



Government Gazette

of the State of

New South Wales

Number 144

Friday, 21 December 2018

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

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GOVERNMENT NOTICES

Appointments

EDUCATION AND TEACHING LEGISLATION AMENDMENT ACT 2016

NOTIFICATION OF AN APPOINTMENT TO THE NSW EDUCATION STANDARDS AUTHORITY

I, Rob Stokes Minister for Education in pursuance of Schedule 1, Clause 6, Section (2)(b)(i) of the *Education Standards Authority Act 2013* appoint Mr Dallas McInerney as a member of the governing Board of the New South Wales Education Standards Authority being a representative of the Catholic school sector, for a term commencing on and from 4 December 2018 until 3 December 2021.

Rob Stokes MP
Minister for Education

[n2018-4310]

TEACHER ACCREDITATION ACT 2004

NSW EDUCATION STANDARDS AUTHORITY

NOTIFICATION OF INTERIM ELECTED MEMBERS TO THE QUALITY TEACHING COMMITTEE

In pursuance of clause 14 of Schedule 3 of the *Teacher Accreditation Act 2004* and clause 67A of the *Teacher Accreditation Regulation 2015*, the following person has been designated by the Chief Executive Officer of the NSW Education Standards Authority as an interim elected member of the Quality Teaching Committee, for a term commencing on and from 29 November 2018 until 31 December 2019.

One of 3 former elected members who are employed in a government school and of those 3 members at least 1 must be a rural teacher or principal

- Mr David Roach

In pursuance of clause 14 of Schedule 3 of the *Teacher Accreditation Act 2004* and clause 67A of the *Teacher Accreditation Regulation 2015*, the following persons have been approved by the Chief Executive Officer of the NSW Education Standards Authority as interim elected members of the Quality Teaching Committee, extending their term on and from 1 January 2019 until 31 December 2019.

Two of 3 former elected members who are employed in a government school and of those 3 members at least 1 must be a rural teacher or principal

- Mr Andrew FINLAY
- Ms Donna LOUGHRAN

1 former elected member who is employed in a non-government school

- Ms Brigid TAYLOR

1 former elected member who is employed in an early childhood education centre

- Ms Gabrielle CONNELL

David de Carvalho
Chief Executive Officer

19.12.18

[n2018-4311]

Roads and Maritime Notices

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Manning River, Taree – area around firing barge positioned East of Martin Bridge adjacent to Queen Elizabeth Park.

Duration

7.30pm to 10.00pm Monday 31 December 2018.

Detail

A fireworks display will be conducted over navigable waters of the Manning River. Fireworks will be launched from a moored barge and the area directly around this firing position may be dangerous and hazardous during the display.

An **EXCLUSION ZONE** is specified during the event at the location specified above, which will be indicated by the presence of a control vessel stationed on the boundary.

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

Vessel operators and persons in the vicinity must keep a proper lookout, exercise caution and keep well clear of the fireworks barge and support vessel.

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

For full details visit the Roads and Maritime Services website – www.rms.nsw.gov.au/maritime

Marine Notice: NH18117

Date: 7 December 2018

Lynda Hourigan
A/Manager Operations North
Delegate

[n2018-4312]

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS –EXCLUSION ZONE AND RESTRICTIONS

Location

Sydney Harbour – from Cockatoo Island to Steele Point, Vaucluse, comprising all waters bounded by imaginary lines drawn between:

- Greenwich Point to Clarkes Point (the entrance to Lane Cove River); and
- Clarkes Point, through Cockatoo Island to White Horse Point; and
- Bradleys Head Light to Steele Point.

Duration

From 8:00am 31 December 2018 to 2:00am 1 January 2019

Detail and Special Restrictions

The annual New Years Eve Fireworks and Harbour of Light Parade – a Special Event on the waters of Sydney Harbour conducted by the City of Sydney – will be taking place between the above times. Due to the potential to affect the safety of navigation, Roads and Maritime Services (RMS) will establish a **Regulated Area** with declared special restrictions (including ‘No Anchoring’ and Exclusion Zones) in an area of the navigable waters of Sydney Harbour, as described above.

Pursuant to section 12(3) of the *Marine Safety Act 1998*, those special restrictions are as follows:

- From **8:00am** (31 Dec 2018) to **2:00am** (1 Jan 2019), anchoring of vessels in the areas which will become the Exclusion Zone later in the evening (see below) is prohibited, and vessel operators who fail to leave the “No Anchoring Zone” when directed may be guilty of an offence;
- From **8:00am** (31 Dec 2018) to **1:00am** (1 Jan 2019) Beulah Street and Jeffrey Street Wharves, Kirribilli will be closed to all vessels;
- From **10:00am** (31 Dec 2018) to **1:00am** (1 Jan 2019) McMahons Point ferry wharf will be closed to all vessels;
- From **3:00pm** (31 Dec 2018) to **2:00am** (1 Jan 2019), a maximum speed limit of **6 knots** is declared in the Area (unless otherwise authorised by RMS or Police);
- From **8:00pm** (31 Dec 2018) to **2:00am** (1 Jan 2019), additional “No Anchoring Zones” are declared in the channels, between:
 - Clarkes Point and Cockatoo Island
 - Greenwich Point and Manns Point
 - Balmain East and Goat Island
 - Garden Island and Fort Denison; and
 - off Bradleys Head.

The Garden Island/Fort Denison and the Bradleys Head ‘No Anchoring Zones’ will be marked by yellow ‘no anchoring’ buoys with quick flashing yellow lights.

Exclusion Zone

To safeguard the display and fireworks vessels, a strict **Exclusion Zone** will be established inside the Area between **8:00pm** (31 Dec 2018) and **12:45am** (1 Jan 2019) which will be marked by a perimeter of yellow lit buoys.

NO UNAUTHORISED VESSELS OR PERSONS are to enter the Exclusion Zone under any circumstances, which will be patrolled by Police, RMS and other official control vessels.

The times stipulated above may be extended without notice by RMS in the interests of public safety. Entry of vessels or persons into the Exclusion Zone renders the vessel operator or person liable to an offence.

Directions

RMS advises that in relation to the Area:

- 1) Persons within the vicinity of the Regulated Area **must** comply with any directions given by a Boating Safety Officer or Police Officer in relation to the Special Event or to marine safety. Failure to comply with any such direction is an offence (*Marine Safety Act 1998 s.15A* – Maximum Penalty \$3,300.00).
- 2) Any vessel operator or person
 - breaching the Special Restrictions detailed above; or
 - entering the Exclusion Zone; or
 - anchoring in the “No Anchoring Zone”

is liable to an offence (*Marine Safety Act 1998 s.12(5)* – Maximum Penalty \$1,100.00)

Maps and Charts Affected

RMS Boating Map – 9D and 9G

RAN Hydrographic Chart AUS 200, AUS 201 AUS 202

For full details visit the Roads and Maritime Services website – www.rms.nsw.gov.au/maritime

Marine Notice SE1807

Date: 13 December 2018

Drew Jones
Senior Special Aquatic Events Officer
Delegate

[n2018-4313]

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE AND RESTRICTIONS

Location

Sydney Harbour – Garden Island to Sydney Heads as follows:

All waters bounded by imaginary lines drawn between:

- Garden Island Port Hand Beacon and Bradley’s Head Light
- the most northerly point of Middle Head, and Cannae Point Flagstaff,
- North Head starboard hand beacon and Macquarie Light

Duration

Wednesday 26 December 2018, from 11:30am to 2:20pm

Detail and Restrictions

A special event will take place on Sydney Harbour at the above location, being the Rolex Sydney to Hobart Yacht Race 2018. Due to the potential to affect the safety of navigation, a **Regulated Area** with declared special restrictions will be established at the location specified above.

Pursuant to section 12(3) of the *Marine Safety Act 1998*, those restrictions are as follows:

- No sail vessel other than official competitors in the event may have sails hoisted between 12:00pm and 2:00pm;
- The Regulated Area is declared a strict 6 knot speed limit zone and a “no wash” zone for the duration of the event;
- Vessels intending to accompany or follow the racing fleet outside the heads are required to follow strict navigation channels – leaving the harbour in the vicinity of South Head, and re-entering via North Head, then using the Western Channel while keeping to the starboard side of the channel;
- Vessels intending to observe the event without leaving the harbour are required to position their vessels on, and remain on, the western side of the harbour or south of Vaucluse Point on the eastern side of the Regulated Area.

Exclusion Zone

In addition, an Exclusion Zone will be established within the Regulated Area between 12:00pm and 2:20pm, which will be marked by a perimeter of yellow buoys.

NO UNAUTHORISED VESSELS are to enter the Exclusion Zone, which will be patrolled by Roads and Maritime patrol vessels, Water Police, and other official control vessels.

No Anchoring or Passive Craft Zone

Pursuant to section 12(3) of the *Marine Safety Act 1998*, a “No Anchoring or Passive Craft Zone” will be established approximately 100m around the Exclusion Zone generally, extending to 200m from the Exclusion Zone in the Watsons Bay/Vaucluse Bay area, and extending to the whole area between the Exclusion Zone and North Head. See map on pages 14 and 15 of Sydney’s Summer Aquatic Events Guide at <http://www.rms.nsw.gov.au/about/news-events/sydneys-summer-aquatic-events/index.html>

NO VESSELS are permitted to anchor in this area under any circumstances, and due to the safety risk posed by the event and by spectator vessel traffic, NO NON-POWERED PASSIVE CRAFT (e.g. canoes, kayaks, surf boats, surf skis, rowing craft) are permitted in this area at any time. Penalties apply (see below)

Directions

RMS advises:

- 1) Persons within the vicinity of the Regulated Area must comply with any directions given by a Boating Safety Officer or Police Officer in relation to the special event or to marine safety. Failure to comply with any such direction is an offence (*Marine Safety Act 1998, s.15A* – Maximum Penalty \$3,300.00).

- 2) Any vessel operator
- breaching the Restrictions above; or
 - entering the Exclusion Zone; or
 - breaching the “No Anchoring or Passive Craft Zone” rules

is liable to be guilty of an offence (*Marine Safety Act 1998, s.12(5)* – Maximum Penalty \$1,100.00)

Penalties may apply.

Maps and Charts Affected

RMS Boating Map – 9D

RAN Hydrographic Chart AUS 200

For full details visit the Roads and Maritime Services website – www.rms.nsw.gov.au/maritime

Marine Notice SE1806

Date: 13 December 2018

Drew Jones

Senior Special Aquatic Events Officer

Delegate

[n2018-4314]

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Macleay River, Kempsey

Duration

9.00pm to 10.00pm – Monday 31 December 2018

Detail

A fireworks display will be conducted over the navigable waters of the Macleay River (Kempsey), including the entire width of the waterway adjacent to Kempsey Macleay RSL. Fireworks will be launched from a firing barge and the area directly around this location may be dangerous and hazardous during the fireworks display.

An **EXCLUSION ZONE** is specified during the event, which will extend for 100 metres around the display (both upstream and downstream). The zone will be monitored by control vessels.

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

Vessel operators and persons in the vicinity must keep a proper lookout, exercise caution and keep well clear of the fireworks staging position and support vessels.

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

For full details visit the Roads and Maritime Services website – www.rms.nsw.gov.au/maritime

Marine Notice NH18120

Date: 11 December 2018

Lynda Hourigan

A/Manager Operations North

Delegate

[n2018-4315]

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Hawkesbury River, Wisemans Ferry

Duration

9:00 pm – 9:30 pm

then

11:45 pm – 00:15 am

Monday 31 December 2018 – Tuesday 1 January 2019

Detail

Fireworks displays will be conducted over the navigable waters of the Hawkesbury River at Bathurst Reach. Fireworks will be launched from a firing barge and the area directly around this location may be dangerous and hazardous during the fireworks display.

An **EXCLUSION ZONE** is specified during the event, which will extend for 100 metres around the display. The zone will be monitored by control vessels.

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

Vessel operators and persons in the vicinity must keep a proper lookout exercise caution and keep well clear of the fireworks staging position and support vessels.

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

For full details visit the Roads and Maritime Services website – www.rms.nsw.gov.au/maritime

Marine Notice: **SY1854**

Date: 17 December 2018

Ryan Carmichael
Delegate

[n2018-4316]

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Back Creek, South West Rocks

Duration

8.30pm to 9.30pm – Monday 31 December 2018

Detail

A fireworks display will be conducted over the navigable waters of Back Creek (South West Rocks), including the entire width of the waterway adjacent to Ingenia Holiday Park. Fireworks will be launched from a firing barge and the area directly around this location may be dangerous and hazardous during the fireworks display.

An **EXCLUSION ZONE** is specified during the event, which will extend for 100 metres around the display (both upstream and downstream). This zone will be monitored by control vessels.

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

Vessel operators and persons in the vicinity must keep a proper lookout, exercise caution and keep well clear of the fireworks staging position and support vessels.

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

For full details visit the Roads and Maritime Services website – www.rms.nsw.gov.au/maritime

Marine Notice NH18121

Date: 11 December 2018

Lynda Hourigan
A/Manager Operations North
Delegate

[n2018-4317]

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Patonga Beach, Brisk Bay

Duration

8:30pm – 9:30pm on Monday 31 December 2018.

Detail

The New Year's Eve fireworks display will be conducted over the navigable waters of Brisk Bay at Patonga Beach. Fireworks will be launched from a firing barge located off Patonga Beach on the outside of the mooring area. The area directly around this location may be dangerous and hazardous during the fireworks display.

An **EXCLUSION ZONE** is specified during the event, which will extend for 150 metres around the fireworks barge. The zone will be patrolled by patrol vessels.

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

Vessel operators and persons in the vicinity must keep a proper lookout, exercise caution and keep well clear of the fireworks barge and support vessels.

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

For full details visit the Roads and Maritime Services website – www.rms.nsw.gov.au/maritime

Marine Notice: SY1855

Date: 18 December 2018

Ryan Carmichael
Manager Operations
Delegate

[n2018-4318]

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Darling River, Wentworth

Duration

9:00pm to 10:00pm – Monday 24 December 2018

Detail

A fireworks display will be conducted over the navigable waters of the Darling River near the township of Wentworth, affecting the entire width of the river within a 100 metre radius of the Wentworth Bridge and Sandwyck Street. The area directly around this location may be dangerous and hazardous while the fireworks display is occurring.

An **EXCLUSION ZONE** is specified during the event extending for a radius of 100 metres around the fireworks staging position. The zone will be indicated by the presence of control vessels.

No unauthorised vessels (including vessels lawfully moored within the zone), or persons may enter the zone between the specified times.

Vessel operators and persons in the vicinity must keep a proper lookout, exercise caution and keep well clear of the fireworks staging position and support vessels.

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

For full details visit the Roads and Maritime Services website – www.rms.nsw.gov.au/maritime

Marine Notice: SO1880

Date: 18 December 2018

Deon Voyer
Manager Operations South
Delegate

[n2018-4319]

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Wallis Lake, Charlotte Bay

Duration

8.30pm to 9.30pm Monday 31 December 2018

Detail

A fireworks display will be conducted over the navigable waters of the Wallis Lake at Charlotte Bay. Fireworks will be launched from a pontoon anchored offshore from the Pacific Palms Recreational Club, and the area directly around this location may be dangerous and hazardous during the fireworks display.

An **EXCLUSION ZONE** is specified during the event, which will extend for 150 metres around the fireworks pontoon and the Pacific Palms boat ramp. This zone will be marked by support vessels and navigation markers.

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

Vessel operators and persons in the vicinity must keep a proper lookout, exercise caution and keep well clear of the fireworks barge and support vessels.

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

For full details visit the Roads and Maritime Services website – www.rms.nsw.gov.au/maritime

Marine Notice: **NH18123**

Date: 19 December 2018

Mike Baldwin
Manager Operations Hunter
Delegate

[n2018-4320]

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Hastings River, Port Macquarie

Duration

9:00pm to 9:30pm – Monday 31 December 2018

12:00am to 12:30am – Tuesday 1 January 2019

Detail

Fireworks displays will be conducted over the navigable waters of the Hastings River in Port Macquarie. Fireworks will be launched from a moored firing barge approximately 100 metres east of the southern end of Pelican Island near the inter-tidal flats. The area directly around this firing position may be dangerous and hazardous during the fireworks display.

An **EXCLUSION ZONE** is specified during the events, which will extend for 150 metres around the firing barge. This zone will be marked by control vessels.

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

Vessel operators and persons in the vicinity must keep a proper lookout, exercise caution and keep well clear of the fireworks barge and support vessels.

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

For full details visit the Roads and Maritime Services website – www.rms.nsw.gov.au/maritime

Marine Notice NH18122

Date: 18 December 2018

Rod Mcdonagh
Manager Operations North
Delegate

[n2018-4321]

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Jack Evans Boat Harbour, Tweed River

Duration

6:00pm on Monday 31 December 2018 to 1:00am on Tuesday 1 January 2019

Detail

A fireworks display will be conducted over the navigable waters of the Tweed River at Jack Evans Boat Harbour. Fireworks will be launched from a firing barge and the area directly around this location may be dangerous and hazardous during the fireworks display.

An **EXCLUSION ZONE** is specified during the event, which will extend for 75 metres around the fireworks barge. This zone will be marked by buoys and support vessels.

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

Vessel operators and persons in the vicinity must keep a proper lookout, exercise caution and keep well clear of the fireworks barge and support vessels.

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

For full details visit the Roads and Maritime Services website – www.rms.nsw.gov.au/maritime

Marine Notice: **NH18101**

Date: 19 December 2018

Rod McDonagh
Manager Operations North
Delegate

[n2018-4322]

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Wangi Bay, Lake Macquarie

Duration

9:00pm to 9:30pm – Monday 31 December 2018

Detail

A fireworks display will be conducted over the navigable waters of Wangi Bay. Fireworks will be launched from a moored firing barge located 150 metres north of Wangi RSL Wharf. The area directly around this firing position may be dangerous and hazardous during the fireworks display.

An **EXCLUSION ZONE** is specified during the event, extending 150 metres around the moored firing barge. This zone will be marked by the presence of control vessels.

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

Vessel operators and persons in the vicinity must keep a proper lookout, exercise caution and keep well clear of the fireworks barge and support vessels.

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

For full details visit the Roads and Maritime Services website – www.rms.nsw.gov.au/maritime

Marine Notice NH 1907

Date: 19 December 2018

Mike Baldwin
Manager Operations Hunter
Delegate

[n2018-4323]

ROADS ACT 1993

Notice of Dedication of Land as Public Road at Barraganyatti in the Kempsey Shire Council Area

Roads and Maritime Services, by its delegate, dedicates the land described in the schedule below as public road under section 10 of the *Roads Act 1993*.

K DURIE

Manager, Compulsory Acquisition & Road Dedication
Roads and Maritime Services

Schedule

All that piece or parcel of land situated in the Kempsey Shire Council area, Parish of Barraganyatti and County of Dudley, shown as Lot 851 Deposited Plan 1240838.

(RMS Papers: SF2017/161445; RO 235.5394)

[n2018-4324]

ROADS ACT 1993

Notice of Dedication of Land as Public Road at Toronto in the Lake Macquarie City Council Area

Roads and Maritime Services, by its delegate, dedicates the land described in the schedule below as public road under section 10 of the *Roads Act 1993*.

K DURIE
Manager, Compulsory Acquisition & Road Dedication
Roads and Maritime Services

Schedule

All those pieces or parcels of land situated in the Lake Macquarie City Council area, Parish of Awaba and County of Northumberland, shown as:

Lot 21 Deposited Plan 1042579;
Lot 2 Deposited Plan 1193085; and
Lots 21 to 27 inclusive Deposited Plan 1070645.
(RMS Papers: SF2018/371285; RO SF2016/239018)

[n2018-4325]

ROADS ACT 1993

Notice of Dedication of Land as Public Road at Lucknow and Shadforth in the Orange City Council Area

Roads and Maritime Services, by its delegate, dedicates the land described in the schedule below as public road under section 10 of the *Roads Act 1993*.

K DURIE
Manager, Compulsory Acquisition & Road Dedication
Roads and Maritime Services

Schedule

All those pieces or parcels of land situated in the Orange City Council area, Parishes of Huntley and Shadforth and County of Bathurst, shown as Lots 3, 4 and 5 Deposited Plan 1239647.

(RMS Papers: SF2013/169007; RO SF2017/051519)

[n2018-4326]

ROADS ACT 1993

ORDER

Section 31

Fixing or Varying of Levels of part of HW10 Pacific Highway from Ourimbah Street to Parsons Road,
Lisarow in the Local Government Area of Central Coast Council

Roads and Maritime Services by this Order under Section 31 of the *Roads Act 1993*, fixes or varies the levels of Pacific Highway from Ourimbah Street to Parsons Road, Lisarow as shown on Roads and Maritime Services Plan Numbers DS2016/000537 and DS2016/000538.

P BALENDRAN
Project Manager
Roads and Maritime Services
Level 2, 1 Bryant Drive
Tuggerah NSW 2259

(RMS Papers: SF2013/165425)

[n2018-4327]

ROADS AND MARITIME SERVICES

ROADS ACT 1993

ORDER

I, Ken Kanofski, Chief Executive of Roads and Maritime Services, pursuant to section 215 of the *Roads Act 1993* (NSW), make the following Order.

Dated: 19/12/18

Ken Kanofski
Chief Executive
Roads and Maritime Services

1. **Citation**

This Order may be cited as the Roads (Sydney Harbour Bridge Toll) Order 2019.

2. **Commencement**

This Order takes effect on 1 January 2019.

3. **Revocation**

The Roads (Sydney Harbour Bridge Toll) Order 2016 dated 22 November 2016 (published in Gazette No. 104 of 2 December 2016 at pages 3386 to 3391) is revoked on and from 1 January 2019.

4. **Interpretation**

Words and expressions used in this Order have the same meaning as in the *Roads Act 1993* (NSW) or the *Road Transport Act 2013* (NSW) as the context requires unless otherwise stated.

5. **Definitions**

In this Order:

Off-peak period means on a weekday, the period between midnight and 6.30 am and between 7.00 pm and midnight and, on Saturday and Sunday or on a public holiday, the period between midnight and 8.00 am and between 8.00 pm and midnight.

Peak period means on a weekday, the period after 6.30 am and before 9.30 am and after 4.00 pm and before 7.00 pm.

Penalty notice means a notice referred to in section 243 of the *Roads Act 1993* (NSW).

Public Holiday means the public holidays declared for New South Wales within Part 2 of the *Public Holidays Act 2010* (NSW).

Shoulder period means on a weekday, the period between 9.30 am and 4.00 pm and, on Saturday and Sunday or on a public holiday, the period after 8.00 am and before 8.00 pm.

Toll point means the point designated by a toll operator (by signs or otherwise) as the point at which the liability to pay a toll is incurred for driving a motor vehicle on a tollway or a particular lane of the tollway.

Weekday means any day in the period commencing on a Monday and ending on Friday, including both those days, and that is not a public holiday.

Note: A reference to “between” or “period between” any two times is inclusive of both those times.

6. Tolls

6.1 The toll payable for a motor vehicle used on the Sydney Harbour Bridge that passes the toll point when travelling in a southerly direction is the amount specified below:

<i>Period</i>	<i>Toll charge</i>
a) During an off-peak period	\$2.50
b) During a peak period	\$4.00
c) During a shoulder period	\$3.00

6.2 The toll charges set out in paragraph 6.1 apply as stated in that paragraph unless the vehicle is an exempt vehicle as set out in Schedule 1 to this Order.

7. ERider periodic toll pass

7.1 Upon payment of the relevant charge for each period as set out in Schedule 2, Schedule 3, Schedule 4 or Schedule 5 of this Order, Roads and Maritime Services may issue an ERider periodic toll pass in respect of a motor bike.

7.2 An ERider periodic toll pass will cover the cost of travel across the Sydney Harbour Bridge using the motor bike to which the pass relates during the period of time that the pass remains valid.

7.3 The ERider periodic toll pass is valid on and from the day, month and year that the pass is purchased until it expires.

7.4 Column 1 of Schedule 2 to this Order indicates the dates on which passes that expire on 31 March 2019 may first be used and Column 2 of Schedule 2 indicates the respective charge for the ERider periodic toll pass.

7.5 Column 1 of Schedule 3 to this Order indicates the dates on which passes that expire on 30 June 2019 may first be used and Column 2 of Schedule 3 indicates the respective charge for the ERider periodic toll pass.

7.6 Column 1 of Schedule 4 to this Order indicates the dates on which passes that expire on 30 September 2019 may first be used and Column 2 of Schedule 4 indicates the respective charge for the ERider periodic toll pass.

7.7 Column 1 of Schedule 5 to this Order indicates the dates on which passes which expire on 31 December 2019 may first be used and Column 2 of Schedule 5 indicates the respective charge for the pass.

8. Video image transactions – administrative charges

- 8.1 When a tag or pass cannot be detected on a motor vehicle which passes the toll point travelling on the Sydney Harbour Bridge in a southerly direction, an image of the motor vehicle's number plate will be taken and either matched to a tag account or a toll notice paid by a tag account (matching exercise).
- 8.2 The administrative charge payable for the matching exercise is the amount set out below:

<i>Toll Road</i>	<i>Fee for number plate matching on a tag account</i>	<i>Fee for payment per toll notice with tag account</i>
Sydney Harbour Bridge	\$0.55	\$1.10 (1A,1B) \$2.20 (2A, 2B)

- 8.3 The administrative charges set out in paragraph 8.2 apply as stated in that paragraph unless the vehicle is an exempt vehicle as set out in Schedule 1 to this Order.

9. Charges payable by owner of vehicle if toll not paid

- 9.1 When the driver does not pay the toll, the following administrative charges are payable by the owner of a motor vehicle:

<i>Description</i>	<i>Administrative charge</i>
a) A first pre-penalty notice letter of demand is issued to the owner seeking payment of the toll and relevant administrative charge	\$10
b) A second pre-penalty notice letter of demand is issued to the owner seeking payment of the toll and the relevant administrative charge specified in sub-clause (a) of this clause together with an administrative charge additional to that amount	\$10

- 9.2 The administrative charges set out in paragraph 9.1 apply as stated in that paragraph unless the vehicle is an exempt vehicle as set out in Schedule 1 to this Order.

SCHEDULE 1

TOLLS

<i>Class of vehicles</i>	<i>Toll</i>
<p>1. Pursuant to clause 43 of the <i>Roads Regulation 2008</i> (NSW), the classes of vehicles in this Schedule 1 are exempt from paying a toll:</p> <p>(a) a vehicle for which Roads and Maritime Services is the registered operator, and that is being used either for the purpose of maintenance work on the Sydney Harbour Bridge or for the purpose of removing vehicles from the Sydney Harbour Bridge;</p> <p>(b) a police vehicle;</p> <p>(c) a Fire and Rescue NSW vehicle;</p> <p>(d) an ambulance or rescue vehicle;</p> <p>(e) a vehicle for which the Australian Red Cross Blood Transfusion Service (Blood Bank) is the registered operator, and that is fitted with a roof mounted red flashing light and siren or similar warning device;</p> <p>(f) a vehicle where the driver has been issued with a disabled person's toll exemption pass or tag by Roads and Maritime Services, being a pass or tag that exempts the person from payment of tolls and charges in respect of travelling across the Sydney Harbour Bridge;</p> <p>(g) a vehicle carrying a person (including the driver) to whom an incapacitated ex-service person's toll exemption pass or tag has been issued by Roads and Maritime Services, being a pass or tag that exempts the person from payment of tolls and charges in respect of travelling across the Sydney Harbour Bridge;</p> <p>(h) a Defence Force vehicle; or</p> <p>(i) a vehicle driven by a person who produces evidence that they or a passenger within the vehicle they are driving is a member of the Diplomatic or Consular Corps.</p>	<p>Nil</p>
<p>2. Any vehicle that is attached to, carried or drawn by, another vehicle.</p>	<p>Nil</p>
<p>3. Any motor bike in respect of which an ERider periodic toll pass is in force and displayed in accordance with any directions by Roads and Maritime Services.</p>	<p>Nil</p>

SCHEDULE 2**CHARGES PAYABLE TO RMS FOR AN ERIDER PERIODIC TOLL PASS OR TAG
TOLL PASS OR TAG EXPIRING ON 31 MARCH 2019**

<i>COLUMN 1</i>	<i>COLUMN 2</i>
<i>Date pass may first be used</i>	<i>Charge</i>
01 January 2019	\$90.00
04 January 2019	\$87.00
10 January 2019	\$79.00
17 January 2019	\$72.00
24 January 2019	\$65.00
31 January 2019	\$58.00
07 February 2019	\$51.00
14 February 2019	\$44.00
21 February 2019	\$37.00
28 February 2019	\$30.00

SCHEDULE 3**CHARGE PAYABLE TO RMS FOR AN ERIDER PERIODIC TOLL PASS OR TAG
TOLL PASS OR TAG EXPIRING ON 30 JUNE 2019**

<i>COLUMN 1</i>	<i>COLUMN 2</i>
<i>Date Pass may First be used</i>	<i>Charge</i>
01 April 2019	\$90.00
04 April 2019	\$87.00
11 April 2019	\$79.00
18 April 2019	\$72.00
27 April 2019	\$65.00
02 May 2019	\$58.00
09 May 2019	\$51.00
16 May 2019	\$44.00
23 May 2019	\$37.00
30 May 2019	\$30.00

SCHEDULE 4**CHARGE PAYABLE TO RMS FOR AN ERIDER PERIODIC TOLL PASS OR TAG****TOLL PASS OR TAG EXPIRING ON 30 SEPTEMBER 2019**

<i>COLUMN 1</i>	<i>COLUMN 2</i>
<i>Date pass may First be used</i>	<i>Charge</i>
01 July 2019	\$90.00
04 July 2019	\$87.00
11 July 2019	\$79.00
18 July 2019	\$72.00
25 July 2019	\$65.00
01 August 2019	\$58.00
08 August 2019	\$51.00
15 August 2019	\$44.00
22 August 2019	\$37.00
29 August 2019	\$30.00

SCHEDULE 5**CHARGE PAYABLE TO RMS FOR AN ERIDER PERIODIC TOLL PASS OR TAG****TOLL PASS OR TAG EXPIRING ON 31 DECEMBER 2019**

<i>COLUMN 1</i>	<i>COLUMN 2</i>
<i>Date pass may First be used</i>	<i>Charge</i>
01 October 2019	\$90.00
04 October 2019	\$87.00
10 October 2019	\$79.00
17 October 2019	\$72.00
24 October 2019	\$65.00
31 October 2019	\$58.00
07 November 2019	\$51.00
14 November 2019	\$44.00
21 November 2019	\$37.00
28 November 2019	\$30.00

Mining and Petroleum Notices

Pursuant to section 136 of the *Mining Act 1992* and section 16 of the *Petroleum (Onshore) Act 1991*

NOTICE is given that the following applications have been received:

EXPLORATION LICENCE APPLICATIONS (ELA)

ELA5757, FREEPORT-MCMORAN EXPLORATION AUSTRALIA PTY LTD, for Group 1, dated 10 December 2018.

ELA5758, CLEAN TEQ SUNRISE PTY LTD, for Group 1 and Group 2, dated 12 December 2018.

[n2018-4329]

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

EXPLORATION LICENCE (EL)

EL7651, LASSETER GOLD PTY LTD. Application for renewal received 5 December 2018.

MINING LEASE (ML)

ML1435 (Act 1992), CHALLENGER MINES PTY LTD. Application for renewal received 6 November 2018.

[n2018-4330]

Notice is given that the following authorities have been renewed:

EXPLORATION LICENCE (EL)

EL4573, CLEAN TEQ SUNRISE PTY LTD. Renewal effective on and from 16 October 2018.

EL6273, WHITE ROCK (MTC) PTY LTD. Renewal effective on and from 14 November 2018.

[n2018-4331]

Notice is given that the following authority has been cancelled:

EXPLORATION LICENCE (EL)

EL8465, LACHLAN RESOURCES PTY LTD AND DUKE EXPLORATION PTY LTD, area of 72 units. Cancellation took effect on 6 December 2018.

[n2018-4332]

Notice is given that the following authority has been cancelled in part:

EXPLORATION LICENCE (EL)

EL8652, LACHLAN RESOURCES PTY LTD AND DUKE EXPLORATION PTY LTD

Description of area cancelled: An area of 52 units has been cancelled. Part cancellation took effect on 6 December 2018. The authority now embraces an area of 10 units.

[n2018-4333]

WORK HEALTH AND SAFETY (MINES AND PETROLEUM SITES) REGULATION 2014

Registration of Canopies on Continuous Miners Design Order 2018

I, Leigh Nicholls, Chief Inspector, with the delegated authority of the Secretary, Department of Planning and Environment, in pursuance of clause 177(5) of the *Work Health and Safety (Mines and Petroleum Sites) Regulation 2014* make the following Order.

Dated this 18th day of December 2018.

Leigh Nicholls
Chief Inspector
NSW Department of Planning and Environment (by delegation)

1. Name of Order

This Order is the Registration of Canopies on Continuous Miners Design Order 2018.

2. Commencement

This Order commences on 21 December 2018.

3. Interpretation

In this Order:

AS is a reference to Australian Standards.

AS/NZS is a reference to Australian/New Zealand Standards.

canopy roof means the plate-work and any associated bracing commonly utilised to provide protection above the driver's enclosure.

lateral means the side edge of the canopy roof, usually located at 90 degrees to the centreline running from the head to the tail of the continuous miner.

longitudinal means the lengthways edge of the canopy roof, usually located parallel to the centreline.

support includes the support legs and any associated steel work, other than the canopy roof, which interconnects the support legs.

support leg means the vertical or near vertical member connecting the continuous miner chassis or driver's enclosure to the canopy roof.

4. Revocation

The *Registration of Canopies on Continuous Miners Design Order 2015* published in the NSW Government Gazette No 52 of 26 June 2015 at page 1846 is revoked.

5. Design requirements

5.1 Except as provided in paragraph 5.8, all canopies on continuous miners used in underground coal mines must be designed to meet the design requirements of paragraphs 5.2, 5.4-5.7

5.2 General

- (1) All canopies on continuous miners used in underground coal mines must be designed and tested in accordance with this Order.
- (2) Without limiting 5.2 (1), all canopies on continuous miners used in underground coal mines must be designed in accordance with the relevant parts of the following standards, as amended from time to time:
 - (a) AS/NZS 1554.1:2014 *Structural steel welding – Welding of steel structures*
 - (b) AS 3990-1993 *Mechanical equipment – Steelwork*
 - (c) AS 4100-1998 *Steel structures*.

5.3 Notes (informative)

- (1) In the event of the canopy being subjected to a fall of roof which exceeds the elastic limit of the canopy design, then the canopy should be designed such that the yielding should be progressive and limited to the extent that the driver can safely remain within the operator compartment i.e. 1000mm minimum headroom space remains between the seat and canopy roof. Consideration should be given to suspending the driver's seat from the underside of the canopy roof.
- (2) The canopy design should consider access into the operator compartment and the driver's visibility in all directions, particularly to the driver's front and rear and as far as is reasonably practicable, to the sides.
- (3) The design of the canopy roof and seat should consider that when the driver leans slightly to the right, as is customary by many drivers, the driver's head remains underneath the canopy roof.

5.4 Canopy Design

- (1) The canopy roof should be attached to the support legs by either bolted or welded-connections.
- (2) The base of the canopy support legs must be securely bolted or welded to the main frame of the continuous miner or driver enclosure.
- (3) The canopy roof must be designed by utilising a substantial one-piece solid plate devoid of uneven structural protrusions above the roof line (including cable support structures).

5.5 Design Loads

- (1) The protective canopy must be designed to have a minimum structural capacity to support elastically a static uniform load of 8.2 tonnes or a force equivalent to a static load of 105 kilopascals distributed uniformly over the greatest plan view area of the canopy roof.
- (2) The protective canopy must be designed to have a minimum structural capacity to support elastically a static uniform load of 2 tonnes applied horizontally to the edge of the canopy roof. The horizontal loading must be applied in both the longitudinal and lateral directions separately.
- (3) Larger test loads should be considered by the applicant where appropriate for conditions where canopy is to be used.

5.6 Materials

All main load-bearing components used in the construction of protective canopies must be in accordance with AS 4100-1998 or AS 3990-1993.

5.7 Welding

All welding must comply with Category SP welds as set out in AS/NZS 1554.1:2014.

5.8 Where a design does not comply, in full or part, with the requirements listed in paragraphs 5.2, 5.4-5.7, the designer must specify the published technical standards or the engineering principles used to identify controls, in the order of the hierarchy of risk controls in Part 3.1 of the *Work Health and Safety Regulation 2017*, incorporated in the design to achieve at least an equivalent level of safety as the requirements of paragraphs 5.2, 5.4-5.7.

6. Testing requirements

6.1 Loading method

- (1) When testing in the vertical plane, an acceptable method of test provides for the test load to be distributed within the middle ninth of the roof's plan view area.
- (2) When testing in the horizontal plane, an acceptable method of test provides for the test load to be distributed along the middle third of the longitudinal and middle third of the lateral edge of the roof separately.

6.2 Test Method

- (1) All testing must be carried out with the canopy fully extended, unless stated otherwise.
- (2) A dial indicator or other suitable measuring instrument with an accuracy of 0.01 of a millimetre shall be used for measurement of the maximum deflection and the residual deflection, caused by the application of the test load. The dial indicator or other suitable measuring instrument shall have a current calibration certificate at time of use issued by:
 - (a) a laboratory in Australia that is accredited by the National Association of Testing Authorities Australia (NATA) for performing the test; or
 - (b) where a NATA-accredited laboratory is not available, a suitably qualified and experienced independent facility having regard to test equipment, equipment calibration, quality processes, work methods, past test experience and independent technical verification should be used.
- (3) Apply vertical test load (per 5.5 (1)) to middle ninth plan view area i.e. to one third span of width and length:
 - (a) For fixed type canopy apply preload of between 300–500 kg to remove slack from joints, set dial indicator or other suitable measuring instrument as per 6.2 (2) to zero then apply test load. Record deflection “A” under the test load and the residual deflection “B” on removal of the test load. “B” divided by “A” gives the residual deflection to maximum deflection ratio.

Note: It may be necessary to repeat this test or other tests in order to further eliminate any initial movement in pinned or bolted connections.
 - (b) For canopies initially supported by hydraulic cylinders, measure pressure and load at hydraulic cylinders when the full test load is applied, then increase test load until the cylinders yield, record yield pressure and load. Ensure that pressure relief system reseats when load is reduced i.e. reload a second time.
 - (c) If the yield testing of the hydraulics requires a load which is beyond the elastic limit of the canopy then separate bench testing of the hydraulics may be required.
 - (d) With canopy lowered to its minimum height and oil removed from the support cylinders i.e. canopy resting on its mechanical stops apply test load as per 6.2 (3) (a).

Note: This test is only applicable for canopies with hydraulic height adjustment where the support cylinders are required to elastically support the test load without pressure relief occurring.

- (4) Re-extend canopy to maximum height and apply horizontal test load (per 5.5 (2)) along the middle one third of the canopy edge directing the load away from the centreline of the machine. Apply the preload and record deflection measurements as in 6.2 (3) (a).
- (5) Repeat test 4 (per 6.2 (4) but with the load applied towards the centreline of the machine. This test is only necessary if there is a significant difference in the strength of the canopy supports between the two directions. Apply the preload and record deflection measurements as in 6.2 (3) (a).
- (6) Apply horizontal test load along the middle one third of the canopy edge directing the load from the rear to the front of the machine. Apply the preload and record deflection measurements as in 6.2 (3) (a).
- (7) For canopies fitted with rear hydraulic cylinders, the cylinder must not be the component that stops any upward movement that may occur i.e. a mechanical stop should prevent over extension of the canopy.
- (8) Repeat test 6 (per 6.2 (6) but with the load applied directed from the front to the back of the machine. This test is only necessary if there is a significant difference in the strength of the canopy supports between the two directions. Apply the preload and record deflection measurements as in 6.2 (3) (a).

7. Performance standards

7.1 Except as provided in paragraph 7.4, all canopies on continuous miners used in underground coal mines must be designed to meet the performance requirements of paragraphs 7.2-7.3

7.2 Canopy performance

When tested in accordance with the test method in 6.2, the residual deflection “B” must be less than 10% of the maximum deflection “A” measured with the load applied. That is: $(B/A) \times 100\%$ is less than 10%.

7.3 Welded joints

All welded joints must be non-destructively examined in accordance with AS/NZS 1554.1:2014.

7.4 Where a design does not comply, in full or part, with the performance requirements of paragraphs 7.2-7.3, the designer must specify the published technical standards or the engineering principles used to identify controls, in the order of the hierarchy of risk controls in Part 3.1 of the *Work Health and Safety Regulation 2017*, incorporated in the design to achieve at least an equivalent level of safety as the requirements of paragraphs 7.2-7.3.

[n2018-4334]

WORK HEALTH AND SAFETY (MINES AND PETROLEUM SITES) REGULATION 2014

Registration of Braking Systems on Plant Used in Underground Coal Mine Transport Design Order 2018

I, Leigh Nicholls, Chief Inspector, with the delegated authority of the Secretary, Department of Planning and Environment, in pursuance of clause 177(5) of the *Work Health and Safety (Mines and Petroleum Sites) Regulation 2014* (“the Regulation”) make the following Order.

Dated this 14th day of December 2018.

Leigh Nicholls
Chief Inspector
NSW Department of Planning and Environment (by delegation)

1. Name of Order

This Order is the *Registration of Braking Systems on Plant Used in Underground Coal Mine Transport Design Order 2018*.

2. Commencement

This Order commences on 21 December 2018.

3. Interpretation

In this Order:

Australian Standard or AS is a reference to a standard published by or on behalf of Standards Australia.

AS/NZS is a reference to Australian/New Zealand Standards.

ISO is a reference to International Organisation for Standardisation.

MDG is a reference to mining design guidelines produced by the NSW Government and published on the Department of Planning and Environment's Resources Regulator website.

Regulation means the *Work Health and Safety (Mines and Petroleum Sites) Regulation 2014*.

braking system includes all components which combine to stop or hold the transport.

transport means mobile plant used for the purpose of transporting persons, materials, coal or stone, whether by carrying, towing or otherwise and includes:

- (a) a locomotive, or
- (b) a rubber tyred or tracked vehicle capable of having a maximum speed of more than 4kph and propelled by electrical and/or mechanical means.

4. Revocation

The *Registration of Braking Systems on Plant Used in Underground Transport Design Order 2015* published in the NSW Government Gazette No 52 of 26 June 2015 at pages 1844-1845 is revoked.

5. Design requirements

5.1. All braking systems must be designed to meet the design requirements of:

- (a) Section 1 of MDG 39 February 2001 *Handbook for approval assessment of transport braking systems on free-steered vehicles in underground coal mines*, as amended by "Amendments No. 1 – MDG 39 December 2006",

or

- (b) Section 3 of MDG 2, December 1991 *Design Guidelines for the Construction of Locomotives*, as applicable.

5.2. The design of the braking system must control all reasonably foreseeable unintended movement events.

5.3. Safety related functions, which keep the transport under control by use of braking systems, must be designed and assessed using the following functional safety standards, as amended from time to time:

- (a) application of performance levels in accordance with:
 - (i) AS/NZS 4024.1503:2014 *Safety of machinery – Safety-related parts of control systems – General principles for design*, or
 - (ii) ISO 13849-1:2015 *Safety of machinery – Safety-related parts of control systems – Part 1: General principles for design*.
- (b) application of safety integrity levels in accordance with:
 - (i) AS 61508.1:2011 *Functional safety of electrical/electronic/programmable electronic safety-related systems – General requirements*, or
 - (ii) IEC 61508.1:2010 *Functional safety of electrical/electronic/programmable electronic safety-related systems – General requirements*, or
 - (iii) AS 62061-2006 *Safety of machinery – Functional safety of safety-related electrical, electronic and programmable electronic control systems*, or
 - (iv) IEC 62061:2015 *Safety of machinery – Functional safety of safety-related electrical, electronic and programmable electronic control systems*

5.4. All safety related functions must be tested and validated in accordance with the applicable functional safety standard referred to at clauses 5.3 (a) and (b) above.

5.5. Components that do not form part of a safety related control function must be designed and analysed using failure modes effects analysis, fault tree analysis or other similar methods to determine:

- (a) all reasonably foreseeable failure modes and to verify that the required level of reliability has been achieved, and

- (b) lifecycle inspection, maintenance, test and discard requirements, as required for lifecycle functionality.

Consideration must be given to fatigue testing or analysis, where applicable.

6. Alternative design options

Where a design does not comply, in full or part, with a prescribed risk control detailed in the guidelines listed in paragraphs 5.1, the designer must specify the published technical standards, or the engineering principles used to achieve an equivalent level of safety as the design requirements in the guidelines. In demonstrating an equivalent level of safety, controls shall be identified in accordance with the hierarchy of risk controls in Part 3.1 of the *Work Health and Safety Regulation 2017*.

7. Performance and testing standards

Braking system performance, and the testing to validate the performance, must comply with the relevant requirements set out in the following guidelines, as amended from time to time.

- (a) Sections 1 and 3 of MDG 39, February 2001 *Handbook for approval assessment of transport braking systems on free-steered vehicles in underground coal mines*, as amended by “Amendments No. 1 – MDG 39 December 2006”,

or

- (b) Section 3 of the MDG 2, December 1991 *Design Guidelines for the Construction of Locomotives*.

[n2018-4335]

Crown Land Notices

1300 886 235 www.crownland.nsw.gov.au

ROADS ACT 1993

ORDER

Transfer of Crown Road to a Council

In pursuance of the provisions of Section 152I of the *Roads Act 1993*, the Crown road specified in Schedule 1 is transferred to the roads authority specified in Schedule 2 hereunder as from the date of publication of this notice and as from that date the road specified in Schedule 1 ceases to be a Crown road.

The Hon Paul Toole, MP
Minister for Lands and Forestry

SCHEDULE 1

Parish: Uralla
County: Sandon
Land District: Armidale
LGA: Uralla
DESCRIPTION: Crown public road located south of Lots 549, 550, 551 DP755846; north of Lot 1 Section 2 DP759022, Lot 2 Section 2 DP750922, Lot 3 Section 2 DP750922, Lot 4 Section 2 DP750922 as shown on diagram below.

SCHEDULE 2

Roads Authority: Uralla Shire Council
Council's Ref: 22 May 2018 (resolution 15.05/18)
DoI Ref: 18/05763#16



[n2018-4336]

NOTIFICATION OF CLOSING OF A ROAD

In pursuance of section 37 of the *Roads Act 1993* and clause 19A of Schedule 7 to the *Crown Land Management Act 2016*, the road hereunder described is closed. The lands comprised therein cease to be public road and the rights of passage and access that previously existed in relation to the road is extinguished. Upon closing, title to the land, comprising the former public road, vests in the body specified in the Schedule hereunder.

The Hon Paul Toole, MP
Minister for Lands and Forestry

DESCRIPTION

*Parish – Dunbible; County – Rous
Land District – Murwilumbah; LGA – Tweed*

Road Closed: Lots 1- 3DP 1243056

File No: 17/09229

SCHEDULE

On closing, the land within Lot 2 & 3 DP 1243056 will remain vested in the State of New South Wales as Crown land.

On closing, that part of land within Lot 1 DP1243056 which is formerly Council road becomes vested in the State of New South Wales as Crown Land.

[n2018-4337]

ROADS ACT 1993

ORDER

Transfer of a Crown Road to Council

In pursuance of the provisions of Section 150, *Roads Act 1993*, the Crown public road specified in Schedule 1 is transferred to the Roads Authority specified in Schedule 2, as from the date of publication of this notice and from that date the road specified in Schedule 1 ceases to be a Crown public road.

THE HON PAUL TOOLE, MP
Minister for Lands and Forestry

SCHEDULE 1

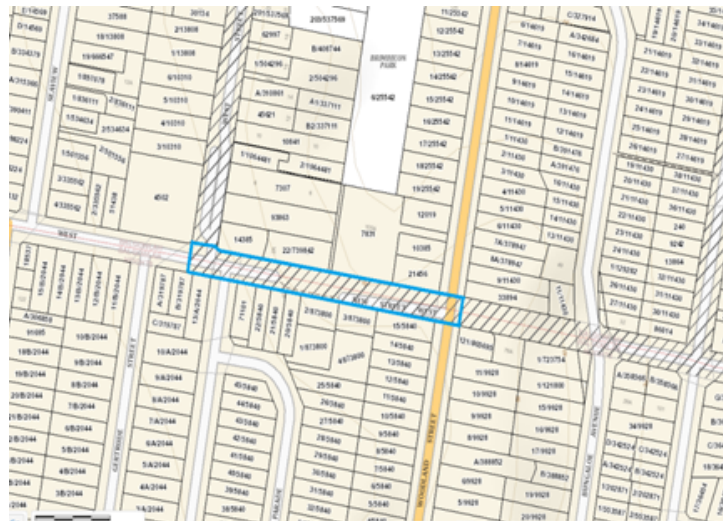
Land District – Metropolitan;

Local Government Area – Northern Beaches;

Parish – Manly Cove;

County – Cumberland;

That part of Crown public road known as New Street West at Balgowlah as shown by blue outline on the diagram hereunder.



SCHEDULE 2

Roads Authority: Northern Beaches Council

File No: 18/02523

[n2018-4338]

ROADS ACT 1993

ORDER

Transfer of a Crown Road to a Council

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

The Hon. Paul Toole, MP
Minister for Lands and Forestry

SCHEDULE 1

Parish – Seaham

County – Durham

Land District – Seaham

Local Government Area – Port Stephens

Crown public road at Seaham, adjacent to the eastern boundary of Lot 1 DP 794777, as highlighted in the diagram below.

SCHEDULE 2



Roads Authority: Port Stephens Council
Councils Reference: 16-2018-569-1-005
Lands File Reference: 18/06911#01

[n2018-4339]

NOTIFICATION OF DISPOSAL OF A CROWN ROAD

Section 152B Roads Act 1993

The road hereunder described has been disposed of under section 152B of the *Roads Act 1993*. In accordance with section 152H of that Act, the road comprised therein has ceased to be a Crown road and the rights of passage and access that previously existed in relation to the road are extinguished. Upon disposal, title to the land, comprising the former Crown road, is transferred to freehold.

The Hon Paul Toole, MP
Minister for Lands and Forestry

DESCRIPTION

Parish – Timor; County – Brisbane

Land District – Quirindi; LGA – Upper Hunter

Road Disposed: Lot 1 DP 1247101

File No: 18/05739

[n2018-4340]

ROADS ACT 1993

ORDER

Transfer of a Crown Road to Council

In pursuance of the provisions of Section 150, *Roads Act 1993*, the Crown public road specified in Schedule 1 is transferred to the Roads Authority specified in Schedule 2, as from the date of publication of this notice and from that date the road specified in Schedule 1 ceases to be a Crown public road.

THE HON PAUL TOOLE, MP
Minister for Lands and Forestry

SCHEDULE 1

Land District – Picton;

Local Government Area – Wollondilly Shire;

Parish – Weromba;

County – Camden;

That part of Crown public road known as Fallons Road at Werombi as shown by orange outline on the diagram hereunder.



SCHEDULE 2

Roads Authority: Wollondilly Shire Council

File No: 16/04630

[n2018-4341]

NOTICE – CROWN LAND TO BE USED OR OCCUPIED FOR OTHER PURPOSE

Section 2.18(2)(b) of the Crown Land Management Act 2016

Pursuant to section 2.18(2)(b) of the *Crown Land Management Act 2016*, the Crown land specified in Column 2 of the following Schedule is proposed to be used or occupied under a relevant interest granted for the purpose(s) specified in Column 1 of the following Schedule.

The Hon Paul Toole, MP
Minister for Lands and Forestry

Schedule
Column 1**Column 2**

Tennis and recreational services and facilities
(relevant interest – Lease 598333)

Reserve No.1004608
Public Purpose: environmental protection and public recreation
Notified: 30 May 2003
File Reference: 18/05585

Explanatory note: The purpose(s) in Column 1 is not a purpose for which the land is currently reserved or dedicated. Therefore notice of the this proposed use or occupation is required under s 2.18(2)(b) of the *Crown Land Management Act 2016*.

[n2018-4342]

ALTERATION OF CORPORATE NAME OF RESERVE TRUST

Pursuant to section 92(3) of the *Crown Lands Act 1989* the corporate name of the reserve trust for the reserve specified in Column 1 is altered to the corporate name specified in Column 2.

The Hon Paul Toole, MP
Minister for Lands and Forestry

Schedule	
Column 1	Column 2
Reserve No.: 51162 Public Purpose: Rubbish Depot Notified: 13 February 1931 File Reference: 17/10320	Carrathool Rubbish Depot (R51162) Reserve Trust
Reserve No.: 81472 Public Purpose: Public Recreation Notified: 16 December 1914 File Reference: 17/10320	Gladesville Public Recreation (R81472) Reserve Trust
Reserve No.: 88475 Public Purpose: Bush Fire Brigade Purposes Notified: 17 February 1909 File Reference: 17/10320	Luddenham Bush Fire Brigade Purposes (R88475) Reserve Trust
Reserve No.: 32059 Public Purpose: Public Recreation Notified: 19 October 1910 File Reference: 17/10320	Nelson Bay Apex Park (R32059) Reserve Trust

[n2018-4343]

DISSOLUTION OF RESERVE TRUST

Pursuant to clause 34(1) of Schedule 5 of the *Crown Land Management Act 2016*, the statutory land manager specified in Column 1 of the Schedule hereunder, which was established in respect of the reserve specified opposite thereto in Column 2 of the Schedule, is dissolved.

The Hon Paul Toole, MP
Minister for Lands and Forestry

Schedule

Column 1	Column 2
Mullumbimby Hospital Reserve Trust	Reserve No. 31705 Public Purpose: hospital Notified: 3 November 1900 File Reference: 11/12012

[n2018-4344]

APPOINTMENT OF STATUTORY LAND MANAGER BOARD MEMBERS

Pursuant to clause 4(1) of Schedule 5 to the *Crown Land Management Act 2016* the persons specified in Column 1 of the Schedule hereunder are appointed, for the terms of office specified in that Column, as board members for the statutory land manager specified opposite in Column 2, which has been appointed as Crown land manager of the land referred to in Column 3 of the Schedule.

It is a condition of the appointment that the board member must comply with the *Code of Conduct* adopted under s86 of the *Cemeteries and Crematoria Act 2013* (as may be amended or replaced from time to time).

The Hon Paul Toole, MP
Minister for Lands and Forestry

Schedule

Column 1	Column 2	Column 3
Katherine O'REGAN Chair & Board Member	Rookwood General Cemeteries Reserve Land Manager	Dedication No 500902 Public Purpose: Cemetery Notified: 15 June 1893
Nigel CORNE Board Member		Dedication No 500903 Public Purpose: Cemetery Notified: 7 April 1868
Robyn SCOTT Board Member		Dedication No 500904 Public Purpose: Cemetery Notified: 11 August 1978
Penelope BARLETTA Board Member		Dedication No 500906 Public Purpose: Cemetery Notified: 7 April 1868
Ahmed KAMALEDINE Board Member		Dedication No 500912 Public Purpose: Cemetery Notified: 7 April 1868
Albert OLLEY Board Member		Dedication No 500913 Public Purpose: Cemetery Notified: 7 April 1868
Richard SIEDMAN Board Member		Dedication No 500918 Public Purpose: Cemetery Notified: 7 April 1868
For a term commencing the date of this notice and expiring 20 December 2020. Term may be extended for up to an additional three years at the discretion of the Minister.		File Reference: BN18/7121

[n2018-4345]

ADDITION TO RESERVED CROWN LAND

Pursuant to section 2.9 of the *Crown Land Management Act 2016*, the Crown land specified in Column 1 of the following Schedule is added to the reserved land specified opposite in Column 2 of the Schedule.

The Hon Paul Toole, MP
Minister for Lands and Forestry

Schedule
Column 1

Land District: Metropolitan
 Local Government Area: Randwick City Council
 Locality: Coogee

Whole Lots: Lot 1799 DP 822244 Parish Alexandria County
 Cumberland
 Area: about 2335 square metres

File Reference: 10/06618#06

Column 2

Reserve No. 35160
 Public Purpose: public baths
 Notified: 18 October 1902

New Area: about 6337 square metres

[n2018-4346]

APPOINTMENT OF CROWN LAND MANAGER

Pursuant to clause 3.3 of Part 3 to the *Crown Land Management Act 2016*, the persons specified in Column 1 of the Schedule hereunder are appointed, for the terms of office specified in that Column, as Crown land manager of the land referred to in Column 2 of the Schedule.

It is a condition of the appointment that the performance of duties as Crown land manager must be in compliance with the code of conduct adopted under section 440 of the *Local Government Act 1993*.

The Hon Paul Toole, MP
 Minister for Lands and Forestry

Schedule

Column 1	Column 2
Randwick City Council ABN 77 362 844 For a term commencing 1 January 2019.	Reserve No. 35160 Public Purpose: public baths Notified: 18 October 1902 File Reference: 10/06618#06

[n2018-4347]

ALTERATION OF CORPORATE NAME OF RESERVE TRUST

Pursuant to section 92(3) of the *Crown Lands Act 1989* the corporate name of the reserve trust for the reserve specified in Column 1 is altered to the corporate name specified in Column 2.

The Hon Paul Toole, MP
 Minister for Lands and Forestry

Schedule	
Column 1	Column 2
Reserve No.: 52088 Public Purpose: Sanitary Purposes Notified: 10 January 1958 File Reference: 17/10320	Bega Sanitary Purposes (R52088) Reserve Trust
Reserve No.: 75600 Public Purpose: Rubbish Depot and Sanitary Purposes Notified: 09 March 1917 File Reference: 17/10320	Tathra Rubbish Depot and Sanitary Purposes (R75600) Reserve Trust
Reserve No.: 84898 Public Purpose: Reservoir Notified: 29 May 1964 File Reference: 17/10320	Bega Reservoir (R84898) Reserve Trust

[n2018-4348]

APPOINTMENT OF A TRUST BOARD TO MANAGE A COMMON TRUST

Pursuant to Section 4(6)(a) of the *Commons Management Act 1989*, the persons specified in Column 1 of the Schedule hereunder are appointed, for the term of office specified in that Column, as members of the trust board for the Common reserve trust specified opposite in Column 2, which has been established and appointed as trustee of the reserve referred to in Column 3 of the Schedule.

The Hon Paul Toole, MP
Minister for Lands and Forestry

Schedule

Column 1	Column 2	Column 3
Douglas Kenneth Adams (new member) Troy William Clark (new member) David John Lemmich (new member) Barry Anderson Murray (new member) Julie Kay Nelson (new member) Joyce Singleton (new member) Katherine Danielle Wymond (new member)	Silverton Common Trust	Reserve No. 58865 Public Purpose: temporary common Notified: 7 May 1926 Reserve No. 64409 Public Purpose: addition, commonage Notified: 16 February 1934 Reserve No. 84503 Public Purpose: addition, commonage Notified: 30 August 1963 File Reference: WL86R44-1
For a term commencing 8 November 2018.		

[n2018-4349]

REVOCATION OF RESERVATION OF CROWN LAND

Pursuant to section 2.11 of the *Crown Land Management Act 2016*, the reservation of Crown land specified in Column 1 of the Schedule hereunder is revoked to the extent specified opposite thereto in Column 2 of the Schedule.

The Hon Paul Toole, MP
Minister for Lands and Forestry

Schedule

Column 1	Column 2
Land District: Walgett Local Government Area: Walgett Locality: Lightning Ridge Reserve No. 1024168 Public Purpose: Opal Mining and Exploration and Public Access Notified: 4 December 2009 File Reference: WLL14611-1	The part being Whole Lots: Lot 2 DP 1230996 Parish: Wallangulla County: Finch

[n2018-4350]

ADDITION TO RESERVED CROWN LAND

Pursuant to section 2.9 of the *Crown Land Management Act 2016*, the reservation of Crown land specified in Column 1 of the Schedule hereunder is added to the reserved land specified opposite thereto in column 2 of the Schedule.

The Hon Paul Toole, MP
Minister for Lands and Forestry

Schedule
Column 1

Land District: Walgett
 Local Government Area: Walgett
 Locality: Lightning Ridge
 Whole Lots: Lot 1 DP 1230996
 Parish: Wallangulla
 County: Finch
 Area: 307.4m²
 File Reference: WLL14611-1

Column 2

Reserve No. 1024168
 Public Purpose: Opal Mining and Exploration and Public Access
 Notified: 4 December 2009
 Parish: Wallangulla
 County: Finch
 New Area: about 16922 ha

[n2018-4351]

RESERVATION OF CROWN LAND

Pursuant to section 2.8 of the *Crown Land Management Act 2016*, the Crown land specified in Column 1 of the following Schedule is reserved for the purpose(s) as specified opposite in Column 2 of the Schedule.

The Hon Paul Toole, MP
 Minister for Lands and Forestry

Schedule**Column 1**

Land District: Metropolitan
 Local Government Area: Wollongong City Council
 Locality: Helensburgh

Column 2

Reserve No. 1039211

Whole Lots: Lot 10 DP 1129965, Lot 7310 DP 1152384 Parish
 Heathcote County Cumberland

Area: about 3.94 hectares
 File Reference: 18/06404

[n2018-4352]

APPOINTMENT OF CROWN LAND MANAGER

Pursuant to clause 3.3 of Part 3 of the *Crown Land Management Act 2016*, the persons specified in Column 1 of the Schedule hereunder are appointed, for the terms of office specified in that Column, as Crown land manager of the land referred to in Column 2 of the Schedule.

It is a condition of the appointment that the employees, contractors, volunteers and board members of the appointed organisation specified in Column 1 must comply with the Department of Industry *Crown reserve code of conduct: for non-council Crown land managers and commons trusts* (as may be amended or replaced from time to time) when performing duties as Crown land manager.

The Hon Paul Toole, MP
 Minister for Lands and Forestry

Schedule

Column 1	Column 2
Helensburgh and District Land Care Group Incorporated Y1990107 For a term the date of this notice	Reserve No. 1039211 Public Purpose: passive recreation, heritage purposes, environmental protection Notified: 21 December 2018 File Reference: 18/06404

[n2018-4353]

ROADS ACT 1993

ORDER

Transfer of Crown Road to a Council

In pursuance of the provisions of Section 152I of the *Roads Act 1993*, the Crown road specified in Schedule 1 is transferred to the roads authority specified in Schedule 2 hereunder as from the date of publication of this notice and as from that date the road specified in Schedule 1 ceases to be a Crown road.

The Hon Paul Toole, MP
Minister for Lands and Forestry

SCHEDULE 1

Parish: Uralla
County: Sandon
Land District: Armidale
LGA: Uralla
DESCRIPTION: Crown road located east of Lot 317 DP755846, Lot 7030 DP94249; west of Lot 43 DP1194005, Lot 42 DP1194005, Lot 11 DP1179735, Lot 130 DP1186203; north of Lot 560 DP755846 as shown on diagram below.

SCHEDULE 2

Roads Authority: Uralla Shire Council
Council's Ref: 22/05/2018 – Resolution 15.05/18
DoI Ref: 18/05763#22



[n2018-4354]

ROADS ACT 1993

ORDER

Transfer of Crown Road to a Council

In pursuance of the provisions of Section 152I of the *Roads Act 1993*, the Crown road specified in Schedule 1 is transferred to the roads authority specified in Schedule 2 hereunder as from the date of publication of this notice and as from that date the road specified in Schedule 1 ceases to be a Crown road.

The Hon Paul Toole, MP
Minister for Lands and Forestry

SCHEDULE 1

Parish: Uralla
County: Sandon
Land District: Armidale

LGA: Uralla
 DESCRIPTION: Crown road located north of Lot 10 DP874706, Lot 9 DP539721, Lot 4 DP575605, Lot 1 DP544985, Lot 4 DP874706, Lot 3 DP874706, Lot 7 DP874706, Lot 6 DP874706, Lot 11 DP740334; south of Lot 2 DP1193453, Lot 1 DP1193453, Lot 13 Section 24 DP759022, Lot 1 DP1245545, Lot 15 DP664231, Lot 16 Section 24 DP759022, Lot 17 Section 24 DP759022, Lot 18 Section 24 DP759022 as shown on diagram below.

SCHEDULE 2

Roads Authority: Uralla Shire Council
 Council's Ref: 22/05/2018 – Resolution 15.05/18
 DoI Ref: 18/05763#21



[n2018-4355]

ROADS ACT 1993
ORDER

Transfer of Crown Road to a Council

In pursuance of the provisions of Section 152I of the *Roads Act 1993*, the Crown road specified in Schedule 1 is transferred to the roads authority specified in Schedule 2 hereunder as from the date of publication of this notice and as from that date the road specified in Schedule 1 ceases to be a Crown road.

The Hon Paul Toole, MP
 Minister for Lands and Forestry

SCHEDULE 1

Parish: Uralla
 County: Sandon
 Land District: Armidale
 LGA: Uralla
 DESCRIPTION: Crown road located north of Lot 625 DP39595, Lot 299 DP755846, Lot 298 DP755846, Lot 1 DP1156068, Lot 2 DP1156068, Lot 1 DP1232043, Lot 21 DP1113205, Lot 43 DP1109245, Lot 45 DP1109245; south of Lot 357 DP755846, Lot 494 DP755846, Lot 1 DP581989, Lot 2 DP581989, Lot 7302 DP1167246, Lot 379 DP755846, Lot 378 DP755846, Lot B DP385415, Lot A DP385415; road from western end of Leece Road (at junction) running south, east of Lot 625 DP 39595 and Lot 630 DP4640; west of Lot 299 DP755846, Lot 297 DP755846, Lot 576 DP755846, Lot 515 DP755846 (to point shown in diagram) as shown on diagram below.

SCHEDULE 2

Roads Authority: Uralla Shire Council
Council's Ref: 22/05/2018 – Resolution 15.05/18
DoI Ref: 18/05763#20



[n2018-4356]

BC - DUBBO

NOTICE - CROWN LAND TO BE USED OR OCCUPIED FOR OTHER PURPOSE UNDER S 2.18(2)(b)

Pursuant to section 2.18(2)(b) of the Crown Land Management Act 2016, the Crown land specified in Column 2 of the following Schedule is proposed to be used or occupied under a relevant interest granted for the purpose(s) specified in Column 1 of the following Schedule.

The Hon Paul Toole, MP
Minister for Lands and Forestry

<p>Column 1 pipeline (relevant interest - Licence 591096)</p>	<p>Schedule Column 2 Reserve No. 5751 Public Purpose: camping, travelling stock Notified: 17 April 1888 File Reference: 17/10669</p>
<p>Column 1 grazing (relevant interest - Licence 595416)</p>	<p>Schedule Column 2 Reserve No. 88801 Public Purpose: preservation of trees, resting place Notified: 22 December 1972 File Reference: 18/02557</p>
<p>Column 1 shed (relevant interest - Licence 589170)</p>	<p>Schedule Column 2 Reserve No. 754578 Public Purpose: future public requirements Notified: 29 June 2007 File Reference: 17/09358</p>
<p>Column 1 communication facilities (relevant interest - Licence 602244) communication facilities (relevant interest - Licence 602245)</p>	<p>Schedule Column 2 Reserve No. 24160 Public Purpose: quarry Notified: 16 May 1896 File Reference: 08/6163</p>
<p>Column 1 pump site (relevant interest - Licence 599672) pipeline (relevant interest - Licence 599672)</p>	<p>Schedule Column 2 Reserve No. 95819 Public Purpose: access Notified: 26 February 1982 File Reference: 18/07100</p>
<p>Column 1 access (relevant interest - Licence 602300) communication facilities (relevant interest - Licence 602300)</p>	<p>Schedule Column 2 Reserve No. 301 Public Purpose: travelling stock Notified: 29 September 1877 File Reference: 08/6163</p>
<p>Column 1 pump site (relevant interest - Licence 592538) pipeline (relevant interest - Licence 592538)</p>	<p>Schedule Column 2 Reserve No. 80724 Public Purpose: public recreation Notified: 30 May 1958 File Reference: 17/11724</p>

<p>Column 1 pump site (relevant interest - Licence 596230)</p>	<p>Schedule Column 2 Reserve No. 2419 Public Purpose: water Notified: 25 July 1881 File Reference: 18/03268</p> <hr/>
<p>Column 1 pipeline (relevant interest - Licence 596230)</p>	<p>Schedule Column 2 Reserve No. 1011549 Public Purpose: community purposes, environmental protection, public recreation, rural services, tourist facilities and services Notified: 5 May 2006 File Reference: 18/03268</p> <hr/>
<p>Column 1 pump site (relevant interest - Licence 596230)</p>	<p>Schedule Column 2 Reserve No. 1032388 Public Purpose: environmental protection, public recreation Notified: 21 April 2011 File Reference: 18/03268</p> <hr/>
<p>Column 1 jetty (relevant interest - Licence 597048)</p>	<p>Schedule Column 2 Reserve No. 1011748 Public Purpose: access and public requirements, rural services, tourism purposes and environmental and heritage conservation Notified: 18 August 2006 File Reference: 18/04519</p> <hr/>
<p>Column 1 steps (relevant interest - Licence 593443) reclamation (relevant interest - Licence 593443) ramp (relevant interest - Licence 593443)</p>	<p>Schedule Column 2 Reserve No. 1012189 Public Purpose: access and public requirements, tourism purposes and environmental and heritage conservation Notified: 18 August 2006 File Reference: 18/00725</p> <hr/>
<p>Column 1 seawall (relevant interest - Licence 584111) reclamation (relevant interest - Licence 584111) jetty (relevant interest - Licence 584111) ramp (relevant interest - Licence 560717) jetty (relevant interest - Licence 560717) jetty (relevant interest - Licence 588577) seawall (relevant interest - Licence 570992) reclamation (relevant interest - Licence 570992) ramp (relevant interest - Licence 570992) pontoon (relevant interest - Licence 570992)</p>	<p>Schedule Column 2 Reserve No. 56146 Public Purpose: generally Notified: 11 May 1923 File Reference: 15/06907</p>

landing/platform
(relevant interest - Licence 570992)
berthing area
(relevant interest - Licence 570992)
seawall
(relevant interest - Licence 594260)
reclamation
(relevant interest - Licence 594260)
jetty
(relevant interest - Licence 594260)
jetty
(relevant interest - Licence 596277)
walkway
(relevant interest - Licence 587940)
slipway
(relevant interest - Licence 587940)
seawall
(relevant interest - Licence 587940)
reclamation
(relevant interest - Licence 587940)
piles
(relevant interest - Licence 587940)
jetty
(relevant interest - Licence 587940)
boatshed
(relevant interest - Licence 587940)
slipway
(relevant interest - Licence 587936)
reclamation
(relevant interest - Licence 587936)
ramp
(relevant interest - Licence 587936)
pontoon
(relevant interest - Licence 587936)
piles
(relevant interest - Licence 587936)
jetty
(relevant interest - Licence 587936)
deck
(relevant interest - Licence 587936)
boatshed
(relevant interest - Licence 587936)
reclamation
(relevant interest - Licence 551471)
ramp
(relevant interest - Licence 551471)
pontoon
(relevant interest - Licence 551471)
jetty
(relevant interest - Licence 551471)
retaining wall
(relevant interest - Licence 536664)
ramp
(relevant interest - Licence 536664)
pontoon
(relevant interest - Licence 536664)
seawall
(relevant interest - Licence 580031)
ramp
(relevant interest - Licence 580031)
pontoon
(relevant interest - Licence 580031)
jetty
(relevant interest - Licence 580031)
ramp
(relevant interest - Licence 593443)
reclamation
(relevant interest - Licence 593443)
steps
(relevant interest - Licence 593443)
pipeline
(relevant interest - Licence 591096)
pump site

(relevant interest - Licence 591096)
pipeline
(relevant interest - Licence 599672)
pump site
(relevant interest - Licence 599672)
pipeline
(relevant interest - Licence 592538)
pump site
(relevant interest - Licence 592538)
jetty
(relevant interest - Licence 597048)
pump site
(relevant interest - Licence 596230)

Schedule

Column 1
seawall
(relevant interest - Licence 584111)
reclamation
(relevant interest - Licence 584111)
jetty
(relevant interest - Licence 584111)
ramp
(relevant interest - Licence 560717)
jetty
(relevant interest - Licence 560717)
jetty
(relevant interest - Licence 588577)
seawall
(relevant interest - Licence 570992)
reclamation
(relevant interest - Licence 570992)
ramp
(relevant interest - Licence 570992)
pontoon
(relevant interest - Licence 570992)
landing/platform
(relevant interest - Licence 570992)
berthing area
(relevant interest - Licence 570992)
seawall
(relevant interest - Licence 594260)
reclamation
(relevant interest - Licence 594260)
jetty
(relevant interest - Licence 594260)
jetty
(relevant interest - Licence 596277)
walkway
(relevant interest - Licence 587940)
slipway
(relevant interest - Licence 587940)
seawall
(relevant interest - Licence 587940)
reclamation
(relevant interest - Licence 587940)
jetty
(relevant interest - Licence 587940)
piles
(relevant interest - Licence 587940)
boatshed
(relevant interest - Licence 587940)
slipway
(relevant interest - Licence 587936)
reclamation
(relevant interest - Licence 587936)
ramp
(relevant interest - Licence 587936)
pontoon
(relevant interest - Licence 587936)
piles

Column 2
Reserve No. 1011268
Public Purpose: future public requirements
Notified: 3 February 2006
File Reference: 15/06907

(relevant interest - Licence 587936)
jetty
(relevant interest - Licence 587936)
deck
(relevant interest - Licence 587936)
boatshed
(relevant interest - Licence 587936)
reclamation
(relevant interest - Licence 551471)
ramp
(relevant interest - Licence 551471)
pontoon
(relevant interest - Licence 551471)
jetty
(relevant interest - Licence 551471)
retaining wall
(relevant interest - Licence 536664)
ramp
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pontoon
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seawall
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(relevant interest - Licence 580031)
jetty
(relevant interest - Licence 580031)
ramp
(relevant interest - Licence 593443)
reclamation
(relevant interest - Licence 593443)
steps
(relevant interest - Licence 593443)
pipeline
(relevant interest - Licence 591096)
pump site
(relevant interest - Licence 591096)
pipeline
(relevant interest - Licence 599672)
pump site
(relevant interest - Licence 599672)
pipeline
(relevant interest - Licence 592538)
pump site
(relevant interest - Licence 592538)
jetty
(relevant interest - Licence 597048)
pump site
(relevant interest - Licence 596230)

[n2018-4357]

ROADS ACT 1993

ORDER

Transfer of Crown Road to a Council

In pursuance of the provisions of Section 152I of the *Roads Act 1993*, the Crown Road specified in Schedule 1 is transferred to the roads authority specified in Schedule 2 hereunder as from the date of publication of this notice and as from that date the road specified in Schedule 1 ceases to be a Crown road.

The Hon Paul Toole, MP
Minister for Lands and Forestry

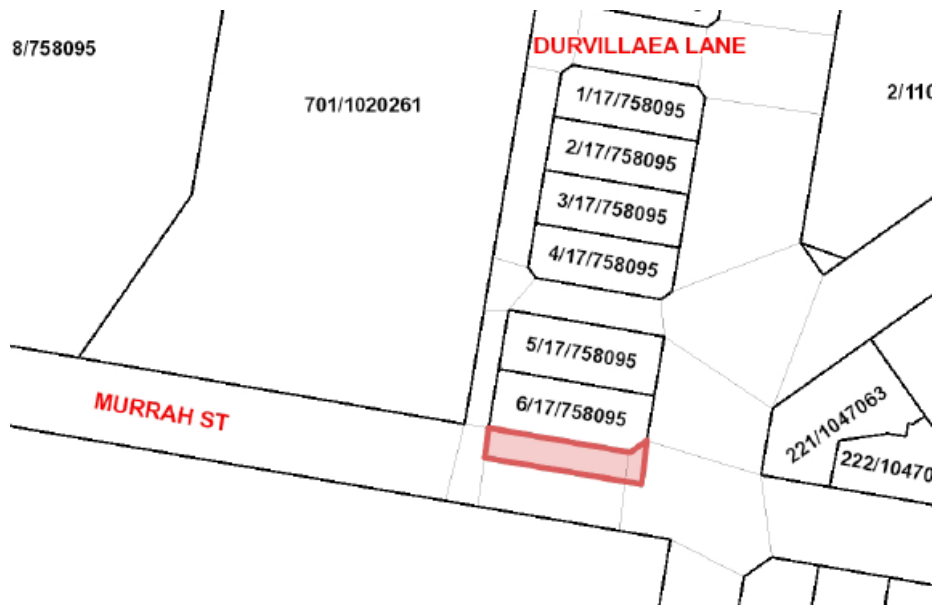
SCHEDULE 1

Parish: Bermagui
County: Dampier
Land District: Bega
LGA: Bega Valley Shire Council

DESCRIPTION: Road as shown by red colour on diagram below.

SCHEDULE 2

Roads Authority: Bega Valley Shire Council
Council's Ref: 18/08437#03
DoI Ref:



SCHEDULE 1

Town: Eden
Parish: Eden
County: Auckland
Land District: Bega

LGA: Bega Valley Shire Council
DESCRIPTION: Road as shown by red colour on diagram below.

SCHEDULE 2

Roads Authority: Bega Valley Shire Council
Council's Ref:
DoI Ref: 18/08437#05



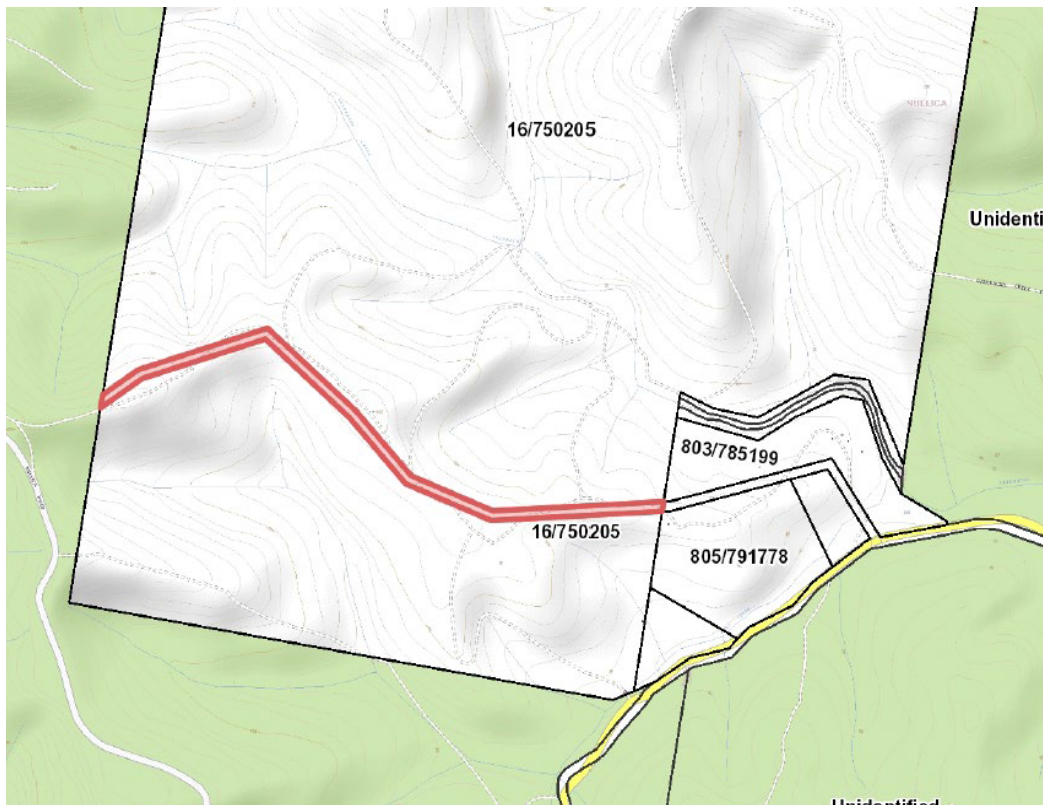
SCHEDULE 1

Parish: Eden
County: Auckland
Land District: Bega
LGA: Bega Valley Shire Council

DESCRIPTION: Road as shown by red colour on diagram below.

SCHEDULE 2

Roads Authority: Bega Valley Shire Council
Council's Ref:
DoI Ref: 18/08437#04



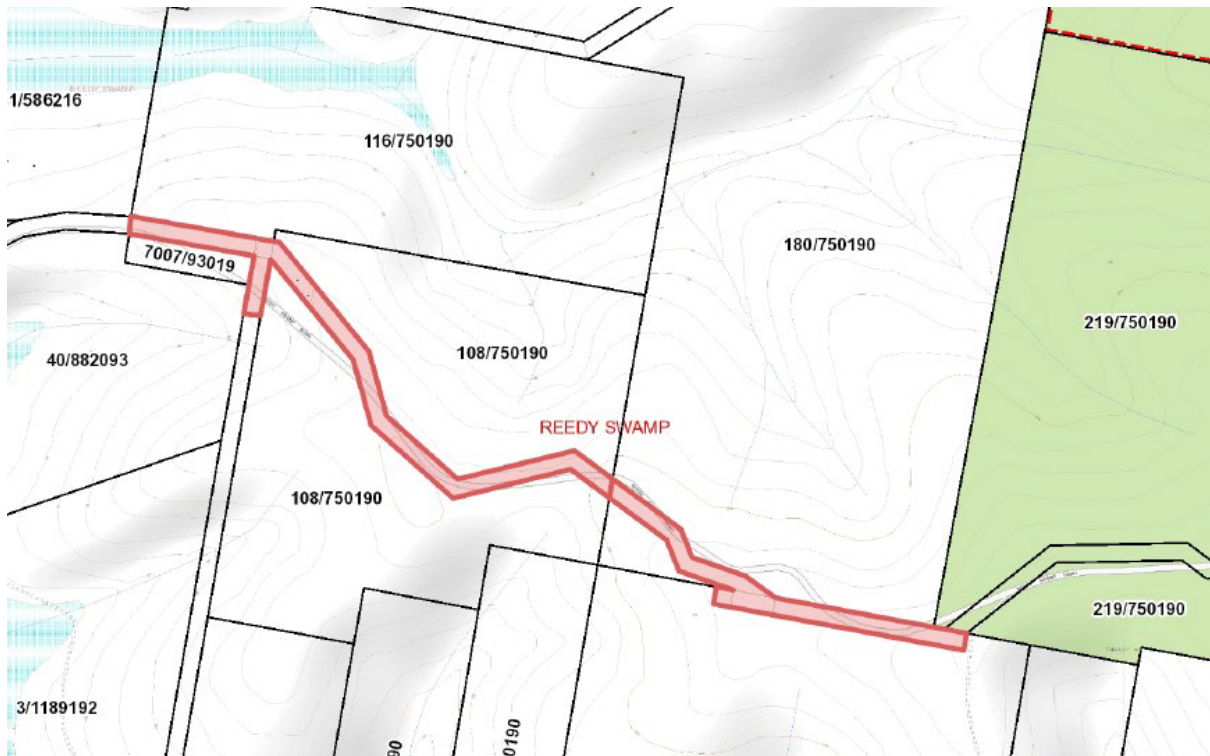
SCHEDULE 1

Parish: Bega
County: Auckland
Land District: Bega
LGA: Bega Valley Shire Council

DESCRIPTION: Road as shown by red colour on diagram below.

SCHEDULE 2

Roads Authority: Bega Valley Shire Council
Council's Ref:
DoI Ref: 18/08437#02



SCHEDULE 1

Parish: Pambula
County: Auckland
Land District: Bega
LGA: Bega Valley Shire Council

DESCRIPTION: Road as shown by red colour on diagram below.

SCHEDULE 2

Roads Authority: Bega Valley Shire Council
Council's Ref:
DoI Ref: 18/08437#01



SCHEDULE 1

Town: Dalgety
Parish: Bobundara
County: Wallace
Land District: Cooma
LGA: Snowy Monaro Regional Council

DESCRIPTION: Roads within the township of Dalgety as shown by red colour on diagram below.

SCHEDULE 2

Roads Authority: Snowy Monaro Regional Council
Council's Ref: ECM:3107405
DoI Ref: 18/00700#03



[n2018-4358]

Water Notices

WATER MANAGEMENT ACT 2000

Notice under section 156

SECTION 156 (3)

Private irrigation board may apply to take over water supply works

PURSUANT to section 156 (3) of the *Water Management Act 2000*, I, Tim Baker, A/Manager Licensing and Approvals Regional Water Regulation West, under delegated authority from the Minister for the Department of Industry, hereby give notice that AN APPLICATION HAS BEEN RECEIVED for authority to take over the water supply works in connection with the Gunbar Private Water Supply Districts pump and pipeline system located on authorised sites within the boundaries of the Gunbar Private Water Supply District.

The applicant is the GUNBAR PRIVATE WATER SUPPLY BOARD (being the board of management of the Gunbar Private Water District constituted in Gazette No. 109 of 26 October 2018).

Interested persons may view the full details of the works being taken over at the office of Department of Industry, Natural Resources Access Regulator, 2198, Irrigation Way East, Yanco by arranged appointment with Jeanette Nestor, telephone (02) 68417447.

Any person may lodge an objection to the granting of the application on the grounds that its granting would adversely affect the person's interests. Written and signed objections must be lodged with the Natural Resources Access Regulator, PO Box 717, Dubbo NSW 2830. An objection must state particulars of the grounds of objection.

A person may not make an objection on the grounds that the person's interest would, if the application were granted, be adversely affected for reasons relating to the quantity of water available from any water source from which the pipeline takes water.

Signed at Dubbo on 19 December 2018

Tim Baker
A/ Manager Licensing and Approvals
Regional Water Regulation West
Natural Resources Access Regulator
Department of Industry Water
Signed for the Minister for Regional Water
(by delegation)

[n2018-4359]

Other Government Notices

ASSOCIATIONS INCORPORATION ACT 2009

Cancellation of registration pursuant to section 80

TAKE NOTICE that **ARNOLD TINK HOUSE INCORPORATED (Y2142547)** became registered under the *Corporations Act 2001* as **RONALD MACDONALD HOUSE CHARITIES GREATER WESTERN SYDNEY LIMITED (ACN 630095411)**, a company limited by guarantee, on 19 November 2018, and accordingly its registration under the *Associations Incorporation Act 2009* is cancelled as of that date.

Jodie Matheson
Delegate of the Commissioner,
NSW Fair Trading
17 December 2018

[n2018-4360]

ASSOCIATIONS INCORPORATION ACT 2009

Cancellation of incorporation pursuant to section 74

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

CARE FOR CHILDREN WITH DISABILITIES INC	Y0568023
LISMORE VISION IMPAIRED SUPPORT GROUP INCORPORATED	INC1600827
MID-WESTERN DANCE FESTIVAL INCORPORATED	INC1301401
NORTHERN RIVERS REGIONAL ORGANISATION OF COUNCILS INC	Y0450938
THE CARMANHURST VILLAGES ASSOCIATION INCORPORATED	INC1601409
WESTERN PLAINS CHRISTIAN CONVENTION INCORPORATED	INC9877925
YOUTH EQUITY INC	INC9883403

Cancellation is effective as at the date of gazettal.

Dated this 19th day of December, 2018.

Robyne Lunney
Delegate of the Commissioner
NSW Fair Trading

[n2018-4361]

ASSOCIATIONS INCORPORATION ACT 2009

Cancellation of Registration pursuant to Section 76

ERRATUM

THE NOTICE that appeared in the New South Wales Government Gazette No 130 of 30 November 2018, Folio 9175-9178, cancelling the registration of **BRAIDWOOD JUNIOR SOCCER CLUB INCORPORATED – Y2656604**, was published in error.

The above association remains an Incorporated Association under the *Associations Incorporation Act 2009*.

This notice corrects that error.

Dated this 18th day of December 2018.

Christine Gowland
Delegate of the Commissioner
NSW Fair Trading

[n2018-4362]

ASSOCIATIONS INCORPORATION ACT 2009

Cancellation of Registration pursuant to Section 76

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

ARNCLIFFE BANKSIA SPORTS CLUB INCORPORATED	INC9897356
AUSTRALIAN FIRST MOVEMENT INCORPORATED	INC1400599
BLUE MOUNTAINS WOMEN WHO WALK IN BEAUTY INCORPORATED	INC9896987
EARTH HUB AUSTRALIA INCORPORATED	INC1500605
FAIRFIELD COMMUNITY AND CULTURAL CENTRE INCORPORATED	INC9897697
STANLEY LIM ALL NATIONS MINISTRY INCORPORATED	INC9896744
STRONGER FAMILIES CENTRAL WEST INCORPORATED	INC9889383
WORLD TARGET ARCHERY INCORPORATED	INC9897646

Cancellation is effective as at the date of gazettal.

Dated this 19th day of December 2018.

Christine Gowland
 Delegate of the Commissioner
 NSW Fair Trading

[n2018-4363]

GEOGRAPHICAL NAMES ACT 1966

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

Rosenfels Park for a reserve being created as part of a new subdivision coming off River Road, Tahmoor.

The position and extent for this feature is recorded and shown within the Geographical Names Register of New South Wales. The proposal can be viewed and submissions lodged on the Geographical Names Board website at www.gnb.nsw.gov.au from 19 December to 25 January 2019. Alternatively, email submissions may be lodged with the Secretary, Geographical Names Board, at ss-gnb@finance.nsw.gov.au or written submissions mailed to 346 Panorama Ave, Bathurst, NSW 2795.

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

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

[n2018-4364]

GEOGRAPHICAL NAMES ACT 1966

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

Edna Dunn Reserve for a reserve located at 205A Parker Street, South Penrith.

The position and extent for this feature is recorded and shown within the Geographical Names Register of New South Wales. The proposal can be viewed and submissions lodged on the Geographical Names Board website at www.gnb.nsw.gov.au from 20 December to 25 January 2019. Alternatively, email submissions may be lodged with the Secretary, Geographical Names Board, at ss-gnb@finance.nsw.gov.au or written submissions mailed to 346 Panorama Ave, Bathurst, NSW 2795.

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

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

[n2018-4365]

GEOGRAPHICAL NAMES ACT 1966

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

Surfrider Gardens for a reserve adjacent to Ocean Street, Narrabeen, in the Northern Beaches LGA.

The position and extent for this feature is recorded and shown within the Geographical Names Register of New South Wales. The proposal can be viewed and submissions lodged on the Geographical Names Board website at www.gnb.nsw.gov.au from 21 December 2018 to 25 January 2019. Alternatively, email submissions may be lodged with the Secretary, Geographical Names Board, at ss-gnb@finance.nsw.gov.au or written submissions mailed to 346 Panorama Ave, Bathurst, NSW 2795.

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

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

[n2018-4366]

GEOGRAPHICAL NAMES ACT 1966

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

Juniors Kingsford Light Rail Stop located on Anzac Parade near the intersection with Wallace Street, Kingsford, previously assigned as Nine Ways Light Rail Stop.

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

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

[n2018-4367]

PARENTS AND CITIZENS ASSOCIATIONS INCORPORATION ACT 1976

Section 13 (4)

NOTICE OF INCORPORATION OF PARENTS AND CITIZENS ASSOCIATIONS

The following associations are hereby incorporated under the *Parents and Citizens Associations Incorporation Act 1976*.

1. Parramatta East Public School
2. Blaxland High School
3. The Grange Public School

Sarah Hargans
Relieving General Counsel
Department of Education
18 December 2018

[n2018-4368]

Civil Procedure Act 2005

Pursuant to section 13 of the *Civil Procedure Act 2005*, I direct that a registrar of the Court (including a person acting as the registrar or as a deputy to the registrar) may exercise the functions of the Court as stated in Parts 1 to 3 of the schedule to this direction.

Dated: 17 December 2018

T F Bathurst AC
Chief Justice of New South Wales

Schedule.

Part 1

The functions of the Court as provided for in Column 1 but subject to the restriction (if any) mentioned in Column 3.

The matter in column 2 is inserted for convenience of reference only and does not affect the operation of the direction.

Civil Procedure Act 2005

Column 1 Section	Column 2 Description	Column 3 Restriction
Section 14	Dispense with rules in particular cases	Restricted to those matters which a registrar may deal with
Section 26(1)	Referral to mediation	By consent of the parties or expressly unopposed
Section 38(1)	Referral to arbitration	
Section 43	Order for rehearing of arbitration	
Section 45	Discontinuance of rehearing	
Section 61(1), (2), and (3)(f) and (g)	Directions as to practice and procedure	
Section 64	Amendment of documents	
Section 65	Amendment of originating process after expiration of limitations period	
Section 66	Adjournment of proceedings	
Section 67	Stay of proceedings	Restricted to those matters which a registrar may deal with
Section 68	Attendance and production	
Section 86	Orders and terms	Restricted to those matters which a registrar may deal with
Section 93 (2)	Judgment for Detention of Goods	Restricted to default judgments
Section 98	Costs	Restricted to those matters which a registrar may deal with
Section 100	Interest up to judgment	In respect of a judgment given or entered under Part 16 of the Rules
Section 101	Interest after judgment	In respect of a judgment given or entered under Part 16 of the Rules

Section 107	Deferral of payments and payments by instalments	
Section 108	Order for examination of judgment debtor	
Section 134	Extension of period of enforcement of stale judgment	
Section 135(2)(b)	Prohibit Sheriff from acting on writ of execution	Restricted to a writ of execution issued pursuant to a judgment given by default
Section 140	Transfer of proceedings from the District Court or a Local Court	Only if by consent or expressly unopposed
Section 146	Transfer of proceedings to the District Court or a Local Court	On if by consent or expressly unopposed

Uniform Civil Procedure Rules 2005

Column 1 Section	Column 2 Description	Column 3 Restriction
Rule 1.12	Extension and abridgment of time	Excluding abridging time for service of a summons
Rule 1.13	Fixing time	
Part 2	Case management generally	Except a direction or order the subject of a restriction elsewhere in this direction.
Rule 4.10(4)	Rejection of documents	
Rule 4.13	Place for filing	
Part 5	Preliminary discovery	
Rule 6.1	Leave to take step without filing appearance	
Rule 6.5	Continuation of proceedings wrongly commenced by Statement of Claim	
Rule 6.6	Continuation of proceedings wrongly commenced by Summons	
Rule 6.16	Postpone return day in summons	
Rule 6.18	Leave to join causes of action	
Rule 6.19	Leave to join parties in proceedings involving common questions	
Rule 6.20	Leave to join parties having joint entitlement	
Rule 6.21	Stay proceedings until jointly liable persons added as defendants	
Rule 6.22	Order separate trials or other order to avoid inconvenient joinder	
Rule 6.24	Order addition of parties	
Rule 6.27 and 6.28	Join third party and determine	

Rule 6.29	date of commencement of proceedings relating to them Order removal of party	
Rules 6.30 and 6.31	Effect of change of party in proceedings	
Rule 6.32	Future conduct of proceedings	
Rule 7.3	Leave to an unrepresented litigant to issue subpoena	
Rule 7.15(5)	Leave to replace tutor in proceedings	
Rule 7.18	Appointment and removal of tutor	
Rule 7.21	Striking out appearance of person sued in a business name	
Rule 7.22	Leave to proceed before amendment made	
Rule 7.29	Withdrawal of solicitor	
Rule 9.8(a)	Leave to separately determine cross-claims	
Rule 9.9	Leave for proceedings to continue together	
Rule 10.1	Service of filed documents	
Rule 10.2	Service of affidavits	Restricted to those matters which a registrar may deal with
Rule 10.7	Orders as to the giving of notice by the Court	
Rule 10.14	Substituted and informal service	
Rule 10.15	Possession of land; service by affixing copy of originating process	
Rule 10.16	Service on person in default by filing	
Rule 11.8AA	Leave to proceed when originating process served outside Australia	
Rule 11.8AB	Leave to serve documents outside Australia and confirmation thereof	
Rule 12.1 and 12.3	Leave to discontinue	
Rule 12.4	Stay of further proceedings to secure costs of discontinuance of proceedings	
Rule 12.5	Leave to withdraw an appearance	
Rule 12.7(1)	Dismiss proceedings for want of due despatch by plaintiff	Provided at least one month's notice of the proposal to make such an order has been given to the plaintiff
Rule 12.8	Other grounds for dismissal	
Rule 12.10	Stay to secure costs after dismissal	
Rule 13.6	Dismiss for non appearance of plaintiff	

Rule 14.2	Dispense with further pleadings	
Rule 14.3	Time for filing defence	
Rule 14.5	Further pleadings	
Rules 14.22 – 14.24	Verification of pleadings	
Part 15	Particulars	Except for an order to dismissal the proceedings under UCPR 15.16
Part 16	Default judgment	
Part 18	Motions	Restricted to those matters which a registrar may deal with
Part 19	Amendment	
Rules 20.2 and 20.3	Directions about mediation	
Rules 20.9 – 20.12	Arbitration	
Rule 20.34	Acknowledgement of a liquidated claim	
Part 21	Discovery/Inspection/Production	
Part 22	Interrogatories	
Rule 23.4	Order for medical examination	
Rule 23.7	Order for rehabilitation test	
Rule 23.8	Inspection of property	
Rule 23.9	Default in compliance under Part 23	Except for an order that judgment be given, a defence be struck out or that the proceedings, or any part of the relief claimed in the proceedings be dismissed
Rules 24.3, 6, 9, and 14	Taking evidence otherwise than at trial	Except where the order is made under section 7 or section 10 of the Foreign Evidence Act
Rules 26.3, 4, 5, and 8	Receivers	
Rule 28.5	Consolidation, etc	
Rule 31.4	Service of witness statements	
Rule 31.5	Notice under s 67 or s 99 of the Evidence Act	
Rule 31. 19	Directions before calling expert witnesses	
Rule 31.20 (2) (a)	Service of experts' reports	
Rule 31. 32 (3)	Abridge time for service of subpoena on medical witness	
Part 33	Subpoenas	
Part 34	Notice to produce at hearing	
Rule 35.1	Using irregular affidavit	
Rule 35.2	Cross examination of Deponent	Restricted to those matters which a registrar may deal with

Rule 35.9	Filing of affidavit	
Rule 36.1A	Consent Orders	Restricted to those matters which a registrar may deal with
Rule 36.11	Entry of judgment or orders	Unless the Court directs entry to be effected in a specified manner.
Rule 36.14	Service of Judgment or Order	Restricted to those matters which a registrar may deal with
Rule 36.16	Setting aside default judgment	
Rule 36.17	“Slip rule”	Restricted to those matters which a registrar may deal with
Rule 36.18	Variation of judgment or order against party operating under unregistered business name	
Rule 37.4	Instalment Orders	
Rule 37.6	Variation of Instalment Orders	
Rules 38.1 – 38.5	Examination of judgment debtor	
Rule 38.7	Application of Part to persons that are corporations	
Part 39	Enforcement of judgments	
Rule 41.8(2)	Payment of interest accruing on money paid into Court	
Rule 41.9	Non-attendance of parties following notice by Court	
Part 42	Order for costs	Restricted to proceedings in which the registrar has a function under an Act or the Rules, or in which the function has been delegated by this direction, or in which a matter has been referred to the registrar by a Judge or Associate Judge
Rule 42.19	Costs of Discontinued Proceedings	
Rule 42.21	Security for costs	
Rule 42.28	Costs on Instalment Orders	
Rule 45.2	Entry and Removal from specialist list	Except for Commercial List and Technology and Construction List matters
Part 46	Accounts and Enquiries	Except UCPR 46.12(4)(b)
Rule 49.22	Stay registrar’s decision	Limited to staying the decision under review

Part 2 Supreme Court Rules

The functions of the Court as provided for in Column 1 but subject to the restriction (if any) mentioned in Column 3.

Column 1 Part and/or rule	Column 2 Description	Column 3 Restriction
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Part 51B—

Rule 5 (8) Direction concerning filing of affidavit

Rule 9 Direction concerning filing of affidavit

Part 58 Taking evidence for foreign and Australian courts and tribunals

Part 59A Enforcement of external judgments

Part 68—

Rule 2 (2) (c) (ii) Administration of estates: determination of question

Part 71A—

Rule 6 (2) Notifying the Sheriff of change in interest rate

Rule 7 Assessment of costs and expenses

Part 80 -

Rule 18 (4) Time for advertising winding up application

Rule 21 (1) Order substituting plaintiff

Rule 62 Examination of person concerned with corporation

Part 80A—

Rule 36 Examination of persons concerned with corporations

Part 3 General

1 Orders under the following legislation as provided – The matter in column 2 is inserted for convenience of reference only and does not affect the operation of the direction.

Provision	Description (for information only)	Restriction
CONTRACTORS DEBTS ACT 1997 (NSW)		
Section 7(1), (1A)	Certification of debt by court	
CONVEYANCING ACT 1919 (NSW)		
Section 36A	Power to direct division of chattels	Registrar to exercise this power only with the consent of the parties
Section 55(2A),(3)	Right of purchaser to recover deposit etc	Registrar to exercise this power only with the consent of the parties
Section 63(3)	Covenants to produce implied by schedule of documents	

Section 115(6)	Powers, remuneration and duties of receiver	
Section 170(1)(d)	Regulations respecting notices	
CO-OPERATIVES ACT 1992 (NSW)		
Section 105E	General powers of the Court	Registrar to exercise this power only with the consent of the parties
Sch 4, cl 10	Remuneration of a receiver, etc	
CORPORATIONS ACT 2001 (Cth)		
Section 425	Fix a receiver's remuneration	
Subsection 429 (3)	Extend the period for submission of a controller's report	
Section 440D (1)	Grant leave to begin or proceed with a proceeding in a court against a company which is in administration, or in relation to any of its property	Where the application is not opposed
Section 449C	Appoint an administrator of a company in administration where there is a casual vacancy	Where the application is not opposed
Former subsection 449E (1)	Fix the remuneration of an administrator of a company, or of a deed of company arrangement	
Sections 459A and 459B (except in respect of applications under s 234)	Order that an insolvent company be wound up in insolvency on an application made under s 459P, s 462 or s 464.	Where the application is not opposed
Section 459R	Extend the period within which an application for a company to be wound up in insolvency must be determined	
Section 461	Order the winding up of a company	Where the application is not opposed
Section 465B	Substitute an applicant or applicants in an application under s 459P, 462 or 464	
Section 465C	Grant leave to oppose an application under s 459P, 462 or 464 notwithstanding failure to file and serve notice of grounds of opposition and an affidavit verifying	

Subsections 466 (2) and (4)	Otherwise order in respect of reimbursement of the applicant's costs, and payment of the costs incurred by a company or liquidator as applicant	Where the Registrar makes the relevant winding-up order
Section 467	Dismiss, adjourn or make an interim order in a winding up application	Where the Registrar has power to make a final order on the application
Paragraph 470 (2) (b)	Direct service of copy of order on another person	Where the Registrar makes the relevant winding up order
Section 471B	Grant leave to begin or proceed with a proceeding in a court or enforcement process against a company being wound up by the Court or in relation to its property	Where the application is not opposed
Section 472 (1)	Appoint official liquidator	Where the Registrar makes the relevant winding up order
Section 472 (6)	Declare whether anything to be done by liquidator is to be done by all or any one of appointees, where more than one liquidator is appointed by the Court	Where the Registrar appoints the liquidator
Former subsection 473 (1)	Remove a liquidator appointed by the Court	Where the application is not opposed
Former subsection 473 (2)	Determine provisional liquidator's remuneration	
Former subsection 473 (3)	Determine remuneration of liquidator	
Subsection 473A (1)	Fill vacancy in office of official liquidator in a winding up by the Court	Where the application is not opposed
Subsection 473A (4)	Declare whether anything to be done by liquidator is to be done by all or any one or more of appointees, where more than one liquidator is appointed by the Court	Where the Registrar appoints the liquidators
Section 480	Release liquidator and deregister company	
Subsection 481 (1)	Order preparation of report on accounts of liquidator	
Subsection 482 (1)	Order staying the winding up of a company for a limited time	Where the winding-up order was made by a Registrar

Paragraph 484 (2) (b)	Fix remuneration of special manager	
Section 486	Order for inspection of books of company by creditors or contributories in a winding up by the Court	
Section 500 (2)	Leave to proceed with or commence action or other civil proceeding against company subject to creditors' voluntary winding up	Where the application is not opposed
Former paragraph 542 (3) (a)	Directions abridging the period for which books of the company must be retained	
Paragraph 585 (b)	Approval or direction in respect of manner of service of notice to Part 5.7 body of institution of action or proceeding against member	
Sections 596A, 596B	Summon a person for examination about a corporation's examinable affairs	
Section 596F	Directions about examination	
Section 597, except subsection (15)	Conduct of examination	
Subsections 601AH (2)	Order that ASIC reinstate registration of a company	Where notice of the application has been served on ASIC and the application is not opposed by ASIC or any other person
Subsection 601CC (9)	Order directing restoration of name of registered Australian body to the Register, and associated directions	Where notice of the application has been served on ASIC and the application is not opposed by ASIC or any other person
Subsection 601CL (10)	Order directing restoration of name of registered foreign company to the Register, and associated directions	Where notice of the application has been served on ASIC and the application is not opposed by ASIC or any other person
Section 1335	Require security to be given for costs	
Div 60 of the Insolvency Practice Schedule (Corporations)	Fix remuneration of external administrators	Where the application is not opposed

Div 70 of the Insolvency Practice Schedule (Corporations)	Directions abridging the period for which books of the company must be retained	
Div 90 of the Insolvency Practice Schedule (Corporations)	Fill a vacancy in the office of an external administrator	Where the application is not opposed
Div 90 of the Insolvency Practice Schedule (Corporations)	Remove and replace external administrator	Where the application is not opposed
EVIDENCE ACT 1995 (NSW)		
Section 168(2),(4),(7)	Time limits for making certain requests	
Section 177(3)	Certificates of expert evidence	
Section 193(1)	Additional powers	
EVIDENCE AND PROCEDURE (NEW ZEALAND) ACT 1994 (Cth)		
Section 16	Non-compliance with subpoenas	
FOREIGN JUDGMENTS ACT 1991 (Cth)		
Section 6	Application for, and effect of, registration of foreign judgments	
Section 7	Setting aside a registered judgment	Registrar to exercise this power only with the consent of the parties
Section 15(1)	Issue of certificates of judgments obtained in Australian courts	Registrar to exercise this power only with the consent of the parties
MOTOR VEHICLES (THIRD PARTY INSURANCE) ACT 1942 (NSW)		
Section 14E(1),(2)	Joint hearing of certain proceedings	Registrar to exercise this power only with the consent of the parties
SERVICE AND EXECUTION OF PROCESS ACT 1992 (Cth)		
Section 29	Subpoenas may be served in any part of Australia	
Section 30(1)	Time for service	
Section 35(3)	Entitlement to expenses	
Section 45(3)	Entitlement to expenses	

Section 87(4)	Entitlement to expenses	
SUCCESSION ACT 2006 (NSW)		
Section 58(2)	Application for extension of time	Registrar to exercise this power only with the consent of the parties, excluding cases in which settlement requires approval
SUPREME COURT ACT 1970 (NSW)		
Section 72	Production for examination of a person confined	
SUPREME COURT (CORPORATIONS) RULES 1999 (NSW)		
r 2.12	Proof of publication	Where application is being heard by the registrar
r 2.13	Leave to creditor, contributory or officer to be heard	Where application is being heard by the registrar
r 11.3(7)	Access to an affidavit filed to support an application for an examination summons	
r 11.4	Service of an examination summons	
r 11.8(1)	Access to transcript of an examination, etc.	
UNCOLLECTED GOODS ACT 1995 (NSW)		
Section 18	Exercising the jurisdiction of the Court, including granting leave under subsection (1)	

2 Any judgment by consent and any order by consent.

3 Accepting an undertaking given to the Court for the payment of a sum of money within a time specified in the undertaking.

4 The vouching or passing of the account of a receiver, manager, guardian, trustee, mortgagee or other fiduciary or the taking of any account, the making of any inquiry or the doing of any other thing to which Uniform Civil Procedure Rules Part 46 applies and which is directed by any judgment or order. (This paragraph does not apply in relation to accounts referred to in section 85 of the *Probate and Administration Act 1898*.)

5 Certifying a copy of a document to be a true copy where the registrar is authorised under any Act or Commonwealth Act or under the rules to issue or furnish a certificate or office copy of the document.

6 Order for costs provided it is unlikely in the opinion of the registrar that the costs will exceed \$20,000.

7 Any matter which a Judge or an Associate Judge may conduct or deal with and is referred to a registrar by order of a Judge or Associate Judge.

8 Accepting an undertaking, or the continuation of an undertaking, given to the Court.

9 A registrar may exercise the functions of the Court for the purposes of, and in respect of all matters incidental to, the exercise of the registrar's powers under any Act, under any other provision of the rules, or under this direction.

10 A registrar may exercise the powers and perform the duties of the Court under the *Mutual Recognition Act* or under the *Trans-Tasman Mutual Recognition Act*.

11 Issuing subpoena.

Note: Powers of the Registrar in Probate continue as specified in Supreme Court Rules Pt78.

[n2018-4369]



Not-For-Profit Guidelines for Non-Government Schools

December 2018

NSW Department of Education

First published in September 2015

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Minister's Foreword

These Not-For-Profit Guidelines for Non-Government Schools highlights the importance of the role that the non-government education sector provides to achieving the educational initiatives and goals for students in NSW.

The intent of these Guidelines is to provide clear guidance to non-government education providers (both schools and proprietors) in relation to their obligations under the Not-For-Profit provisions of the NSW Education Act and help to ensure that every student enrolled in a registered NSW non-government school receives the full benefit of any government funding provided.

It is also acknowledged that where the NSW government provides financial support generated from tax-payer funding then, to facilitate open, transparent, accountable and responsible government, it must also provide clear and unambiguous guidance to the recipients of such financial support.

These, guidelines together with the long-term support of the non-government education sector, signals the government's commitment to work in a collaborative way with the sector to advance education in NSW.

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1 Definitions

In these Guidelines:

Asset	means an expenditure that has utility over time and a value which may depreciate over its useful life, but includes non-depreciable assets such as land, cash reserves and art.
Book value	in relation to an asset of a non-government school, means the value of the asset on the school's balance sheet or other accounting records prepared in accordance with relevant accounting standards.
Charity	means an organisation registered under the provisions of the <i>Charities Act 2013</i> (Cth)
Close member of a person's family	means those family members who may be expected to influence, or be influenced by, that person in their dealings with the proprietor or school and include: <ul style="list-style-type: none">(a) that person's children and spouse or domestic partner;(b) children of that person's spouse or domestic partner; and(c) dependants of that person or the person's spouse or domestic partner.
Cost neutral	means no net cost.
Department	means the NSW Department of Education.
Ex-gratia payment	an ex-gratia payment is a payment made without the giver recognising any liability or legal obligation to pay.
Gross rent	(commercial leasing) where the rent is inclusive of all outgoings except utilities (as these are based on the extent used by the tenant such as power, gas, water, telephone and internet).
Ground lease	means a long-term lease of land with the tenant permitted to improve or build upon the land and to enjoy those benefits for the term of the lease.
Ground rent	means the net rent paid for the right of use and occupancy of a parcel of unimproved land, or that portion of the total rental paid that is considered to represent return upon the land only.
Income	means money, or other forms of payment, received either regularly or periodically from the provision of goods or services, capital gains (interest or profit), financial assistance, grants, or the use of land (rent).
Minister	means the NSW Minister for Education.
Net rent	(commercial leasing) where the rent is exclusive of outgoings.
Not-for-profit requirements	means the obligation of non-government schools in receipt of financial assistance from the NSW Government to not operate for profit within the meaning of Part 7, Division 3 of the <i>Education Act 1990</i> .
Proprietor	means the legal entity designated, in the school's certificate of registration, as the proprietor of the school.
Reasonable market value	means the price that a knowledgeable and willing third party would pay for property, goods or services in an arm's length transaction from the seller.

- Related party** means a person or a legal entity that is related to a proprietor or school either as a result of office, membership, management, control or influence or a personal/ familial relationship and includes but is not limited to:
- (a) a person or close member of that person's family is a related entity if that person:
 - (i) has control or joint control over the proprietor or school;
 - (ii) has significant influence over the proprietor or school;
 - (iii) is a member of the key management personnel of the proprietor or school.
 - (b) an entity is a related entity to a proprietor or school if any of the following conditions apply:
 - (i) the entity and the proprietor or school are members of the same group;
 - (ii) the entity is an associate or joint venture of the proprietor or school;
 - (iii) the entity and the proprietor or school are joint ventures of the same third party;
 - (iv) the entity is a joint venture of a third entity and the proprietor or school is an associate of the third entity;
 - (v) the entity is controlled or jointly controlled by a person identified in (a);
 - (vi) a person identified in (a)(i) has significant influence over the entity or is a member of the key management personnel of the entity (or parent of the entity);
 - (vii) the entity, or any other member of a group of which it is part, provides key management personnel services to the proprietor or school or to the parent of the proprietor or school.
 - (c) an employee of the proprietor, school or an entity identified in (b).
- Responsible person** means:
- (a) the proprietor, and if the proprietor is a corporation, each director or person concerned in the management of the school;
 - (b) a member of the school governing body; or,
 - (c) the principal of the school.
- Regulations** means the *Education Regulation 2017* (NSW) and includes any amendments, additions or alterations to that legislation.
- School** means a non-government school registered under Part 7 of the *Education Act 1990* (NSW).
- School governing body** means any body or bodies responsible for making decisions that affect the whole, or a substantial part, of a school's operations. Schools may be required to substantiate that individual persons are or are not members of the school's governing body or bodies if requested to do so.

Acronyms

The following acronyms are used in these Guidelines:

ACL	Australian Credit Licence
ACNC	Australian Charities and Not-For-Profits Commission
ASIC	Australian Securities and Investments Commission
ATO	Australian Taxation Office
CPI	Consumer Price Index
DGR	Deductible Gift Recipient (ATO endorsement scheme)
NCAT	NSW Civil and Administrative Tribunal
NESA	NSW Education Standards Authority (formerly Board of Studies, Teaching and Educational Standards, BOSTES)

2 Purpose and Effect of these Guidelines

These Guidelines are approved by the Minister under section 83L of the *Education Act 1990* (the Act) and apply to all proprietors/schools in NSW. The purpose is to assist proprietors/schools in receipt of NSW Government funding to understand the not-for-profit funding requirements established under the Act.

All proprietors/schools in receipt of NSW Government funding should adhere to the statutory obligations under the Act. The Guidelines provide examples of documentary evidence that may be used to help demonstrate compliance with the Act, and address transactions commonly carried out by proprietors/schools but are not exhaustive.

The Guidelines do not restrict the operation of section 83C or any other provisions of the Act, or any other laws. In the event of any inconsistency between these Guidelines and the Act (or regulations), the provisions of the Act (or regulations) prevail to the extent of any inconsistency.

Proprietors/schools may have obligations and duties under other relevant legislation and should inform themselves of those responsibilities.

3 Overview of Not-For-Profit Requirements under the Education Act

Section 83C of the Act (see table below) requires all schools to operate on a “not-for-profit” basis within the meaning of the Act in order to be eligible for funding from the NSW Government.

This requirement is distinct from the not-for-profit status that proprietors or schools may enjoy through registration with the ATO or the ACNC as a registered charity.

Section 83C (Part 7, Division 3) - Education Act 1990

83C Financial assistance not to be provided to schools that operate for profit

- (1) *The Minister must not provide financial assistance (whether under this Division or otherwise) to or for the benefit of a school that operates for profit.*
- (2) *A school operates for profit (without limiting the circumstances in which it does so) if the Minister is satisfied that:*
 - (a) *any part of its proprietor's assets (in so far as they relate to the school) or its proprietor's income (in so far as it arises from the operation of the school) is used for any purpose other than the operation of the school, or*
 - (b) *any payment is made by the school to a related entity or other person or body:*
 - (i) *for property, goods or services at more than reasonable market value, or*
 - (ii) *for property, goods or services that are not required for the operation of the school, or*
 - (iii) *for property, goods or services that is in any other way unreasonable in the circumstances having regard to the fact that financial assistance is provided to or for the benefit of the school by the Minister, or*
 - (c) *any payment is made by the school to a person in connection with the person's activities as a member of the governing body of the school unless it is in reimbursement for a payment made by the person in connection with the operation of the school.*

4 Role of the Non-Government School Not For Profit Advisory Committee

Section 83K of the Act establishes the Advisory Committee and the Act and Regulations set out the role of the Committee. This includes:

- Advise the Minister on individual school compliance and sanctions – s83K(2)(a)
- Make recommendations on the making of ‘for profit’ or ‘non-compliance’ declarations – s83K(2)(b)
- Any other function relating to financial assistance agreed by the Minister and the Committee – s83K(2)(b)
- Advise the Minister on investigations of 21A (old definition) and 83C (new definition) – s83H
- Develop Not-For-Profit Guidelines for Non-Government Schools – s83L
- Advise the Minister on directions to schools – s83I

5 Schools operating for-profit

On recommendations from the Committee, Schools that fail to comply with not-for-profit requirements could be declared to be operating for profit by the Minister under section 83D of the Act and have the following sanctions imposed:

- cancellation of government financial assistance;
- subject to a formal investigation (both Schools/proprietors); or,
- be declared to be a non-compliant school under section 83E(3) of the Act.

In addition, the Minister may take action to recover any financial government assistance provided while the school was operating for profit.

6 Non-compliant schools

Schools who are found to be operating for-profit may also be declared to be a non-compliant under section 83F of the Act. A school is also a non-compliant school if the school has failed to provide reasonable assistance to the conduct of any investigation, has failed to comply with a direction of the Minister or because of any other circumstances set out in the regulations. Following such a declaration, the following sanctions may be imposed on schools:

- suspension of government financial assistance;
- have the amount of government financial assistance reduced; or,
- have conditions imposed on any government financial assistance they receive.

In addition, the Minister may take action to recover any financial government assistance provided while the school was non-compliant.

7 Section 83C Review - Demonstrating Compliance

Schools/proprietors may be required to demonstrate their compliance with section 83C of the Act if they are subject to an investigation under section 83H or if they receive a direction under section 83I of the Act.

In general, schools/proprietors should be able to demonstrate compliance by ensuring the following types of policies and business records are kept and made available if requested by the department:

- implementation of appropriate financial controls and governance systems to manage the financial affairs of a school;
- evidence that financial transactions and decisions are transparent, at arm’s length and of reasonable market value;
- evidence that conflicts of interest between personnel and related entities are being appropriately managed in relation to school operations; and,
- records of audited annual financial statements.

Schools/proprietors may be required to maintain records to meet other legislative/regulatory requirements (e.g. for the ATO, ACNC, ASIC and NESA) and as part of internal school management

practices. In many cases these records can be used to demonstrate compliance with the not-for-profit requirements under the Act.

8 Payment for Property, Goods or Services

This section provides guidance on complying with the not-for-profit funding requirements when carrying out common financial transactions. Common areas of expenditure for proprietors/schools include:

- **Property:** including land (or rent), plant and equipment, buildings, intellectual property.
- **Goods:** including office consumables, books and texts, food-stuffs, teaching aids.
- **Services:** human resources/ employment, specialist consultants, utilities (water/ electricity), telecommunications, maintenance contractors, transport providers.

Both proprietors and schools have obligations under the not-for-profit requirements of the Act in relation to their use of assets and income. The tables below identify the obligations of proprietors and schools. Where the proprietor and the school are the same organisation then all of these obligations apply.

Proprietors

Any part of a proprietor's assets (in so far as they relate to the school) or its income (in so far as it arises from the operation of the school) must only be for the operation of the school.

Schools

Any payment made by the school to a related entity or other person or body for property, goods or services:

- must not be more than market value;
- services must be required for the operation of the school;
- must be reasonable in the context that the school is receiving government financial assistance;

The school must not make any payment to a person in connection with that person's position as a member of the governing body of the school unless it is reimbursing that person's costs incurred in connection with the operation of the school.

Examples of relevant policies and records that could be used by schools/proprietors to demonstrate compliance with section 83C are listed below, however this is not an exhaustive list.

8.1 What is Reasonable Market Value?

Under section 83(C)(2b(i)) of the Act, a school may be considered as operating for-profit if any payment is made by the school to a related entity or other person or body for property, goods or services at *"...more than reasonable market value."*

Generally reasonable market value can be defined as the price that a knowledgeable and willing third party would pay for property, goods or services in an arm's length transaction from the seller.

Reasonable market value may be influenced by a range of factors including, but not limited to:

- the quantity and consistency of provision of the good or service;
- the location of the school;
- if the good or service is required urgently, in an emergency or at short notice or must be completed within a specified timeframe (for example, outside of normal business hours);
- if the good or service is in short supply at the required standard;
- heritage or related issues (in relation to building and related works);
- the types of warranties provided (if any);
- installation costs and ongoing maintenance and parts;
- relevant procurement standards; or,
- local government requirements.

Relevant Policies

Proprietors/schools can implement policies and procedures to help ensure they are getting the best value for their money and not paying more than a reasonable market value. . Such policies and procedures may include:

- using evaluation criteria to assess reasonable market value
- getting more than one quote when purchasing property, goods or services;
- consolidated/ bulk ordering and purchasing;
- forecasting to identify future business needs;
- using a tender process for higher-value items or long-term contracts;
- establishing a list of preferred suppliers;

having appropriate business governance policies (conflicts of interest, anti-fraud & corruption, staff delegations, supplier performance monitoring, staff awareness and training in contracting and procurement,);In addition, proprietors/schools should have specific policies and procedures for situations where an urgent procurement may be required to address an emergency,

8.2 Related Entity Transactions

A definition of related-entity is included in section 1 definitions.A related-entity transaction is a transfer of resources, services, liabilities or obligations between a proprietor/school and a related-entity. There does not need to be expenditure of money. Related-entity transactions can include:

- purchases, sales, donations;
- receipt of goods, services or proper
- leases;
- transfers of property including intellectual property;
- loans;
- guarantees; or
- provision of employees on a paid or complementary basis.

Proprietors/schools should exercise great care if contemplating entering into related-entity transactions to ensure that they can demonstrate reasonable market value where the relationship between the proprietor/school and related-entity is not at “arms-length”.

The recommendations below for record keeping and polices should be closely adhered to by proprietors/schools when engaging in any related-entity transaction to assist in ensuring compliance with section 83C of the Act. Any related-entity transaction carried out by a school should also be approved by the school’s governing body.

Other Requirements

It is a NESAschool registration requirement that all related entity transactions carried out by a school be disclosed and recorded in the school’s audited related party transactions register.

For further information on NESAschool registration requirements, refer to the ‘*Registered and Accredited Individual Non-Government Schools Manual*’ and the ‘*Registration Systems and Member Non-Government Schools Manual*’.

Also note that there are various other legislative obligations placed upon organisations who engage in related-entity transactions. For further information proprietors should contact ASIC, ACNC or seek professional legal or financial advice.

What records or policies should be kept?

The table below provides examples of the records and policies that may assist to demonstrate compliance with section 83C in relation to related-entity transactions.

- (a) an up to date related party transaction policy and centralised register which contains both related party and related entity transactions;
- (b) proper recording of related-party transactions in business accounts;
- (c) a 'Conflict of Interest Policy';
- (d) a policy dealing with fraud and corruption (including reporting such incidences);
- (e) a process clearly defined within the purchasing/recruitment or related party transactions policy detailing how market value can be shown in relation to employing/contracting a related party and appropriate delegations and segregation of duties set and adhered to; and,
- (f) adequate recording of Board minutes/ approvals.

8.3 Land (Mortgages & Loans)

Proprietors/schools may need to arrange loans or obtain finance for the operation of the school including the purchase of land. This includes obtaining finance from a lender of their choice and determining the type and structure of finance most appropriate for the school.

Section 7.2 (reasonable market value) applies to the terms and conditions of any loans or finance facilities that a school may undertake.

Generally proprietors/schools will lend money from a financial institution (bank, credit union or building society). Features of mortgage loans such as the size of the loan, maturity or the loan, interest rate, method of repayment and other characteristics can vary.

What records or policies should be kept?

The table below provides examples of the records that may assist to demonstrate compliance with section 83C in relation to mortgages, loans and interest payments.

- (a) evidence that the school has tested the market with respect to obtaining finance;
- (b) written loan agreements which include relevant terms and conditions (for e.g. loan repayment schedules);
- (c) documents evidencing registration of land title and land valuations;
- (d) appropriate documented reasons to support any school loans or other finance with a combined rate of interest and fees that could be considered unusually high given the type of loan, security provided, loan valuation ratio or other relevant circumstances;
- (e) business records that document prior approval to enter the agreement by the board; or,
- (f) business records demonstrating the need to purchase property for the purposes of operating the school.

8.4 Land (Leasing / Rent)

Proprietors/schools may enter into commercial leases for the purpose of operating a school. Most commercial leases will generally include a clause specifying what type of business activities can be undertaken, the 'permitted use'. Proprietors/schools should ensure that the lease allows the land to be used for the purposes of operating a school.

Other terms of any commercial lease should include, but not be limited to, include:

- term of the lease and any options to renew the lease;
- amount of rent charged and when it is payable;
- provisions covering rent increases or reviews including timing and method used (fixed percentage, market-based or CPI);
- clauses setting out who is responsible for costs such as utilities, property rates taxes, insurance and repairs (outgoings). Two common ways to deal with outgoings include 'Gross Rent' or 'Net Rent';

- security in favour of the landlord payable by the tenant in the case that the tenant defaults in their obligations (such as the non-payment of rent). If the tenant is a company then personal guarantees from the company's directors may be required by the landlord. It is also common for landlords to request security in the form of a bank guarantee for an amount equal to three (3) months' rent;
- provisions clearly setting out who is responsible for maintaining/repairing the property and fixtures and fittings during the term of the lease;
- clauses that address what improvements or modifications can be made to the property by either party, who will pay for the improvements and whether the tenant is responsible for returning property to its original condition at the end of the lease.

8.5 Ground Rent/ Leases for unimproved land

Ground lease is a lease of vacant land only without including any buildings/improvements on the land.

The tenant is permitted to develop the land during the lease. Generally, when the lease expires, both the land and the improvements to the land (including buildings) are placed into the ownership of the landlord (unless an exception is created).

As the tenant is responsible for improving the land, through the construction of buildings etc, ground leases usually have a longer-terms than other types of commercial leases to allow the tenant to take advantage of the investment in improving the land (use and/ or depreciation). Normally, all relevant taxes incurred during the lease period will be paid by the tenant.

The tenant usually pays ground rent for the use of the land and not rent based on the improved value of the land. Because a ground lease allows the landlord to assume all improvements once the lease term expires, the landlord may sell the property at a higher rate.

What records or policies should be kept?

The table below provides examples of records that may assist to demonstrate compliance with section 83C for property leases.

- | |
|--|
| <ul style="list-style-type: none"> (a) written lease agreements that contain at least basic commercial lease terms (see above); (b) documents evidencing registration of leases (where applicable); (c) business records that document prior approval to enter the agreement by the board; or, (d) business records demonstrating the need to lease property for the purposes of operating the school. |
|--|

8.6 Plant and equipment

Proprietors/schools purchase plant and equipment to use in operating a school. Some common examples of plant and equipment include:

- Buildings (see below);
- Motor vehicles;
- Machinery;
- Solar panels and battery storage; or
- Office and classroom equipment (furniture, computers, audio-visual equipment).

Costs of plant and equipment usually include the purchase price, taxes, as well as any related costs such as construction, installation, delivery and handling charges.

What records or policies should be kept?

The table below provides examples of records that may assist to demonstrate compliance with section 83C in relation to the purchase of plant and equipment.

- copies of quotes;
- tax invoices and/or cash book records of daily receipts and payments;
- written contracts relating to the supply of goods;
- asset registers;
- tender documentation;
- business records that document prior approval to purchase property/plant by the board;
- business records demonstrating the need to purchase property for the purposes of operating the school.

For building and related works, reasonable market value may be influenced by a range of factors including timeliness, quality of the building finish and materials, availability and reliability of contractors.

Where payments are made for building and related works, schools should ensure that they can readily substantiate that work of that value was completed at the school. For new buildings, this may include retaining copies of relevant planning approvals and construction certificates.

What records or policies should be kept?

The tables below provide examples of records that may assist to demonstrate compliance with section 83C in relation to building and related works.

- (a) written quotes received by the school for all building and related works (excluding routine maintenance work covered by contracts) that appropriately details the scope of works obtained in accordance with the school's purchasing manual;
- (b) appropriate approval to proceed from delegated staff member after reviewing all quotes;
- (c) appropriate records supporting all payments for building and related works made by the school (including all supplier invoices),
- (d) appropriate records supporting any payments for building or related works that could be considered unusual because of their higher value (for example, work to heritage listed buildings or land remediation); or,
- (e) clear delegations in policy which include board involvement in the authorisation process for higher levels of expenditure.

In relation to new buildings or other substantial works:

- (a) copies of development consent and stamped plans;
- (b) copies of construction or occupation certificates;
- (c) comparative analysis to ensure that the school is getting good value for the services the contractor will provide; or,
- (d) business records as evidence of prior board approval.

8.7 Intellectual property

Intellectual property may form a valuable asset to a school or proprietor.

Intellectual property is intangible property which involves a new or innovative idea or proprietary/business knowledge. It can be an invention, trade mark, design, brand or the application of a new idea. In Australia, intellectual property can be protected by its owner through registration with IP Australia. Like all property, rights in intellectual property can be transferred or sold to another party.

What records or policies should be kept?

The table below provides examples of records that may assist to demonstrate compliance with section 83C in relation to intellectual property assets.

- (a) appropriate evidence of the intellectual property provided to the school, such as a copy of the licence agreement, contract or other assignment document; or,
- (b) documents that prove the registration of intellectual property (e.g. trade mark registration)

8.8 Payment for Goods

Schools routinely purchase goods for the provision of education, including for school administration or accommodating the educational needs of students. Goods are tangible commodities or materials used in the operation of the school and may include items like:

- office consumables (e.g. paper, printer cartridges, stationary);
- student materials (e.g. art supplies, books);
- sanitary goods (e.g. cleaning supplies);
- perishable goods (e.g. foodstuffs).

What records or policies should be kept?

The table below provides examples of records that may assist to demonstrate compliance with section 83C in relation to the purchase of goods.

- (a) a purchasing manual that includes policies and procedures for testing the market value of purchases at different thresholds (including testing existing suppliers) appropriate to the school;
- (b) financial reports (e.g. annual budgets, accounts payable, financial statements etc.);
- (c) tax invoices and quotations;
- (d) stocktake records;
- (e) cash book records of daily receipts and payments;
- (f) written contracts or agreements for the supply of goods;
- (g) appropriate records authorising school payments by a responsible person for the school or proprietor; and,
- (h) school credit card policy with procedures for the use of school credit cards, regular acquittal of school credit card expenditure by a responsible person for the school who is not the cardholder, and the submission/retention of purchase receipts.

8.9 Consultancy and Professional Services

Non-government schools may engage consultants and other professionals from time to time to provide specialist advice and/or services for school projects or operations. Engagements must be required for the operation of the school, be at market value and reasonable in the circumstances.

Some common consultancy/professional services that proprietor/schools may engage include:

- accountants;
- solicitors;
- architects or designers;
- horticulturists or arborists; or
- social workers, counsellors and education professionals.

What records or policies should be kept?

The table below provides examples of records that may assist to demonstrate compliance with section 83C in relation to consultancy or professional services.

- (a) appropriate evidence of the market value of the professional services being tested in accordance with the school's purchasing policy prior to the engagement of the consultant/expert;
- (b) a copy of a services agreement or contract detailing the nature of professional services provided by consultants or experts to the school, including an estimate of the total expected fees;
- (c) appropriate evidence that any professional services paid for by the school were received, such as copies of any reports or other documents produced by the relevant consultant or expert;
- (d) appropriate evidence of completion or adoption of the work by the school i.e. approval of policies/reports by board, follow up work instigated, training provided to staff, signed check sheets noting new advice/policy by staff;
- (e) records (both decisions, rationale and evaluation of costs) that adequately demonstrate the need to engagement consultants/staff on a long term basis or at higher than normal rates; and,
- (f) approved Board minutes and reports to support actions (as required).

8.10 Payments to Members of Governing Body

From 29 January 2015, schools receiving NSW Government funding are no longer permitted to pay remuneration to members of school governing bodies in connection with their role on the school governing body.

Schools are permitted to reimburse school governing body members for reasonable expenses incurred as a necessary part of conducting school business, however reimbursed expenses should be supported by appropriate documentation (e.g. payment receipts).

Members of school governing bodies who are also a paid employee in another position within the school, such as the school Principal or a teacher, should be remunerated exclusively for their employment within the school and not their position on the school governing body. Information in section 8.9 (Payment for Consultancy and Professional Services) and section 7.2 (Related Entity Transactions) may also be relevant here.

Alternative governance or management structures which are used to circumvent the prohibition of payment to governing body members under section 83C will be considered non-compliant.

Non-cash gifts of nominal value may be provided to school governing body members at the discretion of the proprietor or school (for example, on retirement as recognition of service to the school).

The table below highlights the requirements of section 83C of the Act in relation to payments to member of a school's governing body.

Schools must not pay remuneration of any kind to school governing body members in connection with their role on the school governing body.

However, schools may reimburse a member for a payment made in connection with the operation of the school.

What records or policies should be kept?

The table below provides examples of records that may assist to demonstrate compliance with section 83C in relation to the reimbursement of members' expenses.

- (a) receipts for all purchases by school governing body members who have been reimbursed by the school;
- (b) documented reasons for all reimbursed purchases;
- (c) an employment contract and/or statement of duties for any other paid role in the school held by school governing body members in accordance with Employee salaries, benefits and severance packages in **Error! Reference source not found.** above; and
- (d) yearly signed declarations from Board members noting their understanding and compliance with regulations (this can also include related parties information).

8.11 School-related Travel

Proprietors/schools can pay for travel expenses if required for the operation of the school. This may include travel expenses incurred by board members, teachers or other employees as a result of their attendance at training, seminars, conferences and similar events relevant to their position and responsibilities. Personal travel must not be paid for by school funds.

Reimbursement for reasonable travel costs incurred by employees whilst performing their duties could also be specified in individual employment contracts.

What records or policies should be kept?

The table below provides examples of records that may assist to demonstrate compliance with section 83C in relation to the reimbursement of school-related travel expenses.

- (a) receipts for all purchases by school governing body members who have been reimbursed by the school;
- (b) policies and procedures for the payment of school-related travel expenses appropriate within the context of the school;
- (c) appropriate evidence that all travel expenses paid for by the school were required for the operation of the school and not personal in nature; and,
- (d) appropriate evidence that all travel expenses paid for by the school were approved by the school Principal or another responsible person for the school.

8.12 Other Common Payments and Financial Transactions

Compensation, Settlements and other One-Off Payments

From time to time schools may need to pay one-off payments to individuals or groups (for example, to settle a public liability claim or an employment related dispute).

Where settlements or other one-off payments are made, schools should ensure that payment amounts are consistent with any professional legal advice or orders given by a relevant adjudicator (e.g. NCAT) or Court (where applicable).

Ex- Gratia Payments

Legally, ex-gratia payments are sums of money paid when there is no recognised obligation or liability to pay. For example, a lump sum payment over and above the pension benefits of a retiring employee. In insurance claims, it may take the form of payment for which the insurer did not appear to be liable.

As there is no admitted legal liability for such payments, ex-gratia payments will generally not comply with section 83C requirements.

What records or policies should be kept?

The table below provides examples of records that may assist to demonstrate compliance with section 83C in relation to the payment of settlement costs or costs imposed by an external arbitrator.

- (a) appropriate legal documentation supporting any compensation or related payments made by the proprietor or school (such as a copy of a deed of settlement);
- (b) appropriate records detailing the reasons for any compensation or other payments made by the school or proprietor; and,
- (c) policies and procedures, including appropriate delegations and segregation of duties, to support any routine compensation or other payments made by the proprietor or the school.

Student Scholarships and Prizes

Schools may exercise discretion in making reasonable payments to students in connection with cash prizes (or equivalent), scholarships and related expenditure.

What records or policies should be kept?

The table below provides examples of records that may assist to demonstrate compliance with section 83C in relation to the payment of student scholarships and prizes.

- (a) policies and procedures supporting any student scholarship or cash prize routinely awarded by the school;
- (b) appropriate records supporting any payments made by the school in connection with a student scholarship or cash prize, including that the payment was authorised by the proprietor or a responsible person within the school; and,
- (c) documentary evidence that any conflicts of interest have been dealt with appropriately.

Student Fee Concessions

Proprietors and schools may offer student fee concessions or remissions to existing or prospective students of the school.

What records or policies should be kept?

The table below provides examples of records that may assist to demonstrate compliance with section 83C in relation to student fee concessions

- (a) policies and procedures supporting any student fee concessions, remissions or other adjustment to fees and charges offered by the school;
- (b) complete records and approvals, in line with procedures, on all student fees and remissions exercised; and,
- (c) documentary evidence that conflicts of interest (if any) have been dealt with appropriately.

8.13 School Fundraising and Donations

A school may make donations to other parties provided that such donations do not contravene the requirements of section 83C of the Act. To demonstrate compliance donations must be:

- collected from fundraising activities that are separate or discrete from a proprietor's or school's normal sources of income (such as parent fees or government financial assistance); and,

- recorded as a third-party transaction and donated in a transparent manner which clearly records the beneficiary and the purpose of the donation.

Sponsoring Registered Charitable Organisations

Before promoting a fundraising activity schools may wish to consider the validity of the organisation that will benefit from the fundraising activity. Schools wishing to be involved in more formal fundraising activities to support charitable causes, that are not associated with the operation of the school, could consider sponsoring fundraising activities that raise donations for “charitable purposes”¹ which are donated to registered “charities”².

For further information about charitable purposes and charities, schools should contact the Australian Charities and Not-for-profits Commission on **13 22 62**, by email advice@acnc.gov.au, or visit their website at <http://www.acnc.gov.au>

What records or policies should be kept?

The table below provides examples of records that may assist to demonstrate compliance with section 83C in relation to fundraising and donations.

- | |
|---|
| <ul style="list-style-type: none"> (a) communications and correspondence to parents and community in respect of the collection of donations. These communications must clearly indicate when requesting a donation for a charity; (b) financial records that record the receipt and payment of donations as third-party transactions; (c) Annual Financial Statements (AFS) that note the receipt and payment of third-party transactions; and, (d) financial records linked to the administration of a special purpose fund established under the Deductible Gift Recipient (DGR) scheme regulated by the ATO. |
|---|

8.14 Credit/ Monetary Loans

A school may lend money to other schools provided that such loans:

- are provided at rates which are calculated at a reasonable market value;
- are required for the operation of the school that is providing the loan; and,
- would not be considered as unreasonable in the context that the school that is providing the loan is receiving financial assistance from the government.

Loans to Non-School Entities

Generally, loans from a school to a non-school entity or a third-party (including a staff member) will not comply with the provision of section 83C because:

- they are unlikely to be for the operation of the school lending the money; or,
- are likely to be considered as being unreasonable in the context of the school receiving government assistance.

Consumer Credit Loans

Proprietors/ schools should also note that the provision of a loan to a person (including an employee) or a strata corporation would be considered as a consumer loan under the provisions of the *National Consumer Credit Protection Act 2009 (Cth)* and subject to the requirement to hold an ACL.

8.15 Outstanding Debts

Proprietors/schools may consider writing-off or selling outstanding debts in accordance with an appropriate policy or procedure dealing with debt recovery/ management.

¹ Refer to section 12(1), *Charities Act 2013 (Cth)*

² Ibid at section 5

Generally speaking, both proprietors/schools need to demonstrate that adequate efforts have been made to recover outstanding debts or that the cost of recovery of the debt would outweigh the benefit of receiving the outstanding debt prior to making a decision not to pursue a debtor.

What records or policies should be kept?

The table below provides examples of records that may assist proprietors and schools demonstrate compliance with section 83C in relation to the provision of credit or monetary loans.

- (a) documented market research on options available to the school in respect to investing any excess funds;
- (b) a written loan agreement that contains provisions for:
 - (i) a fixed or definite term;
 - (ii) the payment of interest calculated at reasonable market rates and/ or repayment schedules;
 - (iii) adequate security over the loan taking into account the risks of non-payment
 - (iv) debt recovery
- (c) business records demonstrating Board approval for the provision of the credit/ loan; and,
- (d) written agreement on joint use of facilities when the school loaning the money gains rights with respect to the other party's premises (if appropriate).

In relation to debt management, both proprietors and schools should implement policies and retain records that include:

- (a) an appropriate policy or procedure for writing-off or selling outstanding debts; and,
- (b) written documentation supporting the premise that debts were only written off after options for recovery had been exhausted or that the costs of debt recovery outweighed the benefits of receiving the outstanding debt.

9 Proprietor/ School Assets

Placing assets or income into the hands of third parties, such that they are beyond scrutiny by the Minister under sections 83H, 83I and, prohibit recovery of that income or assets under section 83J, would amount to payment that is unreasonable under section 83C(2)(b)(iii).

Where school income and/or assets is paid to a third party to purchase assets that are to be held on trust for the school, or otherwise held by a third party, that could amount to payment that is unreasonable under section 83C(2)(b)(iii).

It is the responsibility of both proprietor and school to ensure that appropriate records are kept to substantiate compliance with the not-for-profit requirements in the management of school assets.

Examples of relevant records and policies that could be used by schools to demonstrate compliance with section 83C are listed below.

9.1 Leasing School-Owned Property and Assets

Proprietors/schools may lease school-owned property or assets to third parties. This may include leasing the school canteen or uniform shop to a private operator.

Where a school receives a non-financial benefit from the lease of school-owned property or assets to a third party (such as the school canteen), it is acceptable for the lease arrangement to be on terms that are reasonable in the circumstances. Other lease arrangements entered into by schools, such as the leasing of a school-owned investment property, should be at no less than reasonable market value.

What records or policies should be kept?

The table below provides examples of records that may assist proprietors and schools to demonstrate compliance with section 83C in relation to leasing of assets.

- (a) a written lease/ licence agreement supporting all leasing or hiring of school assets; and,
- (b) evidence that the terms of the lease are reasonable in the circumstances where the lease is for the benefit of the school.

9.2 Disposal of School Assets

Proprietors/schools that receive NSW Government funding should not dispose of school assets at a value below reasonable market value.

In some cases, reasonable market value may be less than the asset's book value, particularly where there is limited demand for the school asset being disposed. Therefore, whether a school asset is valuable (or not) will depend on the circumstances. For example:

- school computers approaching the end of their useful operational life will generally not be considered as valuable school assets; but,
- a mini-bus purchased by a school for transporting children would be considered to be a valuable asset.

Note that any money received through the sale of school assets is characterised as school income.

What records or policies should be kept?

The table below provides examples of records that may assist proprietors and schools demonstrate compliance with section 83C in relation to the disposal of assets.

- (a) a school asset register listing the details of all school assets above a nominated value appropriate within the context of the school;
- (b) appropriate evidence of annual asset stocktakes being completed by the school or evidence of other review of valuable assets being conducted by the school in line with the normal annual audit process;
- (c) policies and procedures for disposing or writing-off (depreciation/ amortization) school assets;
- (d) appropriate records supporting the disposal or write-off (depreciation/ amortization) of any school asset, including that the disposal or write-off was approved by a responsible person within the school.

Asset Registers

It is suggested that asset registers should include:

- (a) a description of the asset;
- (b) the serial number of the asset if applicable;
- (c) the date and cost of purchase of the asset;
- (d) the invoice number for the purchase;
- (e) location of asset;
- (f) the date and method of disposal (if applicable); and,
- (g) any amount recovered at disposal (if applicable).

10 Useful Contacts and References

For more information on these Guidelines or the requirements of Part 7, Division 3 of the *Education Act 1990*, proprietors and schools should contact their relevant peak body or the External Relations Policy Directorate in the NSW Department of Education on 7814 1229 or by email at NGS-Compliance@det.nsw.edu.au.

The Non-Government Schools Not-For-Profit Advisory Committee newsletters can be found [here](#).

For further information on the governance standards or any other school registration requirements for non-government schools, proprietors/schools should contact the NESA on (02) 9367 8432.

An up-to-date copy of the *Education Act 1990* can be accessed at [Education Act NSW](#).

An up-to-date copy of the *Registered and Accredited Individual Non-Government Schools Manual* and the *Registration Systems and Member Non-Government Schools Manual* can be accessed on NESA's website.

10.1 Other Useful Contacts

Organisation	Contact Details
ACNC	www.acnc.gov.au
ASIC	http://asic.gov.au/

10.2 Disclaimer

Whilst all efforts have been made to ensure the accuracy of information contained in this document, both the Minister and the Department of Education, its officers, employees and agents disclaim any liability arising from any person's use or reliance on the information contained in this document.

The information contained in this document does not contain legal or financial advice. Any person seeking to rely on the information contained in this document should obtain their own independent legal or professional advice specific to their circumstances.

11 Appendix 1: Section 83C of the *Education Act 1990*

83C Financial assistance not to be provided to schools that operate for profit

- (1) The Minister must not provide financial assistance (whether under this Division or otherwise) to or for the benefit of a school that operates for profit.
- (2) A school operates for profit (without limiting the circumstances in which it does so) if the Minister is satisfied that:
 - (a) any part of its proprietor's assets (in so far as they relate to the school) or its proprietor's income (in so far as it arises from the operation of the school) is used for any purpose other than for the operation of the school, or
 - (b) any payment is made by the school to a related entity or other person or body:
 - (i) for property, goods or services at more than reasonable market value, or
 - (ii) for property, goods or services that are not required for the operation of the school, or
 - (iii) for property, goods or services that is in any other way unreasonable in the circumstances having regard to the fact that financial assistance is provided to or for the benefit of the school by the Minister, or
 - (c) any payment is made by the school to a person in connection with the person's activities as a member of the governing body of the school unless it is in reimbursement for a payment made by the person in connection with the operation of the school.
- (3) The regulations may specify whether or not a school operates for profit because of any particular use of assets or income, any particular payment in relation to the school or any other matter. Any such regulation has effect despite anything to the contrary in subsection (2).
- (4) The Minister is not obliged to terminate the provision of financial assistance because of this section if, following an investigation under this Division, the Minister is satisfied that:
 - (a) termination of financial assistance is not justified because of the minor nature of the relevant conduct, or
 - (b) more appropriate action can be taken under section 83E.

MOUNT PANORAMA MOTOR RACING ACT 1989

Designation of Mount Panorama Circuit

Order pursuant to section 4(1) of the *Mount Panorama Motor Racing Act 1989*

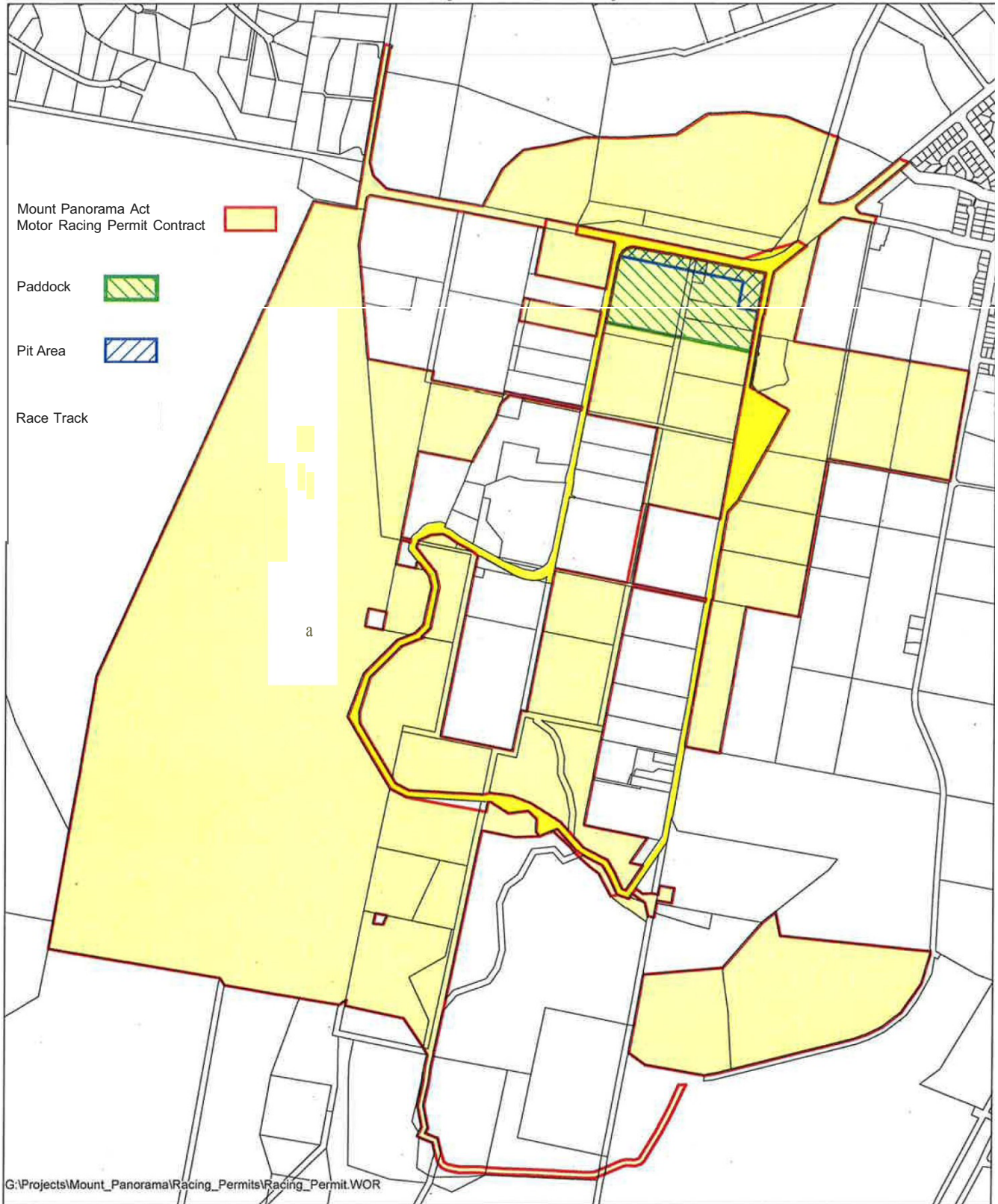
Pursuant to section 4(1) of the *Mount Panorama Motor Racing Act 1989*, I designate that the lands, as shown by hatching on the diagram hereunder, as being the Mount Panorama Circuit for the purpose of its use for the holding of a meeting for motor racing and associated events during the period 31 January to 6 February 2019 inclusive.

Signed the 19th day of December 2018

Anne Gripper
Executive Director, Sport and Recreation Services Group
Office of Sport
Delegate for the Minister for Sport

BATHURST REGIONAL COUNCIL

Mt Panorama Circuit Liqui-Moly Bathurst 12 Hour 31 January - 6 February 2019



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 10/10/2012

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

Department of lands

[n2018-4371]



PRACTICE NOTE SC CL 11

SUPREME COURT COMMON LAW DIVISION – BAIL

1 Commencement

1.1 This Practice Note was issued on 18 December 2018 and commences on 3 June 2019.

2 Review of the Practice Note

2.1 This Practice Note will be reviewed by the Court after three months of commencement.

3 Application

3.1 This Practice Note applies to Bail Applications made under the *Bail Act 2013 (NSW)* to be heard in the Supreme Court of New South Wales.

4 Definitions

4.1 In this Practice Note:

4.1.1 **Applicant** means a person applying to the Court for a bail decision to be made; this includes that person's legal representative.

4.1.2 **Bail Application** means a detention application, release application, variation application or any other application made under the *Bail Act 2013 (NSW)*;

4.1.3 **Court** means the Supreme Court of New South Wales;

4.1.4 **email** means an email sent to the email address identified on the Court's approved form for a Bail Application;

4.1.5 **Registry** means the Registry of the Court.

5 Purpose

5.1 The purpose of this Practice Note is to outline the practice and procedure to be adopted for preparing and filing a Bail Application for hearing in the Court.

5.2 The practice and procedure set out in this Practice Note aim to enable the Court, wherever possible, to list all applications within 20 days of the first call-over listing.

6 Introduction

6.1 The Court will accept a Bail Application for filing only when it is ready to be listed for hearing, and specifically when:

6.1.1 it is accompanied by all material on which the Applicant seeks to rely; and

- 6.1.2 the Applicant's legal representation is confirmed (or the Applicant confirms that they will represent themselves).
- 6.2 Clause 7 of this Practice Note sets out the steps for filing a Bail Application where the Applicant has legal representation.
- 6.3 Clause 8 of this Practice Note sets out the steps for filing a Bail Application where the Applicant does not have legal representation.
- 6.4 A flowchart representation of the principal procedures is set out in Annexure A to this Practice Note.
- 7 Filing a release or variation application – Applicants with legal representation**
- 7.1 An Applicant seeking to have a Bail Application listed before the Court must file with the Registry a completed Supreme Court Bail Application form, which can be found using the following link:
- www.supremecourt.justice.nsw.gov.au/Pages/sco2_formsfees/SCO2_forms/SCO2_forms_subject/crime_bail_forms.aspx
- 7.2 The form must be completed in full and be accompanied by all documents (as set out in the form) on which the Applicant relies in support of the Bail Application, including confirmation that the Bail Application is ready to be heard. Lodging an incomplete form may lead to the form being rejected for filing.
- 7.3 The Applicant must also confirm in the form that they have:
- 7.3.1 confirmation of the Applicant's proposed accommodation (including, if applicable, accommodation in a rehabilitation facility); and
- 7.3.2 organised sureties (if proposed).
- 7.4 The Applicant's legal representative must complete the form, sign it and file it with the Court; otherwise the Bail Application may be rejected for filing.
- 7.5 The completed Bail Application form and attachments may be lodged in the following ways for filing:
- 7.5.1 by email;
- 7.5.2 over the counter at the Registry;
- 7.5.3 by post.
- 7.6 The Applicant must serve the Bail Application, including attachments, on the opposing party on the day of filing.
- 7.7 After the Bail Application is accepted for filing, it will be either:
- 7.7.1 listed for a call-over and the Registry will send the parties a Notice of Listing confirming the call-over date; or
- 7.7.2 at the Court's discretion, listed by the Registrar in chambers, without a call-over, for a hearing and the Registry will send the parties a Notice of Listing confirming the hearing date and providing orders for the filing and service of submissions and any other material by the opposing party. Those materials must be filed in any of

the ways listed in Clause 7.5 of this Practice Note.

7.8 Wherever practical, the Court's aim is to list all applications within 20 days of the first call-over listing.

8 Filing a release or variation application – Applicants without legal representation

8.1 An Applicant who does not have legal representation may file a Bail Application with the Court, provided the Applicant fully completes Parts 1 and 3 of the Supreme Court Bail Application form, which can be found using the following link:

www.supremecourt.justice.nsw.gov.au/Pages/sco2_formsfees/SCO2_forms/SCO2_forms_subject/crime_bail_forms.aspx

8.2 The Applicant must confirm within that form that either:

8.2.1 they do not wish to obtain legal representation for the Bail Application and will represent themselves; or

8.2.2 they have:

(a) contacted Legal Aid NSW, the Aboriginal Legal Service (ALS) or a private lawyer for the purpose of obtaining legal representation for the Bail Application; and

(b) been told that they will not be represented; and (if they intend to appeal the decision)

(c) exhausted all avenues of appeal against any such decision.

8.3 The Bail Application may be filed in any of the ways listed at Clause 7.5 of this Practice Note.

8.4 The Court will reject the Bail Application for filing if the Applicant has (or is proposing to obtain) legal representation (any Bail Application must then be filed in accordance with Clause 7 of this Practice Note).

8.5 If the Court accepts the Bail Application for filing:

8.5.1 the Registry will forward a copy of the application form to the opposing party; and

8.5.2 the Registry will proceed as set out in Clause 7.7 of this Practice Note to list the Bail Application for call-over or hearing.

9 Detention applications

9.1 The Crown, when seeking to have a detention application listed before the Court, must file with the Registry a completed Supreme Court Bail Application form, which can be found using the following link:

www.supremecourt.justice.nsw.gov.au/Pages/sco2_formsfees/SCO2_forms/SCO2_forms_subject/crime_bail_forms.aspx

9.1.1 Part 1 (sections A and B) and Part 3 of the approved form must be completed in full.

9.2 The Crown must personally serve the Bail Application on the respondent and their last

known legal representative (either personally, or by email or fax) on the day of filing or as soon as possible thereafter.

9.3 After the Bail Application is accepted for filing, it will be either:

9.3.1 listed for a call-over and the Registry will send the parties a Notice of Listing confirming the call-over date; or

9.3.2 at the Court's discretion, listed by the Registrar in chambers, without a call-over, for a hearing and the Registry will send the parties a Notice of Listing confirming the hearing date and providing orders for the filing and service of submissions and any other material by both parties. Those materials must be filed in any of the ways listed in Clause 7.5 of this Practice Note.

9.4 Detention applications will be listed with expedition and counsel's availability will not be taken into consideration unless there are exceptional circumstances.

10 Call-overs and listing for hearing

10.1 The cut-off day for Bail Applications to be listed in a call-over is the Wednesday of the week prior to the call-over.

10.2 At the call-over, if the Registrar is satisfied that a Bail Application is ready to proceed to a hearing, a hearing date will be fixed. In all other cases the Registrar will treat the Bail Application as having been withdrawn. This does not preclude an Applicant from filing a further Bail Application.

10.3 Bail Applications listed for call-over will not be adjourned to a future call-over unless there are exceptional circumstances.

10.4 Bail Applications are allocated a maximum of 30 minutes when listed for hearing. If an Applicant seeks a longer listing, an affidavit setting out reasons must be filed at the same time as the Bail Application.

10.5 When fixing a hearing date, counsel's availability will not be taken into consideration unless there are exceptional circumstances.

10.6 After fixing a hearing date the Registrar will fix a timetable for the filing and service of submissions and any other material by the opposing party. These must be filed in any of the ways listed in Clause 7.5 of this Practice Note.

11 Adjournments

11.1 The Court will not grant an adjournment of a Bail Application unless there are exceptional circumstances.

11.2 If an Applicant seeks to adjourn a Bail Application that has been filed but has not yet been listed for hearing, the Applicant must apply to the Court by email. The application will be considered by the Registrar in chambers.

11.3 If an Applicant seeks to adjourn a Bail Application that has been listed for hearing, the Applicant must apply to the Court by email and include an affidavit setting out the reasons why the Applicant seeks the adjournment. Adjournment applications will be rejected if they are not accompanied by an affidavit setting out the reasons.

11.3.1 Hearing dates will not be vacated except by an order of the Court.

- 11.3.2 Adjournment applications made within two business days of the allocated hearing date will be referred to the presiding Judge for determination.
- 11.3.3 Adjournment applications made earlier than two business days prior to the allocated hearing date will be considered by the Registrar in chambers.
- 11.4 If an Applicant seeks to adjourn a Bail Application on the day of hearing, the Applicant's legal representative (or the Applicant in person if they are self-represented) must appear before the presiding Judge to make the application and provide the Court with an affidavit setting out the reasons why the Applicant seeks the adjournment.
- 11.5 If an adjournment is granted, the Bail Application will be listed in the next available call-over for case management. At the call-over, if the Registrar is not satisfied that the Bail Application is ready to proceed to a hearing within a time considered reasonable by the Registrar, the Registrar will treat the Bail Application as having been withdrawn. This does not preclude an Applicant from filing a further Bail Application.
- 12 Withdrawing a Bail Application**
- 12.1 If an Applicant seeks to withdraw a Bail Application prior to the day of hearing, the Applicant must notify the opposing party and the Court by email, including confirmation of notification to the opposing party. The application will then be withdrawn.
- 12.2 If an Applicant seeks to withdraw a Bail Application on the day of hearing, the Applicant must appear before the presiding Judge to withdraw the application.
- 13 Applicants released from custody or sentenced to imprisonment before bail hearing**
- 13.1 Where the Court is advised (either by the Applicant, the Applicant's opponent, another Court or Corrective Services NSW), prior to an allocated hearing date for a Bail Application, that an Applicant has either been released from custody or sentenced, the Court will treat the Bail Application as having been withdrawn.

T F BATHURST AC
Chief Justice of NSW
18 December 2018

Related Information:
Bail Act 2013 (NSW)

Amendment history:
18 December 2018: The Practice Note issued on 4 February 2016 and commencing on 7 March 2016 is replaced.

ANNEXURE A – BAIL APPLICATIONS TO THE SUPREME COURT

CHART 1 – BAIL APPLICATION PROCEDURES – APPLICANTS WITH LEGAL REPRESENTATION

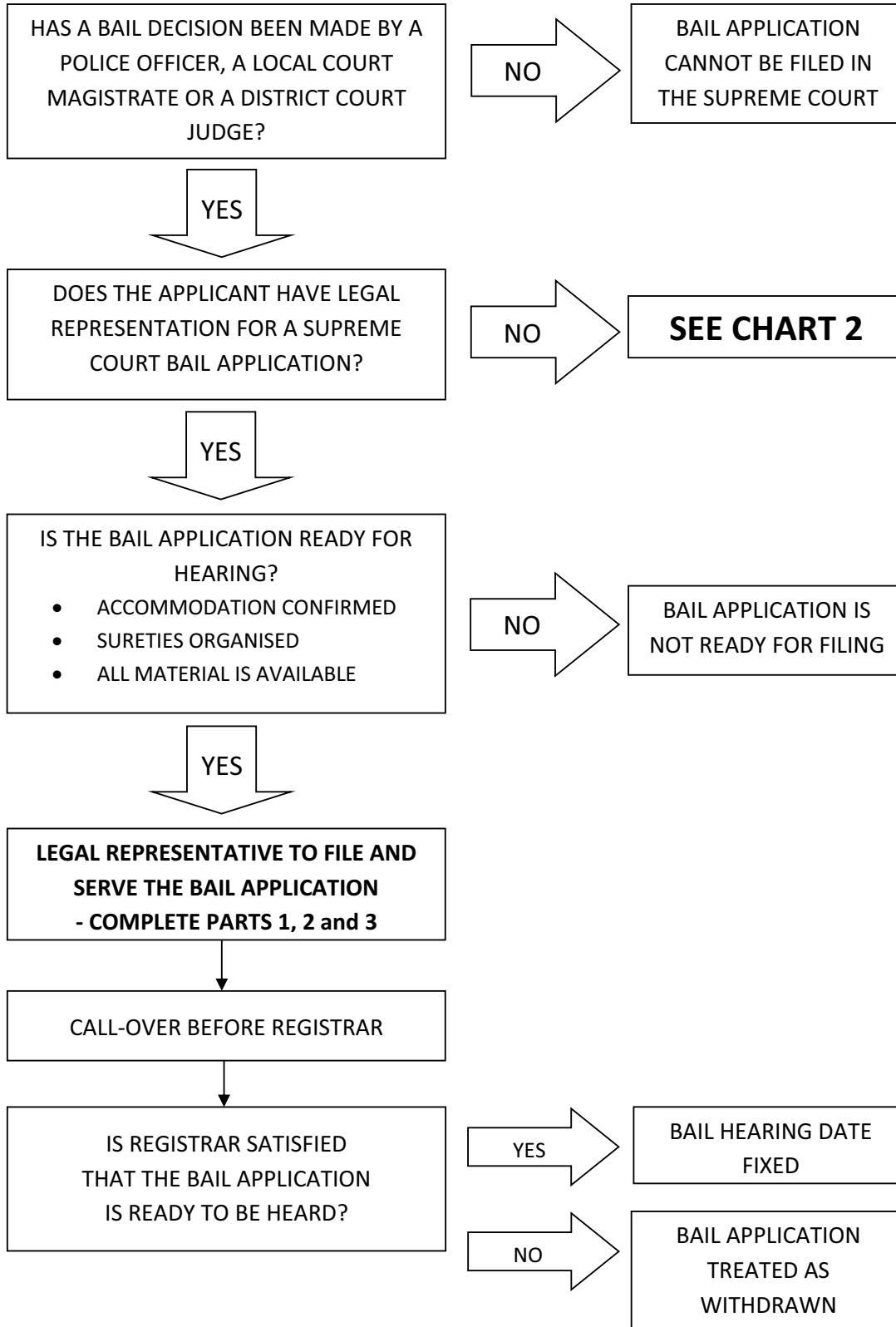
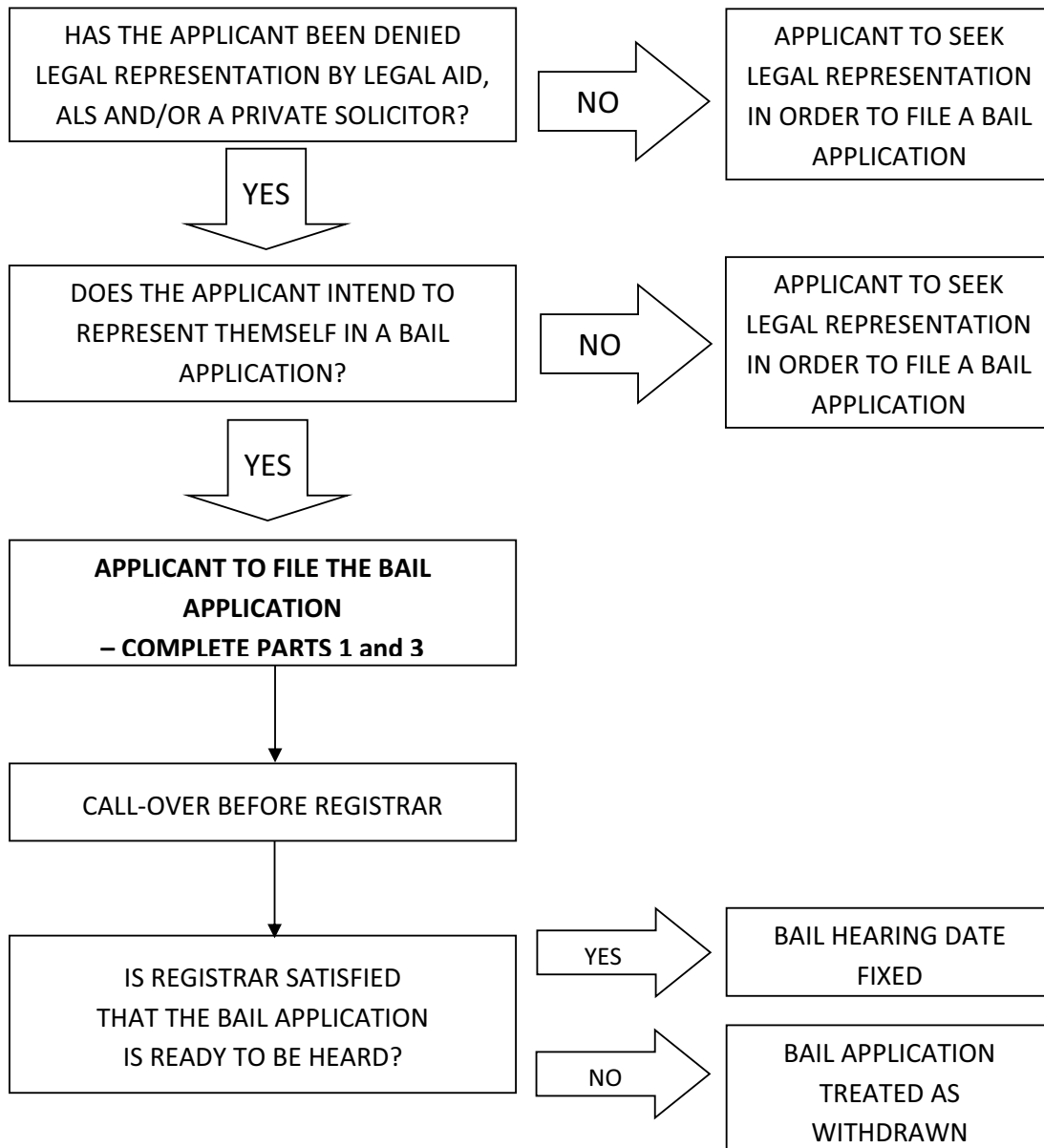


CHART 2 – BAIL APPLICATION PROCEDURES – APPLICANTS WITHOUT LEGAL REPRESENTATION





SUPREME COURT PRACTICE NOTE SC EQ 4

SUPREME COURT EQUITY DIVISION – CORPORATIONS LIST

Introduction

1. This Practice Note relates to the structure and operation of the Corporations List in the Equity Division.
2. All proceedings and applications in the Corporations List (except those in the Corporations Registrar's List) will be case managed by the Corporations List Judge with the aim of achieving a speedy resolution of the real issues in the proceedings. There will also be a Corporations Duty Judge available at all times to hear any urgent applications in Corporations Matters.

Commencement

3. This Practice Note was issued on 18 December 2018 and commences on 18 December 2018. It replaces former Practice Note SC Eq 4 issued on 10 May 2011.

Application

4. This Practice Note applies to new and existing Corporations Matters in the Equity Division.

Definitions

5. In this Practice Note:

Corporations Judges means the List Judge and each other Judge of the Equity Division for the time being listed to hear Corporations Matters

Corporations List means the List administered by the List Judge

Corporations Matters include any proceedings or applications pursuant to or in respect of any matter relating to the *Corporations Act 2001 (Cth)*, the *Australian Securities and Investments Commission Act 2001 (Cth)*, the *Cross-Border Insolvency Act 2008 (Cth)* or the *Supreme Court (Corporations) Rules 1999* and any proceedings or applications relating to other incorporated bodies such as co-operatives and incorporated associations

List Judge means the Corporations List Judge

Corporations Registrar includes the Registrar in Equity and a Deputy or Assistant Registrar

Corporations Registrar's List means the List into which matters referred to in paragraph 11 of this Practice Note are entered

Rules means the *Supreme Court (Corporations) Rules*

Statutory Demand cases means applications under s 459G of the *Corporations Act 2001* (Cth).

Corporations Judges

6. The List Judge and at least one other Judge of the Equity Division will be listed on a continuing basis to hear Corporations matters exclusively (the Corporations Judges).
7. The identity of the Corporations Judges and the dates upon which they are listed to hear Corporations matters will be notified on the Court's Corporations Matters webpage at www.lawlink.nsw.gov.au/sc (click on Practice and Procedure on the left-hand side menu and then click the Corporations Matters link).

Corporations Duty Judge

8. A Corporations Judge will be available as the Corporations Duty Judge to deal with urgent applications in Corporations Matters.
9. Contact should be made in the first instance with the Associate to the List Judge (or the Acting List Judge in the List Judge's absence) by telephone or email (email is preferable during court hours, as the Associate can deal with emails while in court). The Associate will indicate which Corporations Judge should be approached.

Entry into the Lists

10. All Corporations Matters, except those mentioned in paragraph 11, will be made returnable before the List Judge in the Corporations List on Mondays.
11. Statutory Demand cases and matters wholly within the delegated powers of the Registrar under s 13 of the *Civil Procedure Act* (see Schedule 1 to this Practice Note) will be returnable in the Corporations Registrar's List on any Monday through Thursday.
12. Any matter to be entered in the Corporations Registrar's List must include the words "Corporations Registrar's List" prominently on the front sheet of any Originating Process or Interlocutory Process.

Schemes of Arrangement

13. In any proposed applications under Part 5.1 of the *Corporations Act* 2001 and any other matters in which it is considered commercially important to obtain definite hearing dates before filing, contact may be made with the Associate to the List Judge for those dates.

Process and Affidavits

14. The form of Originating Process, Interlocutory Process and affidavits in Corporations Matters are as provided for in the Rules.

Case Management

15. The List Judge will case manage matters in the Corporations List on Monday of each week with the aim of ensuring the speedy resolution of the real issues between the parties. Interlocutory applications will be listed at 9:45 am for the purpose of calling through the matters in that list and, if appropriate, allocating a hearing time on that day before one of the Corporations Judges. Directions will be listed from 10 am.
16. When matters in the Corporations List, other than those matters to be heard on Mondays, are ready for the allocation of a hearing date the List Judge will fix the matter for hearing and make the Usual Order for Hearing in Annexure A to Practice Note SC Eq 1 unless the matter would be more efficiently and cost effectively prepared for hearing by making some modifications to the Usual Order for Hearing.
17. Where a matter is placed in the Corporations List on Monday solely for the allocation of a hearing date, the parties, *acting together*, may, instead of appearing, forward to the List Judge's Associate by 12 noon on Friday:
 - any agreed directions for the hearing (which should include or adopt in substance the Usual Order for Hearing);
 - an *agreed* estimate of the time required;
 - the *mutually available dates during the following three months* of all legal representatives who are to appear, and
 - the email addresses of all legal representatives.

The List Judge will then allocate hearing dates in Chambers instead of requiring attendance in Court. Dates so allocated will be notified to the legal representatives by email, usually within three working dates. This procedure will be appropriate only where the *parties are agreed* that the matter is ready for hearing and on the directions to be made.

18. All matters in the Corporations Registrar's List will be conducted in the Online Court unless excluded by the Online Court Protocol (Corporations List) set out in Schedule 3 to this Practice Note.
19. The Court's expectation of Practitioners appearing in Corporations Matters includes that:

- (i) Agreement will be reached on a timetable for the preparation of matters for trial and/or mediation and/or reference out and Consent Orders will be handed up during the directions hearing;
 - (ii) If there is slippage in an agreed timetable, further agreement will be reached without the need for the intervention of the Court and Consent Orders will be filed with the List Judge;
 - (iii) Requests for Court intervention in relation to timetabling will only be sought rarely when, for good reason, agreement has proved to be impossible;
 - (iv) Trial Counsel will be briefed at the earliest possible time;
 - (v) Careful review of the case will be made as early as practicable for the purpose of informing the Court of its suitability for mediation, for reference out of all or some of the issues, and/or for the use of a single expert, or a Court appointed expert or the use of an appropriate concurrent expert evidence process;
 - (vi) Agreement will be reached on the real issues in dispute between the parties so that a speedy resolution of those issues may be achieved;
 - (vii) Trial Counsel will appear at the directions hearing when the matter is set down for hearing and provide to the Court a considered opinion of the realistic estimate of the time required for trial; and if a stopwatch system for trial is to apply, a considered opinion as to the appropriate allocation of time for evidence and submissions.
20. To facilitate the just, quick and cheap resolution of Corporations Matters, by written application to the List Judge's Associate, the List Judge will make Consent Orders in Chambers on days other than Monday. When Consent Orders varying a timetable are to be made either in Chambers or in Court, it is imperative that those orders include the vacation of any date for directions hearings, or the hearing of interlocutory applications that the parties no longer wish to maintain. If the proceedings settle, it is necessary to have the List Judge make Order finalising the litigation, rather than filing Terms or Orders with the Registry. Those orders may also be made by consent in Chambers.
21. The Corporations List closes at 12 noon on Friday. Any application to add a matter to the List or remove a matter from the List must be made prior to 12 noon on Friday. Such applications are to be made in writing to the List Judge's Associate.

Statutory Demand cases

22. All Statutory Demand cases will be entered into the Corporations Registrar's List for case management, Consent Orders and/or if necessary, referral to the List Judge.
23. The parties to a Statutory Demand case must agree on a timetable that makes it ready for hearing promptly after its first return date before the Corporations Registrar.

24. A plaintiff in a Statutory Demand case must include in its outline of submissions:
- (a) in a genuine dispute case under s 459H(1)(a), a succinct statement of:
 - (i) its understanding of the basis on which the debt is alleged by the defendant to be owing, due and payable in the amount stated in the demand; and
 - (ii) why that basis is disputed; and
 - (b) in an offsetting claim case under s 459H(1)(b), a succinct statement of:
 - (i) the precise facts and circumstances giving rise to the claim; and
 - (ii) the amount of the claim and the way in which it is calculated

Court Appointment of Liquidators

25. The arrangements outlined in Schedule 2 to this Practice Note apply to the appointment of liquidators by the Court.

Schemes of Arrangement

26. When making an order under subsection 411(1) of the Corporations Act 2001 (Cth) the Court will require that the explanatory statement or a document accompanying the explanatory statement prominently display a notice in the following form or to the following effect:

“IMPORTANT NOTICE ASSOCIATED WITH COURT ORDER UNDER SUBSECTION 411(1) OF *CORPORATIONS ACT 2001* (Cth)

The fact that under subsection 411(1) of the *Corporations Act 2001* (Cth) the Court has ordered that a meeting be convened and has approved the explanatory statement required to accompany the notices of the meeting does not mean that the Court:

- (a) has formed any view as to the merits of the proposed scheme or as to how members/creditors should vote (on this matter members/creditors must reach their own decision); or
- (b) has prepared, or is responsible for the content of, the explanatory statement.”

T F BATHURST AC

Chief Justice of New South Wales
17 December 2018

Related information

See also:

Practice Note SC Gen 1 Supreme Court - Application of Practice Notes
Practice Note SC Eq 1 Supreme Court Equity Division – Case Management
Practice Note SC Eq 3 Supreme Court Equity Division – Commercial List and Technology and Construction List
Practice Note SC Eq 6 Supreme Court Equity Division - Cross Border Insolvency: Cooperation with Foreign Courts or Foreign Representatives
Corporations Act 2001 (Cth)
Australian Securities and Investments Commission Act 2001 (Cth),
Cross-Border Insolvency Act 2008 (Cth)
Civil Procedure Act 2005
Uniform Civil Procedure Rules 2005
Supreme Court (Corporations) Rules 1999

Amendment history

17 December 2018: The Practice Note issued on 10 May 2011 and commencing on 1 June 2011 is replaced. The amendment provided, inter alia, for the Registrar's online Court list.

10 May 2011: the Practice Note issued on 5 November 2010 is replaced; paragraphs 17, 20 and 21 are altered to dispense with the need for court attendance when seeking orders and hearing dates by consent.

5 November 2010: the Practice Note issued on 12 April 2010 is replaced; paragraph 30 is added to Practice Note SC Eq 4.

12 April 2010: an amended version of Practice Note SC Eq 4 is issued announcing substantial changes in case management practices with effect from 31 May 2010.

11 March 2009: paragraph 32 of Practice Note SC Eq 4 deleted following the commencement of Practice Note SC Eq 6 - Cross Border Insolvency: Cooperation with Foreign Courts or Foreign Representatives.

17 October 2008: provisions about remuneration of insolvency practitioners were removed from Practice Note SC Eq 4 following the enactment of the Corporations Amendment (Insolvency) Act 2007 (Cth), facilitating co-operation between courts in light of the Cross-Border Insolvency Act 2008 (Cth), and reflecting new arrangements in the Registrar's Corporations List.

27 April 2006: Practice Note SC Eq 4 was amended to reflect new arrangements consequent on the assignment of a Judge of the Equity Division to Corporations matters as Corporations Judge on a full-time basis with effect from 1 May 2006

16 November 2005: paragraphs 26-30 added to Practice Note SC Eq 4

19 October 2005: formal errors corrected

17 August 2005: Practice Note SC Eq 4 replaced former Practice Note Nos. 111, 117 and 126.

SCHEDULE 1
REGISTRARS' POWERS
Applications Corporations Act 2001

CORPORATIONS ACT 2001 (Cth)		
Section 425	Fix a receiver's remuneration	
Subsection 429 (3)	Extend the period for submission of a controller's report	
Section 440D (1)	Grant leave to begin or proceed with a proceeding in a court against a company which is in administration, or in relation to any of its property	Where the application is not opposed
Section 449C	Appoint an administrator of a company in administration where there is a casual vacancy	Where the application is not opposed
Former subsection 449E (1)	Fix the remuneration of an administrator of a company, or of a deed of company arrangement	
Sections 459A and 459B (except in respect of applications under s 234)	Order that an insolvent company be wound up in insolvency on an application made under s 459P, s 462 or s 464.	Where the application is not opposed
Section 459R	Extend the period within which an application for a company to be wound up in insolvency must be determined	
Section 461	Order the winding up of a company	Where the application is not opposed
Section 465B	Substitute an applicant or applicants in an application under s 459P, 462 or 464	
Section 465C	Grant leave to oppose an application under s 459P, 462 or 464 notwithstanding failure to file and serve notice of grounds of opposition and an affidavit verifying	
Subsections 466 (2) and (4)	Otherwise order in respect of reimbursement of the applicant's costs, and payment of the costs incurred by a company or liquidator as applicant	Where the Registrar makes the relevant winding-up order
Section 467	Dismiss, adjourn or make an interim order in a winding up application	Where the Registrar has power to make a final order on the application
Paragraph 470 (2) (b)	Direct service of copy of order on another person	Where the Registrar makes the relevant winding up order

Section 471B	Grant leave to begin or proceed with a proceeding in a court or enforcement process against a company being wound up by the Court or in relation to its property	Where the application is not opposed
Section 472 (1)	Appoint official liquidator	Where the Registrar makes the relevant winding up order
Section 472 (6)	Declare whether anything to be done by liquidator is to be done by all or any one of appointees, where more than one liquidator is appointed by the Court	Where the registrar appoints the liquidator
Former subsection 473 (1)	Remove a liquidator appointed by the Court	Where the application is not opposed
Former subsection 473 (2)	Determine provisional liquidator's remuneration	
Former subsection 473 (3)	Determine remuneration of liquidator	
Subsection 473A(1)	Fill vacancy in office of official liquidator in a winding up by the Court	Where the application is not opposed
Subsection 473A(4)	Declare whether anything to be done by liquidator is to be done by all or any one or more of appointees, where more than one liquidator is appointed by the Court	Where the Registrar appoints the liquidators
Section 480	Release liquidator and deregister company	
Subsection 481 (1)	Order preparation of report on accounts of liquidator	
Subsection 482 (1)	Order staying the winding up of a company for a limited time	Where the winding-up order was made by a Registrar
Paragraph 484 (2) (b)	Fix remuneration of special manager	
Section 486	Order for inspection of books of company by creditors or contributories in a winding up by the Court	
Section 500 (2)	Leave to proceed with or commence action or other civil proceeding against company subject to creditors' voluntary winding up	Where the application is not opposed
Former paragraph 542 (3) (a)	Directions abridging the period for which books of the company must be retained	

Paragraph 585 (b)	Approval or direction in respect of manner of service of notice to Part 5.7 body of institution of action or proceeding against member	
Sections 596A, 596B	Summon a person for examination about a corporation's examinable affairs	
Section 596F	Directions about examination	
Section 597, except subsection (15)	Conduct of examination	
Subsections 601AH (2)	Order that ASIC reinstate registration of a company	Where notice of the application has been served on ASIC and the application is not opposed by ASIC or any other person
Subsection 601CC (9)	Order directing restoration of name of registered Australian body to the Register, and associated directions	Where notice of the application has been served on ASIC and the application is not opposed by ASIC or any other person
Subsection 601CL (10)	Order directing restoration of name of registered foreign company to the Register, and associated directions	Where notice of the application has been served on ASIC and the application is not opposed by ASIC or any other person
Section 1335	Require security to be given for costs	
Div 60 of the Insolvency Practice Schedule (Corporations)	Fix remuneration of external administrators	Where the application is not opposed
Div 70 of the Insolvency Practice Schedule (Corporations)	Directions abridging the period for which books of the company must be retained	
Div 90 of the Insolvency Practice Schedule (Corporations)	Fill a vacancy in the office of an external administrator	Where the application is not opposed
Div 90 of the Insolvency Practice Schedule (Corporations)	Remove and replace external administrator	Where the application is not opposed

SCHEDULE 2

COURT APPOINTMENT OF LIQUIDATORS

The plaintiff in winding-up proceedings may nominate for appointment a registered liquidator. A nomination is effected by filing with the originating process a consent in Form 8 of the Rules, signed by the nominee, certifying that he or she is not aware of any conflict of interest or duty and making proper disclosure of fee rates, and serving it in accordance with Rule 5.5(3)(b);

The Court appoints the plaintiff's nominee in the normal case, but is not obliged to do so. An obvious ground for the Court declining to appoint the plaintiff's nominee is that the Court considers there is an actual or potential conflict between the duties of a liquidator and the nominee's personal interest or some other duty (for example, a person who has acted as receiver and manager of the company for a secured creditor will almost never be appointed liquidator).

SCHEDULE 3

ONLINE COURT PROTOCOL (CORPORATIONS LIST)

Commencement

1. This Protocol commenced on 13 December 2016.

Application

2. This Protocol applies to matters in the Corporations List in the Equity Division.

Definitions

3. In this Protocol:

Corporations Act means the *Corporations Act 2001 (Cth)*.

Judicial Officer means a Judge of the Equity Division or a Registrar.

Online Registry has the same meaning as in Part 3 of the *Uniform Civil Procedure Rules 2005 (NSW)*.

PDF means Portable Document Format.

Registered User means a legal practitioner who has registered as a user of the Online Registry and the Online Court.

Request means a request using the Online Court for case management orders (including, but not limited to, timetables for the preparation of the matter for trial, referral to mediation, adjournment, referral to the List Judge, and scheduling a listing date).

UCPR means the *Uniform Civil Procedure Rules 2005 (NSW)*.

Availability of Online Court

4. The Online Court is available to legal practitioners who are Registered Users.
5. Legal practitioners with carriage of matters entered in the Corporations List must be Registered Users. Registration and access to the Online Court is at: <https://onlineregistry.lawlink.nsw.gov.au/>.

Procedure

6. All matters in the Corporations Registrar's List are automatically entered into the Online Court.
7. All eligible matters will be managed in the Online Court with the exception of:

- the first return date in an application for winding up under Part 5.4 or 5.4A of the Corporations Act; and
 - the first return date in an application for reinstatement under s 601AH of the Corporations Act; and
 - matters in which litigants or applicants are not legally represented by a legal practitioner.
8. Registered Users must submit a Request to the Registrar at any time prior to 12:00pm on the day before the first return date.
 9. Any party may, prior to 12:00pm on the day before any return date, submit a Request to the Registrar for the matter to be dealt with in open court on the basis that the matter is not suitable to be dealt with using the Online Court.
 10. Failing to submit requests or consent orders in the Online Court in accordance with the timeframes described in this Practice Note will be treated as a non-appearance in the proceedings. The registrar will issue a notice pursuant to rule 13.6 of the UCPR that any further non-appearance may result in the proceedings being dismissed.

Conduct in an Online Court

11. The Online Court is a virtual courtroom and must only be used for issues requiring consideration and determination by a Judicial Officer.
12. The Online Court must not be used for communications solely between the legal representatives of parties.
13. It is expected that there will be adherence to professional etiquette and courtesy in the Online Court.
14. Undertakings given and orders made in an Online Court are binding as if given or made in open court.
15. All rules including those relating to contempt apply to proceedings conducted in the Online Court.

Terminating an Online Court

16. A Judicial Officer may at any time order that any or all further hearings be conducted in open court.

User Identification Code and Password

17. Each Registered User has a unique User Name and Password which must be kept secure.

18. When an Online Registry account is used to send a message or document using the Online Court, the person to whom that account was allocated is deemed to be the person who sent the message or document and is responsible for the contents.

Messages

19. Messages posted in an Online Court must be:
- relevant to the topic under discussion;
 - concise; and
 - posted in a timely manner.
20. A Judicial Officer may, from time to time, give instructions as to:
- the acceptable length of messages in an Online Court; and
 - the time and date by which messages must be received.

Documents

21. Documents may be attached to messages sent using the Online Court.
22. Documents cannot be filed using the Online Court. Documents must be filed in accordance with Parts 3 and 4 of the UCPR and may be filed using the Online Registry at: <https://onlineregistry.lawlink.nsw.gov.au/>.
23. If an Online Court message refers to a document that has been filed, the document should where possible be attached to the message. The message must indicate the date on which the document was filed. If the document was filed using the Online Registry, the message must indicate whether the Online Registry has given a notice of acceptance of the document.
24. Documents sent using the Online Court must be in PDF and must not be locked.
25. If the document contains draft consent orders, the message to which the document is attached must contain a certification that all the parties have seen and agreed to the terms.

Transcripts

26. A free official transcript of an Online Court can be requested by emailing the Online Registry.
27. Requests by non-parties for a transcript will be referred to the Judicial Officer presiding over the Online Court for consideration.

ooOoo

[n2018-4373]

Doc No: 00893/18

**WORK HEALTH AND SAFETY REGULATION 2017
(Clause 58(2))**

Exemption No. 017/18

I, Andrew GAVRIELATOS, Executive Director, Specialist Services, SafeWork NSW, pursuant to Clause 684 of the *Work Health and Safety Regulation 2017* grant the following exemption:

Dated this twelfth day of November 2018.

Andrew GAVRIELATOS
Executive Director, Specialist Services
SafeWork NSW

Work Health and Safety Regulation 2017 Exemption No. 017/18

1. Name of Exemption

This Exemption is the *Work Health and Safety Regulation 2017, Exemption No. 017/18*.

2. Commencement

This Exemption commences on 1 January 2019 and has effect until 31 December 2020.

3. Exemption

This Exemption is made by SafeWork NSW on its own initiative.

This Exemption applies to persons conducting a business or undertaking who require a worker to frequently use personal protective equipment as a control measure to protect workers from the risk of hearing loss associated with noise that exceeds the 'exposure standard for noise'.

Those persons are exempt from Clause 58(2) of the Regulation, subject to the condition in the Schedule to this Exemption.

4. Definitions

For the purposes of this Exemption:

Regulation means the *Work Health and Safety Regulation 2017*.

Exposure standard for noise means $L_{Aeq,8h}$ of 85 dB(A) or $L_{c,peak}$ of 140 dB(C) where $L_{Aeq,8h}$ means the eight hour equivalent continuous A-weighted sound pressure level in decibels (dB(A)) referenced to 20 micropascals, determined in accordance with AS/NZS 1269.1:2005 and $L_{c,peak}$ means the C-weighted peak sound pressure level in decibels (dB(C)) referenced to 20 micropascals, determined in accordance with AS/NZS 1269.1:2005.

SCHEDULE

This Exemption is subject to the following condition:

1. Nothing in this Exemption affects any other applicable requirement imposed by law on a person conducting a business or undertaking in relation to matters relating to this Exemption, including the monitoring of workers and conditions at the workplace under Section 19(3)(g) *Work Health and Safety Act 2011*.

[n2018-4374]

COUNCIL NOTICES

ALBURY CITY COUNCIL

ROADS ACT 1993

Naming of Roads

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

Name	Locality
BROOKLYN DRIVE	Thurgoona
Description	
Brooklyn Drive will be located within a subdivision of Lot 11, DP 1139652. This subdivision is located in the suburb of Thurgoona. Brooklyn Drive will be the primary access into the Subdivision from Table Top Road. It will run in a South Eastern direction for approximately 350 metres and then then turn in a North East direction	

Name	Locality
NEWPORT CRESCENT	Thurgoona
Description	
Newport Crescent will be located within a subdivision of Lot 11, DP 1139652. This subdivision is located in the suburb of Thurgoona. Newport Crescent will extend in a southern direction then turn East and then North, it will conclude at Nottingham Road	

Name	Locality
NOTTINGHAM ROAD	Thurgoona
Description	
Nottingham Road will be located within a subdivision of Lot 11, DP 1139652. This subdivision is located in the suburb of Thurgoona. Nottingham Road will commence at Cardiff Drive and conclude at Newport Crescent, it will extend in a Southern direction	

Name	Locality
CARDIFF DRIVE	Thurgoona
Description	
Cardiff Drive will be located within a subdivision of Lot 11, DP 1139652. This subdivision is located in the suburb of Thurgoona. Cardiff Drive will commence at Brooklyn Drive, it will extend in a South Eastern direction then turn North East.	

Name	Locality
SWANSEA COURT	Thurgoona
Description	
Swansea Court will be located within a subdivision of Lot 11, DP 1139652. This subdivision is located in the suburb of Thurgoona. Swansea Court will commence at Brooklyn Drive, it will extend in a North West direction then turn North East.	

FRANK ZAKNICH, GENERAL MANAGER, Albury City Council, PO Box 323, ALBURY NSW 2640

GNB Ref: 0268

[n2018-4375]

BEGA VALLEY SHIRE COUNCIL

LOCAL GOVERNMENT ACT 1993

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

NOTICE OF COMPULSORY ACQUISITION OF LAND

Bega Valley Shire Council declares with the approval of His Excellency the Governor that the interests described in Schedule 1 below, excluding the interests described in Schedule 2 below and excluding any mines or deposits of minerals in the lands, are acquired by compulsory process in accordance with the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991* for the supply of recycled water from the Merimbula Sewage Treatment Plant.

Dated at Bega this 6th day of September 2018

LEANNE BARNES, General Manager, Bega Valley Shire Council, PO Box 492, Bega, NSW 2550

Schedule 1

Easement rights for Council easement for utilities over that part of the site shown as (U) proposed easement for utilities 6 wide in DP1223033.

Easement rights for Council easement for utilities over that part of the site shown as (A) proposed easement for utilities 6 wide in DP1225606.

Terms of Easement

Terms of Easement rights for Council easement for utilities over that part of the site shown as '(U) PROPOSED EASEMENT FOR UTILITIES 6 WIDE' in DP1223033:

Full and free right for the body in whose favour this easement is created, and every person authorised by it, from time to time, and at all times:

- to facilitate the installation, operation and maintenance of recycled water pipeline infrastructure; and
- to transfer recycled water in any quantities across and through the land herein indicated as the servient tenement, and
- to use or operate, for the purposes of the easement any lines of pipes or associated infrastructure already laid within the servient tenement for the aforesaid purposes or any pipe or pipes or associated infrastructure in replacement or in substitution therefore; and
- where no such line of pipes exists, to lay, place and maintain a line or pipes of sufficient internal diameter beneath or upon the surface of the servient tenement and associated infrastructure; and
- to enter upon the servient tenement and to remain there for any reasonable time (with any tools, implements, or machinery necessary) for the purpose of laying, inspecting, cleansing, repairing, maintaining, or renewing such infrastructure or any part thereof and for any of the aforesaid purposes to open the soil of the servient tenement to such extent as may be necessary,

provided that the body in whose favour this easement is created and the persons authorized by it will:

- take all reasonable precautions to ensure as little disturbance as possible to the surface of the servient tenement and will restore that surface nearly as practicable to its former condition; and
- use its best endeavours, in the event of undertaking substantial repairs such as installing or relaying any pipe or pipes, to arrange times of access which are convenient to the occupier of the lot burdened.

Terms of Easement rights for Council easement for utilities over that part of the site shown as '(A) PROPOSED EASEMENT FOR UTILITIES 6 WIDE' in DP1225606:

Full and free right for the body in whose favour this easement is created, and every person authorised by it, from time to time, and at all times to facilitate the installation, operation and maintenance of utility services, including recycled water in any quantities across and through the land herein indicated as the servient tenement, together with the right to use or operate, for the purposes of the easement any lines of pipes or associated infrastructure already laid within the servient tenement for the aforesaid purposes or any pipe or pipes or associated infrastructure in replacement or in substitution therefore and where no such line of pipes exists, to lay, place and maintain a line or pipes of sufficient internal diameter beneath or upon the surface of the servient tenement and associated infrastructure and together with the right for the body in whose favour this easement is created and every person authorised by it, with any tools, implements, or machinery, necessary for the purpose of laying, inspecting, cleansing, repairing, maintaining, or renewing such infrastructure or any part thereof, and for any of the aforesaid

purposes to open the soil of the servient tenement to such extent as may be necessary provided that the body in whose favour this easement is created and the persons authorised by it will take all reasonable precautions to ensure as little disturbance as possible to the surface of the servient tenement and will restore that surface nearly as practicable be to its original condition.

In exercising the above, the body having the benefit of this easement may do anything reasonably necessary for that purposes, including:

- entering the lot burdened, and
- taking anything on to the lot burdened, and
- using any existing line or pipes, and
- carrying out work, such as constructing, placing, repairing or maintaining pipes, channels ditches and equipment; and
- taking water or soil samples and undertaking environmental monitoring at the site; and
- inspecting, testing and auditing the recycled water infrastructure; and
- maintaining, installing and if necessary, removing any pumps or pipelines from the recycled water storage pond

In exercising those powers, the body having the benefit of this easement must:

- ensure all work is done properly, and
- cause as little inconvenience as is practicable to the owner and any occupier of the lot burdened, and
- cause as little damage as is practicable to the lot burdened and any improvements on it, and
- restore the lot burdened as nearly as is practicable to its former condition, and
- make good any collateral damage, and
- acting as necessary if there is a public health risk or risk of immediate material harm; and
- use its best endeavours to arrange times of access which are convenient to the owner and any occupier of the lot burdened.

In creating this easement, no right is extended to the servient tenement for the carrying out of the works, including, but not limited to construction or building works, excavation or placement of fill within the site of the easement, without prior written consent of the body having benefit of this easement, however such consent is not required for the operational work of the irrigation sprinkler network within the site of the easement or for the construction and maintenance of an irrigation pump, irrigation system and ancillary equipment and items installed over the site of the easement for purposes limited to recycled water irrigation.

Schedule 2

- (E1) Easement for water supply 20 wide (DP791825), as shown over Lot 2 DP130079, shown in DP1225606
 - (E2) Right of carriageway 20 wide (DP791825), as shown over Lot 2 DP130079, shown in DP1225606
 - (E3) Easement for services variable width (DP1027113), as shown over Lots 381 and 382 DP1027133, shown in DP1225606
 - (E4) Right of carriageway 10 wide and variable width (DP1027113), as shown over Lots 381 and 382 DP1027113, shown in DP1225606
 - (E5) Easement for services 10 wide and variable width (DP1027113), as shown over Lots 381 and 382 DP1027113, shown in DP1225606
 - (A) Easement for sewage 7 wide & variable (GG 1/10/1976 Folio 4257) (Vide DP41837), as shown over Lot 355 DP41837, shown in DP1223033
 - (F) Easement for sewage variable width (GG 1/10/1976 Folio 4257) (Vide Ms214 Na), as shown over Lot 355 DP41837, shown in DP1223033
- Easement for access variable width (GG 1/10/1976 Folio 4257) (Vide Ms214 Na), as shown over Lot 335 DP41837, shown in DP1223033

[n2018-4376]

BLACKTOWN CITY COUNCIL
LOCAL GOVERNMENT ACT 1993
LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991
NOTICE OF COMPULSORY ACQUISITION OF LAND

Blacktown City Council declares with the approval of His Excellency the Governor that the lands described in Schedule 1 below, excluding the interest described in Schedule 2 below, are acquired by compulsory process in accordance with the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991* for RE1 – Recreation and SP2 – Drainage.

Dated at Blacktown this 12th day of December 2018.

Kerry Robinson
General Manager

Schedule 1

Lot 22, 23, and 24 DP1447 being part of the land comprised in Certificate of Title Folio Auto Consol 15175-230

Lot 20 DP1246798 being part of the land comprised in Certificate of Title Folio Auto Consol 15175-230

Schedule 2

J147790 – Easement for transmission line affecting Lot 1 in DP908130 shown as easement for transmission line 60.96 wide in plan with J147790

[n2018-4377]

COOLAMON SHIRE COUNCIL
ROADS ACT 1993
LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991
NOTICE OF COMPULSORY ACQUISITION OF LAND

Coolamon Shire Council declares with the approval of His Excellency the Governor that the lands described in the Schedule below are acquired by compulsory process in accordance with the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991* for public road, a temporary works depot and resale.

Dated at Coolamon, this 18th day of December 2018

TONY DONOGHUE, General Manager, Coolamon Shire Council, PO Box 101, Coolamon NSW 2701

SCHEDULE

Lot 9 Section 2 DP 5822

Lot 10 Section 2 DP 5822

Lot 11 Section 2 DP 5822

Minute No. 31

[n2018-4378]

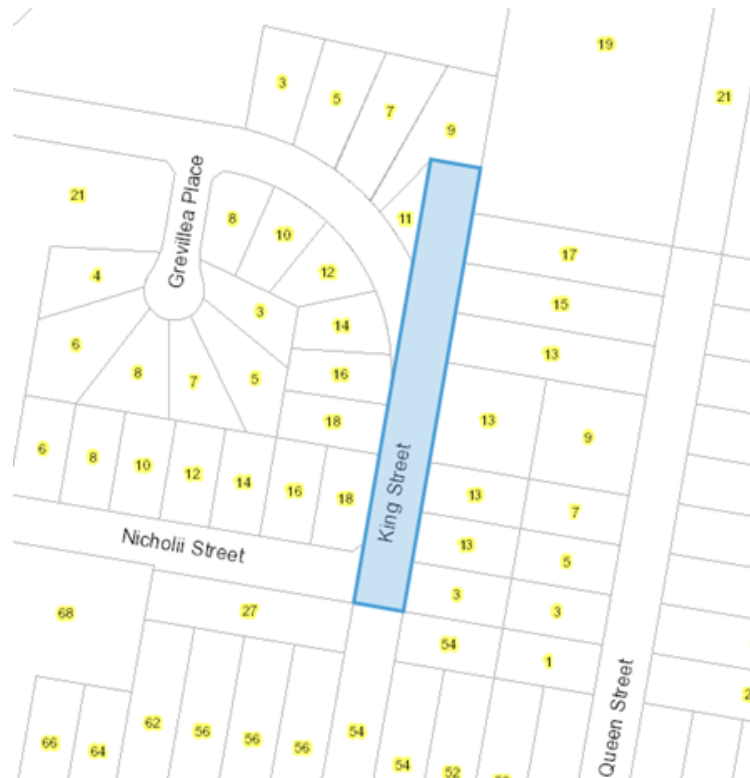
DUBBO REGIONAL COUNCIL
Roads Act 1993, Section 16
Dedication of Land as Public Road

NOTICE is hereby given that in accordance with the provisions of section 16 of the *Road Act 1993*, the land described in the Schedule below is hereby dedicated as public road.

MICHAEL McMAHON, Chief Executive Officer, Dubbo Regional Council, PO Box 81, Dubbo NSW 2830.

SCHEDULE

The land comprising part of the street comprised in Volume 2669 Folio 56, in the locality of Montefiores, shown highlighted in the attached plan.



[n2018-4379]

EDWARD RIVER COUNCIL
 LOCAL GOVERNMENT ACT 1993
 LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991
 Notice of Compulsory Acquisition of Land

Edward River Council declares with the approval of His Excellency the Governor that the land described in the Schedule below is acquired by compulsory process in accordance with the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991* for Senior Residential Accommodation and resale.

Dated at Deniliquin this 14th day of December 2018.

A R McSwain, General Manager, Edward River Council, PO Box 270, Deniliquin NSW 2710

Schedule

Lot 1 DP732067

[n2018-4380]

EUROBODALLA SHIRE COUNCIL
 ROADS ACT 1993
 Naming of Roads

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

Name	Locality
ANCHOR LANE	Moruya Heads
Description	
Commencing at Latitude -35.915657, Longitude 150.121619 heading in a easterly direction for approximately 205 metres and ceasing at Latitude -35.915965 Longitude, 150.123872	

Name	Locality
BURBIDGE LANE	Narooma
Description	
Commencing at Latitude -36.242740, Longitude 150.124760, from Old South Coast Road heading in a westerly direction for approximately 800 metres and ceasing at Latitude -36.243379, Longitude 150.116363 (boundary of Lot 113 DP 858804)	

DR CATHERINE DALE, General Manager, Eurobodalla Shire Council, PO Box 99, MORUYA NSW 2537

GNB Ref: 0266

[n2018-4381]

GOULBURN MULWAREE COUNCIL

ROADS ACT 1993

Naming of Roads

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

Name	Locality
VINCENT AVENUE	Goulburn
Description	
New Road – Subdivision of Lots 1 & 2 DP 1186483 Taralga Road, Goulburn	

Name	Locality
ROSARII PLACE	Goulburn
Description	
New Road – Subdivision of Lots 1 & 2 DP 1186483 Taralga Road, Goulburn	

Name	Locality
MADELEINE DRIVE	Goulburn
Description	
New Road – Subdivision of Lots 1 & 2 DP 1186483 Taralga Road, Goulburn	

Name	Locality
LIGUORI PLACE	Goulburn
Description	
New Road – Subdivision of Lots 1 & 2 DP 1186483 Taralga Road, Goulburn	

Name	Locality
GERTRUDE STREET	Goulburn
Description	
New Road – Subdivision of Lots 1 & 2 DP 1186483 Taralga Road, Goulburn	

Name	Locality
EVANGELISTA STREET	Goulburn
Description	
New Road – Subdivision of Lots 1 & 2 DP 1186483 Taralga Road, Goulburn	

Name	Locality
CARMELLA DRIVE	Goulburn
Description	
New Road – Subdivision of Lots 1 & 2 DP 1186483 Taralga Road, Goulburn	

Name	Locality
CALASANCTIUS STREET	Goulburn
Description	
New Road – Subdivision of Lots 1 & 2 DP 1186483 Taralga Road, Goulburn	

Name	Locality
BAPTISTE PLACE	Goulburn
Description	
New Road – Subdivision of Lots 1 & 2 DP 1186483 Taralga Road, Goulburn	

WARWICK BENNETT, General Manager, Goulburn Mulwaree Council, Locked Bag 22, GOULBURN NSW 2580

GNB Ref: 0269

[n2018-4382]

GOULBURN MULWAREE COUNCIL

ROADS ACT 1993

Naming of Roads

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

Name	Locality
WOODS LANE	Oallen
Description	
New Road in Lot 6 DP 1157278	

WARWICK BENNETT, General Manager, Goulburn Mulwaree Council, Locked Bag 22, GOULBURN NSW 2580

GNB Ref: 0274

[n2018-4383]

GUNNEDAH SHIRE COUNCIL

LOCAL GOVERNMENT ACT 1993

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

NOTICE OF COMPULSORY ACQUISITION OF LAND

Gunnedah Shire Council declares with the approval of His Excellency the Governor that the lands described in the Schedule 1 below, excluding the interest described in Schedule 2 below, are acquired by compulsory process in

accordance with the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991* for waste water treatment infrastructure and sale yards infrastructure.

Dated at Gunnedah this Seventeenth day of December 2018

Eric Groth
General Manager

Schedule 1

1/1218657 being part of the land comprised in Certificate of Title 7013/1052459

1/1218657 being part of the land comprised in Certificate of Title 7013/1052459

1/1218657 being part of the land comprised in Certificate of Title 7013/1052459
576/755503

Schedule 2

Easement for overhead power lines (20 wide) marked (Z)
over Lots 1 and 3 DP1218657 created under section 88B of the
Conveyancing Act 1919, being part of the land
comprised in Certificate of Title 7013/1052459

[n2018-4384]

LISMORE CITY COUNCIL

NOTIFICATION OF CLOSING OF A ROAD

In pursuance of section 38D of the *Roads Act 1993*, the road hereunder described is closed. The lands comprised therein cease to be a public road and the rights of passage and access that previously existed in relation to the road are extinguished. Upon closing, title to the land, comprising the former public road, vests in the body specified in the Schedule hereunder.

Dated at Goonellabah this 19th day of December 2018.

Shelley Oldham
General Manager

DESCRIPTION

Parish – Lismore; County – Rous

Local Government Area – Lismore

Road Closed: Lot 1 in DP1239196

SCHEDULE

On closing, the land within Lot 1 in DP1239196 will remain vested in Lismore City Council as operational land for purposes of the *Local Government Act 1993*.

[n2018-4385]

LIVERPOOL CITY COUNCIL

ERRATUM

The following notice replaces one advertised on pages 518 and 519 of the NSW Government Gazette dated 2 February 2018. The gazettal date remains 2 February 2018.

ROADS ACT 1993 (NSW)

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

NOTICE OF COMPULSORY ACQUISITION OF LAND

Liverpool City Council declares with the approval of His Excellency the Lieutenant-Governor, that the land described in the Schedule below, replaces “Lot 11 DP1228502” and “Lot 13 DP1228502”.

Dated at Liverpool, this 19 day of November 2018.

Kiersten Fishburn, Chief Executive Officer

Schedule

Lot 11 DP 1228502 to be Lots 1 and 2 DP 1248038

Lot 13 DP 1228502 to be Lot 3 DP 1248038

[n2018-4386]

MID-WESTERN REGIONAL COUNCIL

Naming of a Bridge on a Public Road

Jack Webb Bridge

NOTICE is hereby given that Council has named the bridge shown hereunder:

Location

Name

Bridge over Cooyal Creek on Ulan Road, FROG ROCK/LINBURN. Jack Webb Bridge

BRAD CAMM, General Manager, PO Box 156, 86 Market Street, MUDGEE NSW 2850, tel.: (02) 63782850, fax: (02) 63782815, email: council@midwestern.nsw.gov.au

[n2018-4387]

NEWCASTLE CITY COUNCIL

Roads Act 1993

Road Closure

Notice is hereby given under the provisions of the *Roads Act 1993* that the land described in the schedule below 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 are extinguished. Upon closing, title of the land, comprised the former public road vests in Newcastle City Council and is classified as Operational Land.

JEREMY BATH, Chief Executive Officer, Newcastle City Council, PO Box 489, Newcastle, NSW 2300

SCHEDULE

Lot 1 DP1249209 – Land adjoining 2-4 Bishopsgate Street, Wickham

[n2018-4388]

SHOALHAVEN CITY COUNCIL

ROADS ACT 1993

Naming of Roads

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

Name	Locality
QUEEN STREET	Berry
Description	
Extension of Queen Street from Prince Alfred Street, in a north easterly direction, to the northbound on ramp of the Princes Hwy.	

Name	Locality
HOMESTEAD LANE	Berry
Description	
New road commencing at the northern extent of Queen Street, in a northerly direction for approximately 1.2km.	

RUSS PIGG, General Manager, Shoalhaven City Council, PO Box 42, NOWRA NSW 2541

GNB Ref: 0275

[n2018-4389]

SNOWY MONARO REGIONAL COUNCIL

ROADS ACT 1993

Naming of Roads

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

Name	Locality
WILLOW BAY PLACE	East Jindabyne
Description	
Willow Bay Place is accessed from Kunama Drive and will be created as part of subdivision of Lot 2 DP 858483 in East Jindabyne	

Name	Locality
BAIRDS CROSSING ROAD	Dalgety, Ironmungy
Description	
Renaming of the public road Ironmungie Road from Jimenbuen Road to the Snowy River	

Name	Locality
CARAWATHA ROAD	Dalgety
Description	
Public road accessed from Hickeys Road, running on south side of Lot 1 DP 402161 to boundary of Lot 5 DP 734855	

Peter Bascomb, General Manager, Snowy Monaro Regional Council, PO Box 714, COOMA NSW 2630

GNB Ref: 0270

[n2018-4390]

URALLA SHIRE COUNCIL

ROADS ACT 1993

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

NOTICE OF COMPULSORY ACQUISITION OF LAND

Uralla Shire Council declares with the approval of His Excellency the Governor that the lands described in the Schedule below are acquired by compulsory process in accordance with the provisions of the *Land Acquisition (Just Terms Compensation) Act 1994* for the Public Road Widening.

Dated at Uralla this tenth day of December 2018

Andrew Hopkins
 General Manager
 Uralla Shire Council
 PO BOX 106
 URALLA NSW 2358

Schedule

Lots 1, 2 and 3 DP 1184102 being part of the land comprised in Certificates of Title

Folio 268/755846

Folio 383/755846

Folio Auto Consol 3152-88

[n2018-4391]

WAGGA WAGGA CITY COUNCIL

LOCAL GOVERNMENT ACT 1993

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

NOTICE OF COMPULSORY ACQUISITION OF LAND

Wagga Wagga City Council declares with the approval of His Excellency the Governor that the land described in the schedule below, is acquired by compulsory process in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991* for a Rural Fire Services Shed.

Dated at Wagga Wagga this 13th day of December 2018

Peter Thompson
General Manager

Schedule

1/309572 being the land comprised in Certificate of title Vol 3611 Fol 45

[n2018-4392]

WARRUMBUNGL SHIRE COUNCIL

ROADS ACT 1993

Naming of Roads

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

Name	Locality
WEERAMAN ROAD	Leadville
Description	
Starts from Black Stump Wat in the Village of Leadville and runs to the north. Starts 149.548599 -31.015167 Ends 149.549717 -31.007385	

PHILIP SOUTHWELL, Emergency Services Coordinator, Warrumbungle Shire Council, 22 John St, COONABARABRAN NSW 2357

GNB Ref: 0273

[n2018-4393]

WOLLONGONG CITY COUNCIL

ROADS ACT 1993

Naming of Roads

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

Name	Locality
STEELTOWN LANE	Warrawong
Description	
Commencing at the intersection with Cowper Street heading in an easterly direction through Inner Crescent and terminating on the eastern side of Bruce Road	

DAVID FARMER, General Manager, Wollongong City Council, 41 Burelli Street, WOLLONGONG NSW 2500

GNB Ref: 0271

[n2018-4394]

WOLLONGONG CITY COUNCIL

ROADS ACT 1993

Naming of Roads

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

Name	Locality
GIBBONS LANE	Helensburgh
Description	
The portion of the lane currently known as Club Lane commencing at the intersection with Parkes Street and travelling in a southerly direction to the intersection with Lilyvale Street.	

DAVID FARMER, General Manager, Wollongong City Council, 41 Burelli Street, WOLLONGONG NSW 2500

GNB Ref: 0272

[n2018-4395]

**WINGECARRIBEE SHIRE COUNCIL
HERITAGE ACT 1977
INTERIM HERITAGE ORDER NO. 8**

Under Section 25 of the *Heritage Act 1977* Wingecarribee Shire Council does by this order:

- (i) make an interim heritage order to cover the item of the environmental heritage specified or described in Schedule 'A'; and
- (ii) declare that the Interim Heritage Order shall apply to the curtilage or site of such item, being the land described in Schedule 'B'.

This Interim Heritage Order will lapse six months from the date that it is made unless the local council has passed a resolution before that date either:

- (1) in the case of an item which, in the council's opinion, is of local significance, to place the item on the heritage schedule of a local environmental plan with appropriate provisions for protecting and managing the item; and
- (2) in the case of an item which in the council's opinion, is of State heritage significance, nominate the item for inclusion on the State Heritage Register.

Mark Pepping
Deputy General Manager
Corporate Strategy and Development Services
Wingecarribee Shire Council
PO Box 141, Moss Vale NSW 2577

18 December 2018

Schedule 'A'

The property known as "Welby Park Manor" situated at 28 Old Hume Highway, Welby, on the land described in Schedule 'B'.

Schedule 'B'

All those pieces or parcels of land known as Lot 10 DP 1009585, shown edged heavy black on the plan catalogued WSC IHO 08/18.



PRIVATE NOTICES

Company Notices

NOTICE OF CREDITORS VOLUNTARY LIQUIDATION

Corporations Act
Section 491(2)(b)

Ashmont Pre School Inc (In Liquidation)

A.C.N. Y0647519

NOTICE is hereby given that at an Extraordinary General Meeting of the abovenamed Company, held on the 18th December 2018, the following Special Resolution was duly passed:-

"That as the Company in the opinion of the Directors will not be able to pay its debts within twelve (12) months the Company be wound up by a Creditors Voluntary Winding Up."

Steven Priest of Chamberlain's S.B.R., Chartered Accountants, Suite 103, 1st Floor, Wollundry Chambers, Johnston Street, Wagga Wagga, N.S.W. was appointed Liquidator.

Dated this 19th December 2018

Steven Priest,
Chamberlains SBR
Chartered Accountants
Liquidator,
Suite 103, 1st Floor,
Wollundry Chambers,
Johnston Street,
WAGGA WAGGA. N.S.W. 2650

[n2018-4397]

Other Private Notices

ESSENTIAL ENERGY

ELECTRICITY SUPPLY ACT 1995

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

ERRATUM

The notice published in the New South Wales Government Gazette No.131, of 11 October 2013, Folio 4489 contained an error.

The Memorandum Number shown in Schedule 2 of that notice being "AG184384" should have read "AG189384".

The gazettal date remains 11 October 2013.

Dated at Port Macquarie this 21st day of December 2018

Melissa Bice
Acting Head of Legal
Essential Energy
PO Box 5730
PORT MACQUARIE NSW 2444

[n2018-4398]

CHURCHES OF CHRIST IN NEW SOUTH WALES INCORPORATION ACT 1947

Declaration of Trusts Certificate No. 2018-02

IN accordance with section 29B of Part 5 of the abovementioned Act The Churches of Christ Property Trust ("Trust") certifies that at its 13 December 2018 meeting it was resolved by the Trust – noting the direction of Conference Executive at its meeting of 22 November 2018 – to declare pursuant to Section 29B of the *Churches*

of *Christ in New South Wales Incorporation Act 1947*, that the real property at Penrith listed following (collectively, the “Land”) –

Address	Description: Lot/Deposited Plan
154 Stafford Street	1/25705
156-158 Stafford Street	A/405051
160 Stafford Street	1/20976
162 Stafford Street	2/20976

– be held by The Churches of Christ Property Trust [“Property Trust”] effective from 1 December 2018 on trust and for the benefit of Churches of Christ Community Care ABN 41 041 851 866 also known as Fresh Hope Care.

Dated at Rhodes this Thirteenth Day of December 2018.

SHAMUS TOOMEY
Registrar

[n2018-4399]