho Road, Moorland.

GERARD JOSE, General Manager, Greater Taree City Council, PO Box 482, Taree NSW 2430. [5416]

**KYOGLE COUNCIL**

Roads Act 1993, section 162

NOTICE is hereby given that the Kyogle Council, in pursuance of section 162 of the Roads Act 1993 and the Roads (General) Regulation 2000, has resolved to make the road name changes listed below;

Road No.	Current Road Name or Description of Route	Road Name
4018	Unnamed laneway in the village of Bonalbo which runs parallel to, and between Cope Street and Gill Street, starting from Woodenbong Road (Clarence Way) through Sandilands Street and Capeen Street and then south west of Capeen Street, ending at the boundary of Lot 10, section G, DP 10036.	Lunar Lane
317	The new road created within Lot 39, DP 755753, starting from the intersection with Collins Creek Road approximately 7.8km from the intersection with the Summerland Way, created as part of Stage 1 of Development Application 2007-40.	Chisholm Court

A. E. PIGGOTT, General Manager, Kyogle Council, PO Box 11, Kyogle NSW 2474. [5417]

**LAKE MACQUARIE CITY COUNCIL**

Naming of Roads

LAKE MACQUARIE CITY COUNCIL advises that in accordance with section 162.1 of the Roads Act 1993 and Part 2 Division 2 Clause 9 Roads Regulations 2008 it has named the following road

Location Name	Road Name
Subdivision of Lot 10, DP 1005794 Waratah Avenue Charlestown	Redbud Close
Origin of Name: Type of Tree - Texas Rosebud Tree	

No objections to the proposed names were received within the advertising period.

BRIAN BELL, General Manager, Lake Macquarie City Council, Box 1906, Hunter Region Mail Centre, NSW 2310. [5418]

**MUSWELLBROOK SHIRE COUNCIL**

Naming of Proposed Public Road

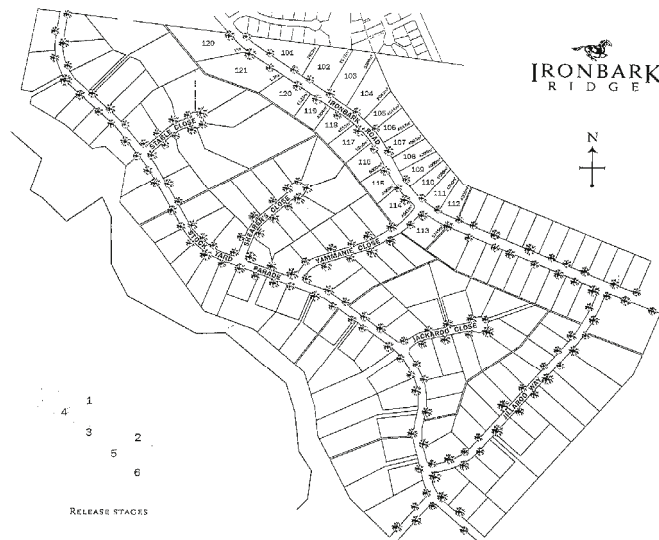
NOTICE is hereby given that Muswellbrook Shire Council, in pursuance of the Roads Act 1993 and Roads Regulation 2008, has approved the following new road name for gazettal:

Deposited Plan/Location	Road name
Lot 1, DP 235996, 307 Denman Road, Muswellbrook	Ironbark Road (extension), Stable Close, Shearer's Close, Yammanie Way, Jackaroo Close, Jillaroo Way and Stockyard Parade.

The above road names has been advertised and notified. No objections to the proposed name have been received during the prescribed 28 day period.

For further information please contact Council's Development Planner, Ms Sian Holmes on (02) 6549 3777.

Details are also available on Council's website at [www.muswellbrook.nsw.gov.au](http://www.muswellbrook.nsw.gov.au).



[5419]

**THE HILLS SHIRE COUNCIL**

Roads Act 1993, Section 10

NOTICE is hereby given that The Hills Shire Council dedicates the land described in the Schedule below as Public Road under section 10 of the Roads Act 1993. DAVE WALKER, General Manager, The Hills Shire Council, 129 Showground Road, Castle Hill NSW 2154.

**SCHEDULE**

All that piece or parcel of land known as Lot 11 in DP 1148832 in The Hills Shire Council, Parish of Field of Mars, County of Cumberland. [5420]

**WOOLLAHRA MUNICIPAL COUNCIL**

## Notification of Dedication as a Public Road

ON 12 April 2009, Woollahra Municipal Council resolved to dedicate the land as a public road in accordance with section 16 of the Roads Act 1993.

—  
Descriptions

The residue land comprised in Deeds Book 219 No. 258 and Deeds Book 255 No. 968 at Chester Lane and Stanley Street, Woollahra, Parish of Alexandria and County of Cumberland.

Note: On dedication, title for the land will remain vested in Woollahra Municipal Council as operational land.

Dated: 17 August 2010.

GARY JAMES, General Manager, Woollahra Municipal Council, PO Box 61, Double Bay NSW 1360. [5421]

**WEDDIN SHIRE COUNCIL**

Local Government Act 1993, Section 713

Sale of Land for Overdue Rates and Charges

NOTICE is hereby given to the person(s) named hereunder that the Council of the Shire of Weddin has resolved, in pursuance of section 713 of the Local Government Act 1993, to sell the land described hereunder of which the person(s) named are known to the Council to be the owner(s) or to have interest in the land on which the amount or rates and charges stated in each case, as at 30th June 2010, is due:

<i>Owner or Person Having Interest in the Land</i>	<i>Description of Subject Land</i>	<i>Amount of Rates and charges (including extra charges) overdue for more than five (5) years</i>	<i>Amount of all other rates and charges (including extra charges) payable and unpaid</i>	<i>Total</i>
(a)	(b)	(c)	(d)	(e)
A. GOODGER and D. R. SCOTT.	Assessment 2170, Lots 2 and 3, section 1, DP 7763, First Street, Quandialla.	\$1,115.58	\$1,535.19	\$2,650.77
C. ELVIDGE.	Assessment 2428, Lot 7, section F, DP 11666, Joppa Lane, Quandialla.	\$2,515.80	\$1,933.34	\$4,449.14
C. ELVIDGE.	Assessment 2444, Lot 8, section F, DP 11666, Joppa Lane, Quandialla.	\$2,515.80	\$1,933.34	\$4,449.14
M. A. CURRAN.	Assessment 3285, Lot 4, Pt 5 7, section 2, DP 758651, Parish of Berrigan.	\$671.58	\$1,446.24	\$2,117.82
C. ELVIDGE.	Assessment 4408, Lot 2, section 7, DP 758108, Grenfell Street, Bimbi.	\$2,483.46	\$1,873.87	\$4,357.33
C. ELVIDGE.	Assessment 4440, Lot 6, section 7, DP 758108, Arramagong Street, Bimbi.	\$2,309.83	\$1,232.73	\$3,542.56
S. K. OVERALL.	Assessment 6098, Lot 17, section N, DP 6279, Crawford Street, Greenethorpe.	\$930.72	\$745.62	\$1,676.34
B. C. KING and J. PRESTER.	Assessment 7161, Lot 21, section P, DP 6279, Fitzroy Street, Greenethorpe.	\$867.79	\$1,035.53	\$1,903.32
P. J. BRYANT.	Assessment 7427, Lot 25, section E, DP 6279, Fitzroy Street, Greenethorpe.	\$432.23	\$978.36	\$1,410.59
A. R. HOARE.	Assessment 8201, Corner Lot 29, section F, DP 6279, Northcote Street, Greenethorpe.	\$204.22	\$1,202.42	\$1,406.64
A. J. ANTONIOU and S. M. DE JESUS.	Assessment 8458, Lot 11, section G, DP 6279, Rawson Street, Greenethorpe.	\$1,114.34	\$1,125.55	\$2,239.89



<i>Owner or Person Having Interest in the Land</i>	<i>Description of Subject Land</i>	<i>Amount of Rates and charges (including extra charges) overdue for more than five (5) years</i>	<i>Amount of all other rates and charges (including extra charges) payable and unpaid</i>	<i>Total</i>
<i>(a)</i>	<i>(b)</i>	<i>(c)</i>	<i>(d)</i>	<i>(e)</i>
J. R. ODGERS.	Assessment 10587, Corner Lots 7/8, section C and Corner Lot 8, section A, DP 7892, George Street, Caragabal.	0.00	\$1,275.27	\$1,275.27
P. A. BURNICLE.	Assessment 10652, Lot 5, section A, DP 7892, George Street, Caragabal.	\$1,581.08	\$1,149.10	\$2,730.18
GERANCE HOLDINGS PTY LTD.	Assessment 10678, Lot 1, section D, DP 7892, George Street, Caragabal.	\$1,324.06	\$1,610.84	\$2,934.90
S. C. FAWCETT and N. E. LAING.	Assessment 10702, Lots 33/34, section A, DP 7892, Gibson Street, Caragabal.	\$1,938.24	\$864.05	\$2,802.29
GERANCE HOLDINGS PTY LTD.	Assessment 10751, Corner Lots 41/42 1 and 4, section A, DP 7892, Gibson Street, Caragabal.	\$1,414.01	\$1,358.42	\$2,772.43
G. J. BRYON.	Assessment 10835, Corner Lot 11, section B, DP 7915, Grenfell Street, Caragabal.	\$2,191.07	\$1,336.27	\$3,527.34
C. B. WETZEL.	Assessment 10876, Lot 1, section 5, DP 758224, Marsden Street, Caragabal.	\$906.99	\$1,052.84	\$1,959.83
M. J. BEALE.	Assessment 10975, Lots 9 and 10, section A, DP 7892, Railway Street, Caragabal.	\$1,320.21	\$1,284.71	\$2,604.92
HYAM ENTERPRISES PTY LTD.	Assessment 11247, Lot 6, section 2, DP 7763, Second Street, Quandialla.	\$1,252.97	\$1,440.68	\$2,693.65
J. M. PRATT.	Assessment 11411, Lots 34/35, section D, DP 7892, Railway Street, Caragabal.	\$1,142.76	\$1,633.00	\$2,775.76
K. J. WARK and B. A. WARK.	Assessment 22715, Lot 1, DP12368, 17 South Street, Grenfell.	\$4,644.83	\$4,366.20	\$9,011.03
M. RIDDETT.	Assessment 27250, Lot 2, section N, DP 6279, Fitzroy Street, Greenethorpe.	\$1,116.59	\$1,247.07	\$2,363.66
W. J. SIMPSON, J. A. SIMPSON and H.S. SIMPSON.	Assessment 28076, Lot 19, DP 112947, Parish of Coba.	504.83	\$1,403.42	\$1,908.25
A. MATHESON.	Assessment 28779, Lot 3, section 31, DP 758473, Tyagong Street, Grenfell.	\$422.81	\$3,016.65	\$3,439.46
N. M. BALDACCHINO.	Assessment 29017, Lot 18, DP 1063500, Parish of Brundah.	\$433.12	\$3,087.66	\$3,520.78

In default of payment to the Council of the amount state in column (e) above and any other rates (including extra charges) becoming due and payable after publication of the notice, or an arrangement satisfactory to the Council for payment of all such rates being entered into by the ratable person, before the time fixed for the sales, the said land will be offered for sale by public auction by C J Anderson & Co and Aston & Joyce (Agents in conjunction), at the Grenfell Community Hub on Friday, 26th November 2010, at 10:30 a.m. Dated 17th August 2010. T. V. LOBB, General Manager, Weddin Shire Council, PO Box 125, Grenfell NSW 2810. [5422]

### WOLLONGONG CITY COUNCIL

Section 713, Local Government Act 1993

Sale of Land for Unpaid Rates

NOTICE is hereby given to the persons named hereunder that Wollongong City Council is proposing, in pursuance of section 713 of the Local Government Act 1993, to sell the land described hereunder by way of public auction of which the persons named are known to the Council to be the owners or to have an interest in the land on which the amount of rates stated in each case, as at 31 August 2009, is due.

<i>Owner or person having interest in the land</i>	<i>Description of land</i>	<i>Amount of rates and charges (including extra charges) overdue for more than five (5) years</i>	<i>Amount of all other rates and charges (excluding interest) payable and unpaid</i>	<i>Amount of interest accrued</i>	<i>Total</i>
<i>(a)</i>	<i>(b)</i>	<i>(c)</i>	<i>(d)</i>	<i>(e)</i>	<i>(f)</i>
BYCOON PTY LTD, c.o. Mr E. CHAHWAN, Euphoric Pty Ltd.	Lots 39 and 40, DP 30082, Nos 7-9 Glastonbury Avenue, Unanderra.	\$46,052.87	\$47,947.57	\$32,680.13	\$126,680.57
Antonella SIREC.	Lot 298, DP 201106, No. 17 Karrabah Crescent, Lake Heights NSW 2502.	\$2,153.41	\$4,116.77	\$2,375.58	\$8,645.76
Eugene Selma AWYZIO, Susan May Louise AWYZIO and AUSTRALIA & NEW ZEALAND BANKING GROUP LIMITED.	Lot 55, DP 8085, No 68 Sturdee Street, Towradgi NSW 2518.	\$5,780.24	\$5,500.70	\$4,791.65	\$16,072.59
Est. Late Douglas Noble GORRELL.	Lot 1, DP 666032, Farmborough Road, Farmborough Heights NSW 2526.	\$3,035.28	\$2,112.92	\$2,612.36	\$7,760.56
Mr Edward HEWITT.	Lot 3, DP 166257, Lawrence Hargrave Drive, Thirroul NSW 2515.	\$2,673.07	\$3,035.78	\$2,213.41	\$7,922.26
MAINRIDE PTY LTD, c.o. SME Business Advisors, Westpac Banking Corporation.	Lot 12, DP 861739, Pallier Place, Woonona NSW 2517.	\$3,893.05	\$2,720.84	\$3,599.53	\$10,213.42
Melva Jean PETTINGELL.	Lot 63, DP 658640, Stanwell Avenue, Stanwell Park.	\$4,083.18	\$2,867.13	\$4,213.27	\$11,163.58

In default of payment to the Council of the amount stated in Column (f) above and any other rates (including extra charges) becoming due and payable after publication of this notice, or an arrangement satisfactory to the Council for payment of all such rates being entered into by the rateable person before the time fixed for the sale, the said land will be offered for sale by public auction by Mr Daniel Hastings of Martin Morris & Jones Real Estate at the Wollongong Golf Club, Nos 151-161 Corrimal Street, Wollongong, on Wednesday, 8 December 2010, commencing at 6:00 p.m. DAVID FARMER, General Manager, Wollongong City Council, 41 Burelli Street, Wollongong NSW 2500. [5423]

## ESTATE NOTICES

NOTICE of intended distribution of estate. – Any person having any claim upon the estate of JEAN DOROTHY ASHTON (also known as Dorothy Jean Ashton), late of Marsfield, in the State of New South Wales, who died on 7 June 2010, must send particulars of the claim to the legal representative for the estate, c.o. Fordham Lawyers, Solicitors, Highbury, 12 Station Street, West Ryde NSW 2114, not more than 30 days after publication of this notice. After that time the legal representative intends to distribute the property in the estate unless an application or notice of intended application for a family provision order is received by the legal representative. FORDHAM LAWYERS, Solicitors, 12 Station Street, West Ryde NSW 2114 (PO Box 107, West Ryde NSW 1685) (DX 27551, West Ryde), tel.: (02) 9858 1533. [5424]

NOTICE of intended distribution of estate. – Any person having any claim upon the estate of RICHARD JANES, late of Unit 12, Leisure Lea Gardens Retirement Village, 201-207 Epping Road, Eastwood, in the State of New South Wales, retired, who died on 12 February 2010, must send particulars of his claim to the executors, Dianne Patricia Janes and Robert John Janes, c.o. Steve Masselos & Co., Solicitors, PO Box A988, Sydney South NSW 1235, within one (1) calendar month from the publication of this notice. After that time the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 6 August 2010, as number 2010/254351. STEVE MASSELOS & CO., Solicitors, 2nd Floor, 114-120 Castlereagh Street, Sydney NSW 2000 (PO Box A988, Sydney South 1235), (DX 305, Sydney), tel.: (02) 8268 3200. [5425]

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