



# *Government Gazette*

OF THE STATE OF  
NEW SOUTH WALES

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## LEGISLATION

### Assents to Acts

#### ACTS OF PARLIAMENT ASSENTED TO

Legislative Assembly Office, Sydney 21 November 2006

IT is hereby notified, for general information, that Her Excellency the Governor has, in the name and on behalf of Her Majesty, this day assented to the undermentioned Acts passed by the Legislative Assembly and Legislative Council of New South Wales in Parliament assembled, viz.:

Act No 89, 2006 – An Act to enable the Government and the Opposition to obtain and release an independent assessment by the Treasury of the cost of election promises before a State general election. [Charter of Budget Honesty (Election Promises Costing) Bill].

Act No 90, 2006 – An Act to transfer certain State forest and Crown lands to the national park estate; to make provision with respect to special areas under the Hunter Water Act 1991; and for other purposes. [National Park Estate (Lower Hunter Region Reservations) Bill].

Act No 91, 2006 – An Act to amend the Racing Administration Act 1998 with respect to the publication of race fields; to remove certain inoperative provisions of the Greyhound and Harness Racing Administration Act 2004 and the Thoroughbred Racing Act 1996; and for other purposes. [Racing Legislation Amendment Bill].

Act No 92, 2006 – An Act to establish the Western Sydney Parklands, to constitute the Western Sydney Parklands Trust with functions in relation to the management of the Parklands and to provide for the addition of land to the Parklands and for the management of the Parklands; and for other purposes. [Western Sydney Parklands Bill].

Act No 93, 2006 – An Act to amend the Parliamentary Contributory Superannuation Act 1971 with respect to the suspension or termination of superannuation entitlements of former members who are charged with or convicted of serious offences. [Parliamentary Contributory Superannuation Amendment (Criminal Charges and Convictions) Bill].

Russell D. Grove PSM,  
Clerk of the Legislative Assembly

**ACTS OF PARLIAMENT ASSENTED TO**

Legislative Assembly Office, Sydney 22 November 2006

IT is hereby notified, for general information, that Her Excellency the Governor has, in the name and on behalf of Her Majesty, this day assented to the undermentioned Act passed by the Legislative Assembly and Legislative Council of New South Wales in Parliament assembled, viz.:

Act No 94, 2006 – An Act to amend the Police Act 1990 to make further provision for the testing of police officers for the presence of alcohol, prohibited drugs and steroids and with respect to police complaints, to rename NSW Police as the NSW Police Force and to make miscellaneous amendments to the Police Act 1990 and other Acts following a statutory review of the Police Act 1990; and for other purposes. [Police Amendment (Miscellaneous) Bill].

Russell D. Grove PSM,  
Clerk of the Legislative Assembly

**ACTS OF PARLIAMENT ASSENTED TO**

Legislative Assembly Office, Sydney 27 November 2006

IT is hereby notified, for general information, that Her Excellency the Governor has, in the name and on behalf of Her Majesty, this day assented to the undermentioned Acts passed by the Legislative Assembly and Legislative Council of New South Wales in Parliament assembled, viz.:

Act No 95, 2006 – An Act to amend the Children and Young Persons (Care and Protection) Act 1998 to strengthen the protections it affords to children and young persons, to provide for the transfer of child protection orders and proceedings between jurisdictions and to make other miscellaneous amendments to that Act; and for other purposes. [Children and Young Persons (Care and Protection) Miscellaneous Amendments Bill].

Act No 96, 2006 – An Act to make provision with respect to the employment of certain children by trading, financial or foreign corporations; to make a consequential amendment to the Industrial Relations Act 1996; and for other purposes. [Industrial Relations (Child Employment) Bill].

Act No 97, 2006 – An Act to amend the Industrial Relations Act 1996 with respect to dispute resolution by the Industrial Relations Commission, co-operation with industrial relations tribunals of other States, a NSW industrial relations website and outworkers in clothing trades; to amend the Occupational Health and Safety Act 2000 and the Workers Compensation Act 1987 with respect to the protection of workers from dismissal; and for other purposes. [Industrial Relations Further Amendment Bill].

Act No 98, 2006 – An Act to amend the Workers Compensation Act 1987 to provide for an increase in certain benefits paid to workers who receive injuries that result in permanent impairment; and for related purposes. [Workers Compensation Amendment (Permanent Impairment Benefits) Bill].

Act No 99, 2006 – An Act to amend the Apiaries Act 1985 to provide for the relocation or forfeiture of beehives in certain circumstances and to make other miscellaneous amendments to the Act; to make consequential amendments to the Apiaries Regulation 2005 and the Rural Lands Protection Act 1998; and for other purposes. [Apiaries Amendment Bill].

Act No 100, 2006 – An Act to amend the Charitable Trusts Act 1993 to enable charitable trusts to make gifts to certain entities without affecting their status as a charitable trust; to validate certain matters; and for other purposes. [Charitable Trusts Amendment Bill].

Act No 101, 2006 – An Act to amend the Companion Animals Act 1998 to make further provision with respect to the control of dangerous dogs and the duties and responsibilities of their owners; and for other purposes. [Companion Animals Amendment Bill].

Act No 102, 2006 – An Act to amend the Home Building Act 1989 with respect to proceedings to enforce statutory warranties with respect to residential building work; and for other purposes. [Home Building Amendment (Statutory Warranties) Bill].

Act No 103, 2006 – An Act to amend the Registered Clubs Act 1976 to make further provision with respect to club amalgamations, rules and membership of clubs, reporting and disclosure requirements and the disposal of club property; and for other purposes. [Registered Clubs Amendment Bill].

Act No 104, 2006 – An Act to encourage competition in relation to the supply of water and the provision of sewerage services and to facilitate the development of infrastructure for the production and reticulation of recycled water; and for other purposes. [Water Industry Competition Bill].

Act No 105, 2006 – An Act to provide for the constitution and functions of the Central Coast Water Corporation and for its establishment as a water supply authority under the Water Management Act 2000; and for other purposes. [Central Coast Water Corporation Bill].

Act No 106, 2006 – An Act to constitute a World Youth Day Coordination Authority, to confer certain functions on the Authority and to provide for the co-operation of other government agencies in the planning, co-ordination and delivery of government services in relation to World Youth Day 2008 and related events; and for other purposes. [World Youth Day Bill].

Russell D. Grove PSM,  
Clerk of the Legislative Assembly

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## Proclamations

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New South Wales

### Proclamation

under the

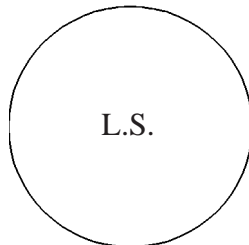
Crimes (Administration of Sentences) Amendment Act 2006  
No 81

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Crimes (Administration of Sentences) Amendment Act 2006*, do, by this my Proclamation, appoint 1 December 2006 as the day on which that Act commences.

Signed and sealed at Sydney, this 29th day of November 2006.

By Her Excellency's Command,



ANTHONY KELLY, M.L.C.,  
Minister for Justice

GOD SAVE THE QUEEN!





New South Wales

## Proclamation

under the

Industrial Relations Further Amendment Act 2006

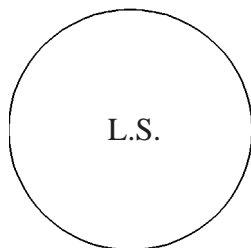
MARIE BASHIR, Governor

I, Professor Marie Bashir AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Industrial Relations Further Amendment Act 2006*, do, by this my Proclamation, appoint 1 December 2006 as the day on which that Act commences, except for the following:

- (a) Schedule 1 [2], [10], [11], [12] and [14],
- (b) Schedule 1 [15] to the extent that it inserts a definition of *NSW industrial relations website* in the Dictionary of the *Industrial Relations Act 1996*,
- (c) Schedule 4.

Signed and sealed at Sydney, this 29th day of November 2006.

By Her Excellency's Command,



JOHN DELLA BOSCA, M.L.C.,  
Minister for Industrial Relations

GOD SAVE THE QUEEN!

### Explanatory note

The object of this Proclamation is to commence all of the provisions of the *Industrial Relations Further Amendment Act 2006* other than those relating to the NSW industrial relations website.



New South Wales

## Proclamation

under the

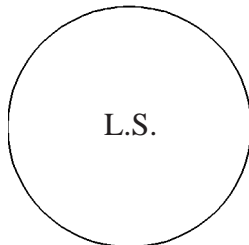
Industrial Relations (Child Employment) Act 2006

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 (2) of the *Industrial Relations (Child Employment) Act 2006*, do, by this my Proclamation, appoint 1 December 2006 as the day on which Part 2 of that Act commences.

Signed and sealed at Sydney, this 29th day of November 2006.

By Her Excellency's Command,



JOHN DELLA BOSCA, M.L.C.,  
Minister for Industrial Relations

GOD SAVE THE QUEEN!

### Explanatory note

The object of this Proclamation is to commence Part 2 (Minimum conditions of employment for children) of the *Industrial Relations (Child Employment) Act 2006*.



New South Wales

## Proclamation

under the

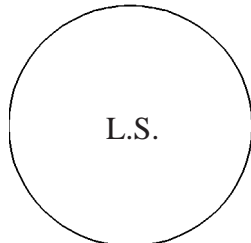
World Youth Day Act 2006

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *World Youth Day Act 2006*, do, by this my Proclamation, appoint 4 December 2006 as the day on which that Act commences.

Signed and sealed at Sydney, this 29th day of November 2006.

By Her Excellency's Command,



JOHN WATKINS, M.P.,  
Deputy Premier

GOD SAVE THE QUEEN!

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# Regulations

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New South Wales

## Crimes (Administration of Sentences) Further Amendment Regulation 2006

under the

Crimes (Administration of Sentences) Act 1999

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Crimes (Administration of Sentences) Act 1999*.

ANTHONY KELLY, M.L.C.,  
Minister for Justice

### Explanatory note

The object of this Regulation is to amend the *Crimes (Administration of Sentences) Regulation 2001* under the *Crimes (Administration of Sentences) Act 1999* (**the Act**) so as:

- (a) to make it clear that certain conditions as to supervision that are prescribed by that regulation apply to the lifetime supervision of parolees under section 128B of the Act, and
- (b) to provide that certain circumstances are “circumstances of manifest injustice” for the purposes of section 175 (1A) of the Act in relation to the rescission of revocation of certain periodic detention orders and home detention orders, and
- (c) to make provision with respect to the power of the Commissioner of Corrective Services to make submissions to the Parole Authority under section 185 of the Act, and
- (d) to replace the word “governor” with the words “general manager” to reflect a change of nomenclature in the Act that has been made by the *Crimes (Administration of Sentences) Amendment Act 2006*.

This Regulation is made under the *Crimes (Administration of Sentences) Act 1999*, including section 271 (the general power to make regulations) and sections 128B, 175 and 185.

Clause 1 Crimes (Administration of Sentences) Further Amendment Regulation 2006

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## **Crimes (Administration of Sentences) Further Amendment Regulation 2006**

under the

Crimes (Administration of Sentences) Act 1999

### **1 Name of Regulation**

This Regulation is the *Crimes (Administration of Sentences) Further Amendment Regulation 2006*.

### **2 Commencement**

This Regulation commences on 1 December 2006.

### **3 Amendment of Crimes (Administration of Sentences) Regulation 2001**

The *Crimes (Administration of Sentences) Regulation 2001* is amended as set out in Schedule 1.

Crimes (Administration of Sentences) Further Amendment Regulation 2006

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 3)

**[1] The whole Regulation**

Omit “governor”, “governors” and “governor’s” wherever occurring.

Insert instead “general manager”, “general managers” and “general manager’s”, respectively.

**[2] The whole Regulation (clause 249M (1) (c) excepted)**

Omit “Governor” and “Governor’s” wherever occurring.

Insert instead “General manager” and “General manager’s”, respectively.

**[3] Clause 216 Imposition and extension of supervision conditions**

Insert after clause 216 (3):

- (4) The supervision referred to in subclause (3) (b) is also prescribed for the purposes of section 128B (2) (a) of the Act.

**[4] Clause 219A Circumstances constituting manifest injustice**

Insert after clause 219A (2):

- (3) For the purposes of section 175 (1A) of the Act, circumstances in which it becomes apparent that the relevant periodic detention order or home detention order has been revoked on the basis of false, misleading or irrelevant information are prescribed as circumstances which constitute manifest injustice.

**[5] Clause 288A**

Insert after clause 288:

**288A Submissions by Commissioner**

- (1) If the Commissioner notifies the Parole Authority that he or she may wish to make a submission under section 185 of the Act concerning any matter, the Parole Authority must give the Commissioner copies of the reports and other documents intended to be used by the Parole Authority in making a decision with respect to that matter.
- (2) For the purposes of making a submission under section 185 of the Act, the Commissioner:
  - (a) may be represented by a legal practitioner or, with the consent of the Parole Authority, by any other person, and

## Crimes (Administration of Sentences) Further Amendment Regulation 2006

## Schedule 1      Amendments

- 
- (b) may call and examine any witness who attends, including any witness called by the Parole Authority, and
  - (c) may give evidence on oath, and
  - (d) may produce documents and exhibits to the Parole Authority, and
  - (e) may otherwise adduce, orally and in writing, to the Parole Authority such matters, and address the Parole Authority on such matters, as are relevant to the proceedings before the Parole Authority.



New South Wales

# Industrial Relations (Child Employment) Regulation 2006

under the

Industrial Relations (Child Employment) Act 2006

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Industrial Relations (Child Employment) Act 2006*.

JOHN DELLA BOSCA, M.L.C.,  
Minister for Industrial Relations

## Explanatory note

The objects of this Regulation are:

- (a) to prescribe the manner and form in which records are to be kept for the purposes of section 7 (Record-keeping requirements) of the *Industrial Relations (Child Employment) Act 2006*, and
- (b) to provide for the transfer of such records to the successor of an employer to whom section 7 applies.

This Regulation is made under the *Industrial Relations (Child Employment) Act 2006*, including sections 7 (2) and (4) and 21 (the general regulation-making power).

This Regulation comprises or relates to matters of a machinery nature, and matters that are not likely to impose an appreciable burden, cost or disadvantage on any sector of the public.



Industrial Relations (Child Employment) Regulation 2006

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Industrial Relations (Child Employment) Regulation 2006

Clause 1

Preliminary

Part 1

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## **Industrial Relations (Child Employment) Regulation 2006**

under the

Industrial Relations (Child Employment) Act 2006

### **Part 1 Preliminary**

#### **1 Name of Regulation**

This Regulation is the *Industrial Relations (Child Employment) Regulation 2006*.

#### **2 Commencement**

This Regulation commences on 1 December 2006.

#### **3 Definitions**

(1) In this Regulation:

*the Act* means the *Industrial Relations (Child Employment) Act 2006*.

(2) Notes included in this Regulation do not form part of this Regulation.

Clause 4	Industrial Relations (Child Employment) Regulation 2006
Part 2	Records relating to child employment

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## Part 2 Records relating to child employment

### 4 Manner and form of keeping records: section 7 (2) of Act

- (1) For the purposes of section 7 (2) of the Act, records must be:
  - (a) in legible form in the English language, or
  - (b) in computerised or other form that is readily accessible and is convertible into a legible form in the English language.
- (2) For the purposes of enabling an inspector or other person to exercise any power conferred by the Act to inspect any records kept in the form referred to in subclause (1) (b), the relevant part of the records are to be converted into legible form in the English language.

### 5 Transfer of records to successor employers

- (1) In this clause:

*transfer of business* means the transfer, transmission, conveyance, assignment or succession, whether by agreement or by operation of law, of the whole or any part of a business, undertaking or establishment.

*transferred child employee* means a child to whose employment section 4 of the Act applies who becomes an employee of an employer (*the new employer*) as a result of the transfer of business to that employer from another employer (*the former employer*).
- (2) The former employer must transfer to the new employer all records relating to the transferred child employee that, at the date of transfer, the former employer is required to keep under section 7 of the Act.
- (3) The new employer is to keep those transferred records as if they had been made by the new employer at the time they were made by the former employer.
- (4) The former employer is required to keep a copy of the transferred records for a period of at least 6 years after those records were made.
- (5) The new employer is not required to make records of anything occurring in the course of the transferred child employee's employment with the former employer.



New South Wales

# Local Government (General) Amendment (Annual Reports) Regulation 2006

under the

Local Government Act 1993

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Local Government Act 1993*.

KERRY HICKEY, M.P.,  
Minister for Local Government

## Explanatory note

Section 428 of the *Local Government Act 1993* requires every council to prepare an annual report as to its achievements with respect to the objectives and performance targets set out in its management plan. Section 428 lists some of the matters that the annual report must contain and provides for the regulations to require further information.

The object of this Regulation is to require further information to be included in the annual report of a council. That information concerns the total cost of the payment of certain expenses of, and the provision of certain facilities to, mayors and other councillors in relation to their civic functions.

This Regulation also corrects a cross-reference in a provision concerning the election of mayors by councillors.

This Regulation is made under the *Local Government Act 1993*, including section 428 (2) (r) (which provides for the regulations to require further information in an annual report) and section 748 (the general regulation-making power).

Clause 1            Local Government (General) Amendment (Annual Reports) Regulation  
                         2006

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## **Local Government (General) Amendment (Annual Reports) Regulation 2006**

under the

Local Government Act 1993

### **1 Name of Regulation**

This Regulation is the *Local Government (General) Amendment (Annual Reports) Regulation 2006*.

### **2 Amendment of Local Government (General) Regulation 2005**

The *Local Government (General) Regulation 2005* is amended as set out in Schedule 1.

Local Government (General) Amendment (Annual Reports) Regulation  
2006

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 2)

### [1] Clause 217 Additional information for inclusion in annual report

Insert after clause 217 (1) (a):

- (a1) details of the total cost during the year of the payment of the expenses of, and the provision of facilities to, councillors in relation to their civic functions (as paid by the council, reimbursed to the councillor or reconciled with the councillor), including separate details on the total cost of each of the following:
  - (i) the provision during the year of dedicated office equipment allocated to councillors on a personal basis, such as laptop computers, mobile telephones and landline telephones and facsimile machines installed in councillors' homes (including equipment and line rental costs and internet access costs but not including call costs),
  - (ii) telephone calls made by councillors, including calls made from mobile telephones provided by the council and from landline telephones and facsimile services installed in councillors' homes,
  - (iii) the attendance of councillors at conferences and seminars,
  - (iv) the training of councillors and the provision of skill development for councillors,
  - (v) interstate visits undertaken during the year by councillors while representing the council, including the cost of transport, the cost of accommodation and other out-of-pocket travelling expenses,
  - (vi) overseas visits undertaken during the year by councillors while representing the council, including the cost of transport, the cost of accommodation and other out-of-pocket travelling expenses,

Local Government (General) Amendment (Annual Reports) Regulation  
2006

Schedule 1 Amendments

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- (vii) the expenses of any spouse, partner or other person who accompanied a councillor in the performance of his or her civic functions, being expenses payable in accordance with the *Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors for Local Councils in NSW* prepared by the Director-General from time to time,
- (viii) expenses involved in the provision of care for a child of, or an immediate family member of, a councillor, to allow the councillor to undertake his or her civic functions,

**[2] Clause 217 (2A)**

Insert after clause 217 (2):

- (2A) The obligation to include the information specified in subclause (1) (a1) does not apply to the annual report of a council for the year ending 30 June 2006.

**[3] Schedule 7 Election of mayor by councillors**

Omit “and (5)” from clause 5 (2). Insert instead “and (6)”.



New South Wales

# Poisons and Therapeutic Goods Amendment Regulation 2006

under the

Poisons and Therapeutic Goods Act 1966

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Poisons and Therapeutic Goods Act 1966*.

JOHN HATZISTERGOS, M.L.C.,  
Minister for Health

## Explanatory note

The object of this Regulation is to amend the *Poisons and Therapeutic Goods Regulation 2002* (the **Regulation**) so as to:

- (a) enable the Director-General to approve exemptions to the form of prescriptions so as to allow for changes in technology, and
- (b) enable pharmacists, subject to the approval of the Director-General, to supply restricted medications (including prescribed restricted substances) to nursing homes for emergency use in the nursing homes, and
- (c) provide that the drug buprenorphine is not a type B drug of addiction if it is in the form of transdermal patches, and
- (d) enable locum medical practitioners to prescribe or supply a drug of addiction to certain patients without an authority, and
- (e) remove the substance ketamine from Appendix D.

This Regulation also removes redundant provisions. Section 28 of the *Poisons and Therapeutic Goods Act 1966* (the **Principal Act**) prohibits the prescription of certain drugs of addiction without the proper authority. Clauses 82 and 94 of the Regulation provide that terminally ill cancer patients may be prescribed pain relieving drugs of addiction for extended periods without having to first seek the proper authority. Recent amendments to the Principal Act have resulted in the vast majority of pain relieving drugs prescribed to treat cancer related pain now not requiring any such authority for prescription. Accordingly, the exceptions provided by clauses 82 and 94 are effectively redundant.

This Regulation is made under the *Poisons and Therapeutic Goods Act 1966*, including sections 17, 24, 28 and 45C (the general regulation-making power).



Clause 1 Poisons and Therapeutic Goods Amendment Regulation 2006

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## **Poisons and Therapeutic Goods Amendment Regulation 2006**

under the

Poisons and Therapeutic Goods Act 1966

### **1 Name of Regulation**

This Regulation is the *Poisons and Therapeutic Goods Amendment Regulation 2006*.

### **2 Amendment of Poisons and Therapeutic Goods Regulation 2002**

The *Poisons and Therapeutic Goods Regulation 2002* is amended as set out in Schedule 1.

Poisons and Therapeutic Goods Amendment Regulation 2006

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 2)

**[1] Clause 17 Schedule 3 substances to be supplied personally by pharmacists**

Omit “with” from clause 17 (5) (a). Insert instead “and that deliver”.

**[2] Clause 34 Form of prescription**

Insert after clause 34 (4):

- (5) The Director-General may, by order in writing, exempt any person or restricted substance, or any class of persons or restricted substances, from any or all of the requirements of this clause.
- (6) Such an exemption may be given unconditionally or subject to conditions.

**[3] Clause 46 Supply by pharmacists to nursing homes of stock for emergency use**

Omit “relevant prescribed substance” from clause 46 (1).

Insert instead “restricted substance approved by the Director-General for the purposes of this clause”.

**[4] Clause 46 (2)**

Omit “relevant prescribed”. Insert instead “restricted”.

**[5] Clause 46 (3) and (4)**

Omit clause 46 (3). Insert instead:

- (3) The Director-General may, by order in writing, either generally or in the case of a particular nursing home or class of nursing homes, approve the supply of a restricted substance (including a prescribed restricted substance) for emergency use in the nursing home or nursing homes.
- (4) An approval under subclause (3) may be given unconditionally or subject to conditions.

## Poisons and Therapeutic Goods Amendment Regulation 2006

## Schedule 1 Amendments

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**[6] Clause 77 Form of prescription**

Insert after clause 77 (4):

- (5) The Director-General may, by order in writing, exempt any person or drug of addiction, or any class of persons or drugs of addiction, from any or all of the requirements of this clause.
- (6) Such an exemption may be given unconditionally or subject to conditions.

**[7] Clause 82 Exceptions to section 28: prescriptions generally**

Omit clause 82 (2) and (3).

**[8] Clause 82 (5) (b)**

Omit “the same premises as the holder of that authority”.

Insert instead “the same premises that the holder of the authority was practising at when the authority was issued”.

**[9] Clause 94 Exceptions to section 28: supply**

Omit clause 94 (2) and (3).

**[10] Clause 94 (5) (b)**

Omit “the same premises as the holder of that authority”.

Insert instead “the same premises that the holder of the authority was practising at when the authority was issued”.

**[11] Clause 121A Prescribed type B drugs of addiction**

Insert “(other than in transdermal patches)” after “buprenorphine” in clause 121A (b).

**[12] Clause 141 Animals not permitted on premises**

Omit “or bird” from clause 141 (1).

**[13] Appendix C Supply by wholesale**

Omit “with” from clause 19 (a). Insert instead “and that deliver”.

**[14] Appendix D Prescribed restricted substances**

Omit the matter relating to Ketamine from columns 1 and 2.



New South Wales

# Road Transport (Safety and Traffic Management) (Road Rules) Amendment (No Standing Signs) Regulation 2006

under the

Road Transport (Safety and Traffic Management) Act 1999

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (Safety and Traffic Management) Act 1999*.

ERIC ROOZENDAAL, M.L.C.,  
Minister for Roads

## Explanatory note

The object of this Regulation is to amend the *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999* to continue in force until 1 December 2008 clause 16 (1) of that Regulation. Clause 16 (1), which preserves the effect of a sign on which the words “no standing” appear despite the provisions of Rule 167 of the *Australian Road Rules*, will otherwise cease to have effect on 1 December 2006.

This Regulation is made under the *Road Transport (Safety and Traffic Management) Act 1999*, including section 71 (the general regulation-making power) and clause 1 of Schedule 1.

Clause 1            Road Transport (Safety and Traffic Management) (Road Rules)  
                         Amendment (No Standing Signs) Regulation 2006

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## **Road Transport (Safety and Traffic Management) (Road Rules) Amendment (No Standing Signs) Regulation 2006**

under the

Road Transport (Safety and Traffic Management) Act 1999

### **1 Name of Regulation**

This Regulation is the *Road Transport (Safety and Traffic Management) (Road Rules) Amendment (No Standing Signs) Regulation 2006*.

### **2 Amendment of Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999**

The *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999* is amended by omitting from clause 16 (2) the matter “1 December 2006” and by inserting instead the matter “1 December 2008”.



New South Wales

# Road Transport (Heavy Vehicles Registration Charges) Regulation 2006

under the

Road Transport (Heavy Vehicles Registration Charges) Act 1995

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (Heavy Vehicles Registration Charges) Act 1995*.

ERIC ROOZENDAAL, M.L.C.,  
Minister for Roads

## Explanatory note

The object of this Regulation is to repeal and remake, without substantial amendment, the *Road Transport (Heavy Vehicles Registration Charges) Regulation 2001*, which would otherwise be repealed on 1 September 2007 by section 10 (2) of the *Subordinate Legislation Act 1989*.

This Regulation deals with the following matters for the purposes of the *Road Transport (Heavy Vehicles Registration Charges) Act 1995 (the Act)*:

- (a) declaring certain vehicles not to be special purpose vehicles,
- (b) declaring certain vehicles to be special purpose vehicles,
- (c) axle load limits for certain special purpose vehicles,
- (d) the method for calculating an amount to be used in a formula specified in the Act to determine the charge for the grant of a permit to operate vehicles with certain loads,
- (e) the calculation of a refund of registration and permit charges on cancellation of registration,
- (f) varying the annual registration fees payable under Part 2 of the Act,
- (g) matters of a machinery nature.

The amounts of the annual registration charges as varied by this Regulation are the same as those calculated in accordance with the procedures approved, and subject to the parameters set, by the Australian Transport Council or the National Transport Commission under the Agreement referred to in the *National Transport Commission Act 2003* of the Commonwealth.

Road Transport (Heavy Vehicles Registration Charges) Regulation 2006

Explanatory note

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This Regulation is made under the *Road Transport (Heavy Vehicles Registration Charges) Act 1995*, including sections 9 (Variations in charges), 17 (Authority to determine charges), 22 (Refund of charges on cancellation of registration or permit) and 38 (the general regulation-making power), the definitions of *special purpose vehicle*, *special purpose vehicle (type o)* and *special purpose vehicle (type t)* in Part 1 of Schedule 1 to the Act, and Part 3 of Schedule 1.

This Regulation comprises or relates to matters arising under legislation that is substantially uniform or complementary with legislation of the Commonwealth or another State or Territory.

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Road Transport (Heavy Vehicles Registration Charges) Regulation 2006

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Clause 1 Road Transport (Heavy Vehicles Registration Charges) Regulation 2006

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## Road Transport (Heavy Vehicles Registration Charges) Regulation 2006

under the

Road Transport (Heavy Vehicles Registration Charges) Act 1995

### 1 Name of Regulation

This Regulation is the *Road Transport (Heavy Vehicles Registration Charges) Regulation 2006*.

### 2 Commencement

This Regulation commences on 1 December 2006.

**Note.** This Regulation repeals and replaces the *Road Transport (Heavy Vehicles Registration Charges) Regulation 2001* which would otherwise be repealed on 1 September 2007 by section 10 (2) of the *Subordinate Legislation Act 1989*.

### 3 Definitions

(1) In this Regulation:

*the Act* means the *Road Transport (Heavy Vehicles Registration Charges) Act 1995*.

(2) Notes included in this Regulation do not form part of this Regulation.

### 4 Special purpose vehicles

For the purposes of the definition of *special purpose vehicle* in Part 1 of Schedule 1 to the Act:

- (a) each of the following vehicles is declared to be a special purpose vehicle:
  - (i) a forklift,
  - (ii) a straddle carrier,
  - (iii) a mobile cherry picker,
  - (iv) a mobile crane, and
- (b) each of the following vehicles is declared not to be a special purpose vehicle:
  - (i) a caravan,
  - (ii) a mobile home,
  - (iii) a mobile library,

- (iv) a mobile workshop,
- (v) a mobile laboratory,
- (vi) a mobile billboard.

#### **5 Axle load limits for certain special purpose vehicles**

For the purposes of the definitions of *special purpose vehicle (type o)* and *special purpose vehicle (type t)* in Part 1 of Schedule 1 to the Act, the load limit for an axle or axle group specified in Column 1 of Schedule 1 to this Regulation is that specified in Column 2 opposite that axle or axle group.

#### **6 Calculation of “N” for the purposes of Part 3 of Schedule 1 to the Act**

- (1) For the purposes of the formula set out in Part 3 of Schedule 1 to the Act, the number *N*, in relation to a vehicle or a combination of vehicles that includes one or more trailers, is the sum of the equivalent standard axles for each of the rows of tyres across the trailer or trailers.
- (2) For the purposes of subclause (1):
  - (a) the number of equivalent standard axles per row of 8 tyres across a trailer with an average load per row (tonnes) specified in Column 1 of Table A in Schedule 2 is that specified in Column 2 opposite that average load per row (tonnes), and
  - (b) the number of equivalent standard axles per row of 4 tyres across a trailer with an average load per row (tonnes) specified in Column 1 of Table B in Schedule 2 is that specified in Column 2 opposite that average load per row (tonnes).
- (3) For the purposes of subclause (2) and Schedule 2, the average load per row (tonnes) of tyres across a trailer is to be determined using the following formula:

$$\frac{C}{B}$$

where:

*C* is the loaded mass (in tonnes) of the trailer, and

*B* is the number of rows of tyres across the trailer.

#### **7 Calculation of refund of registration and permit charges on cancellation of registration**

- (1) For the purposes of section 22 (3) (b) of the Act, a refund of a registration charge or permit charge is to be calculated in accordance with this clause.

Clause 8 Road Transport (Heavy Vehicles Registration Charges) Regulation 2006

- (2) A refund is to be calculated using the formula:

$$\left( \frac{\text{number of days} \times \text{charge}}{365} \right) - \text{fee}$$

where:

**charge** means the registration charge or permit charge paid under the Act.

**fee** means any unpaid fees payable under the *Road Transport (Vehicle Registration) Act 1997* or the *Road Transport (Vehicle Registration) Regulation 1998* (including any unpaid fee for the cancellation of the registration).

**number of days** means the number of unexpired days of the registration period or permit of the vehicle concerned, from the date on which the Authority cancels the registration of the vehicle or the permit.

- (3) If an amount of refund determined in accordance with subclause (2) would comprise an amount that is not a whole number of dollars, the amount of refund is to be adjusted downwards to the next whole number of dollars.

## 8 Variation of charges

Pursuant to section 9 (1) and (4) of the Act:

- (a) the annual registration charge for a vehicle or combination of vehicles specified in Schedule 3 is varied as set out in that Schedule, and
- (b) the maximum amount that may be imposed in respect of such a charge (as published in the most recent notice referred to in section 9 (2) of the Act) is the same as the amount specified in Schedule 3 in relation to that charge.

**Note.** The annual registration charges specified in, or calculated in accordance with, Part 2 of Schedule 1 to the Act do not apply while this clause has effect.

## 9 Repeal and saving

- (1) The *Road Transport (Heavy Vehicles Registration Charges) Regulation 2001* is repealed.
- (2) Any act, matter or thing that had effect under the *Road Transport (Heavy Vehicles Registration Charges) Regulation 2001* immediately before the repeal of that Regulation is taken to have effect under this Regulation.

Road Transport (Heavy Vehicles Registration Charges) Regulation 2006

Axle load limits for certain special purpose vehicles

Schedule 1

## Schedule 1 Axle load limits for certain special purpose vehicles

(Clause 5)

Column 1	Column 2
Type of axle or axle group	Axle load limit (tonnes)
Single axle	
(a) 2 tyres	6.0
(b) 2 wide profile tyres:	
(i) 375 mm to 450 mm	6.7
(ii) over 450 mm	7.0
(c) 4 or more tyres:	
(i) on pig trailers	8.5
(ii) on other trailers	9.0
Twin steer axle groups (2 consecutive axles connected to the same steering mechanism)	
(a) non-load sharing suspensions	10.0
(b) load sharing suspensions	11.0
Tandem axle groups (2 consecutive axles connected by a load sharing suspension)	
(a) 4 tyres	11.0
(b) 4 wide profile tyres:	
(i) 375 mm to 450 mm	13.3
(ii) over 450 mm	14.0
(c) 6 tyres	13.0
(d) 8 or more tyres:	
(i) on pig trailers	15.0
(ii) on other vehicles	16.5
Tri-axle groups (3 consecutive axles connected by a load sharing suspension)	
(a) 6, 8 or 10 tyres	15.0

## Road Transport (Heavy Vehicles Registration Charges) Regulation 2006

Schedule 1 Axle load limits for certain special purpose vehicles

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<b>Column 1</b>	<b>Column 2</b>
<b>Type of axle or axle group</b>	<b>Axle load limit (tonnes)</b>
(b) 6 wide profile tyres (375 mm or over):	
(i) on pig trailers	18.0
(ii) on other vehicles	20.0
(c) 12 or more tyres:	
(i) on pig trailers	18.0
(ii) on other vehicles	20.0

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Road Transport (Heavy Vehicles Registration Charges) Regulation 2006

Equivalent standard axles for rows of tyres across trailers

Schedule 2

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## Schedule 2      Equivalent standard axles for rows of tyres across trailers

(Clause 6)

**Table A Trailers with rows of 8 tyres**

<b>Column 1</b>	<b>Column 2</b>
<b>Average load per row (tonnes)</b>	<b>Equivalent standard axles per row</b>
10 or more but fewer than 11	0.4
11 or more but fewer than 12	0.6
12 or more but fewer than 13	0.9
13 or more but fewer than 14	1.2
14 or more but fewer than 15	1.7
15 or more but fewer than 16	2.2
16 or more but fewer than 17	2.8
17 or more but fewer than 18	3.6
18 or more but fewer than 19	4.6
19 or more but fewer than 20	5.7
20 or more but fewer than 21	6.9
21 or more but fewer than 22	8.4
22 or more but fewer than 23	10.2
23 or more but fewer than 24	12.1
24 or more	14.4

**Table B Trailers with rows of 4 tyres**

<b>Column 1</b>	<b>Column 2</b>
<b>Average load per row (tonnes)</b>	<b>Equivalent standard axles per row</b>
5 or more but fewer than 6	0.1
6 or more but fewer than 7	0.3
7 or more but fewer than 8	0.5
8 or more but fewer than 9	0.9
9 or more but fewer than 10	1.5
10 or more but fewer than 11	2.2

## Road Transport (Heavy Vehicles Registration Charges) Regulation 2006

Schedule 2      Equivalent standard axles for rows of tyres across trailers

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<b>Column 1</b>	<b>Column 2</b>
<b>Average load per row (tonnes)</b>	<b>Equivalent standard axles per row</b>
11 or more but fewer than 12	3.2
12 or more	4.6

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Road Transport (Heavy Vehicles Registration Charges) Regulation 2006

Annual registration charges

Schedule 3

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## Schedule 3 Annual registration charges

(Clause 8)

**1 Load carrying vehicles**

Item	Vehicle type	2-axle	3-axle	4-axle	5-axle
1	Truck (type 1)	\$343	\$686	\$1,029	\$1,029
2	Truck (type 2)	\$572	\$914	\$2,285	\$2,285
3	Short combination truck	\$629	\$2,285	\$2,285	\$2,285
4	Medium combination truck	\$4,342	\$4,342	\$4,684	\$4,684
5	Long combination truck	\$5,998	\$5,998	\$5,998	\$5,998
6	Short combination prime mover	\$1,485	\$3,883	\$5,025	\$5,025
7	Medium combination prime mover	\$4,569	\$5,711	\$6,283	\$6,283
8	Long combination prime mover	\$5,711	\$5,711	\$6,283	\$6,283

**2 Load carrying trailer, converter dolly and low loader dolly**

The charge for a load carrying trailer, converter dolly or low loader dolly is \$343 multiplied by the number of axles of the trailer or dolly.

**3 Buses**

Item	Bus type	2-axle	3-axle	4-axle
1	Bus (type 1)	\$343	Not applicable	Not applicable
2	Bus (type 2)	\$572	\$1,428	\$1,428
3	Articulated bus	Not applicable	\$572	\$572

**4 Special purpose vehicles**

Item	Special purpose vehicle type	Charge
1	Special purpose vehicle (type p)	No charge
2	Special purpose vehicle (type t)	\$229
3	Special purpose vehicle (type o)	\$286 plus (\$286 multiplied by the number of axles in excess of 2)

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Road Transport (Heavy Vehicles Registration Charges) Regulation 2006

Schedule 3 Annual registration charges

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**5 Vehicles in 2 or more categories**

If a vehicle falls within 2 or more categories, the charge for the vehicle is the higher or highest of the charges applicable to the vehicle.



New South Wales

## Tow Truck Industry Amendment (Miscellaneous) Regulation 2006

under the

Tow Truck Industry Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Tow Truck Industry Act 1998*.

ERIC ROOZENDAAL, M.L.C.,  
Minister for Roads

### Explanatory note

The object of this Regulation is to enhance the operation of the *Tow Truck Industry Regulation 1999* (*the Regulation*) by making miscellaneous amendments to the Regulation so as:

- (a) to provide greater detail in the definition of *car carrier* in the *Tow Truck Industry Act 1998* (*the Act*) and the definition of *accident towing work* in the Regulation, and
- (b) to provide that the imposition, in respect of certain offences specified in the Regulation, of a penalty of 100 or more hours of community service on an applicant for a tow truck operators licence (or a close associate of the applicant) or an applicant for a tow truck drivers certificate disqualifies the applicant in the same way that the imposition of a particular sentence of imprisonment or particular monetary penalty does, but to ensure that current holders of such licences and certificates are not disadvantaged by the change, and
- (c) to omit the requirement that an applicant for a drivers certificate who has not previously held such a certificate (or whose certificate has lapsed or been revoked) provide written references as to the applicant's character, to make consequential amendments, and to make a minor change in respect of the other particulars that must be included in applications for such certificates, and
- (d) to require holders of tow truck operators licences and tow truck drivers certificates to notify the Tow Truck Authority in writing of any change in their residential or postal address and any change in the status of their driver licence, and
- (e) to prescribe certain circumstances in which a towing authorisation is required (in addition to the circumstances in which such an authorisation is required by the Act), and

## Tow Truck Industry Amendment (Miscellaneous) Regulation 2006

## Explanatory note

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- (f) to make further provision with respect to the towing of certain vehicles otherwise than under the authority of a towing authorisation, and
  - (g) to impose certain restrictions on the obtaining of certain towing authorisations, and
  - (h) to require a person who obtains a towing authority to ensure that the authority complies with certain requirements (and to create the offence of failing to do so), and
  - (i) to clarify the nature of certain implements that tow trucks must carry for the removal of accident debris, and
  - (j) to increase the maximum penalty for the offence that is committed if the holder of a licence to operate a tow truck does not ensure that the tow truck drivers used by the licensee comply with the requirements relating to the conduct and duties of tow truck drivers set out in clause 64 of the Regulation, and
  - (k) to specify the matters that licensed tow truck operators must include in any invoices that they issue in relation to towing work (and to create the offence of including in those invoices any matter that the licensee knows to be false or misleading in a material particular), and
  - (l) to provide for the keeping and inspection of copies of such invoices, and
  - (m) to enable penalty notices to be issued for certain offences (in addition to the offences for which such notices may currently be issued), and
  - (n) to correct an incorrect cross-reference.

This Regulation is made under the *Tow Truck Industry Act 1998*, including section 105 (the general regulation-making power) and the sections specifically referred to in the Regulation.

Tow Truck Industry Amendment (Miscellaneous) Regulation 2006

Clause 1

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## **Tow Truck Industry Amendment (Miscellaneous) Regulation 2006**

under the

Tow Truck Industry Act 1998

### **1 Name of Regulation**

This Regulation is the *Tow Truck Industry Amendment (Miscellaneous) Regulation 2006*.

### **2 Commencement**

This Regulation commences on 1 December 2006.

### **3 Amendment of Tow Truck Industry Regulation 1999**

The *Tow Truck Industry Regulation 1999* is amended as set out in Schedule 1.

## Tow Truck Industry Amendment (Miscellaneous) Regulation 2006

Schedule 1 Amendments

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**Schedule 1 Amendments**

(Clause 3)

**[1] Clause 4 Meaning of “tow” and “tow truck”**

Omit clause 4 (3). Insert instead:

(3) In subclause (2):

*car carrier* means a motor vehicle combination that is designed or adapted for use for the transport of motor vehicles, being a combination:

- (a) that is not equipped or fitted with any lifting equipment (whether portable or fixed) to load the motor vehicles to be transported, and
- (b) onto which the motor vehicles to be transported are loaded by travelling along a ramp under their own propulsion.

**[2] Clause 7 Offences that disqualify applicants for licences: section 18 (2) (b) and (3) (i)**

Omit “imprisonment, or a monetary penalty of more than \$1,000, or both” from clause 7 (1).

Insert instead “imprisonment, a direction under a community service order that the offender perform community service work for 100 or more hours or a monetary penalty of \$1,000 or more, or a combination of those penalties”.

**[3] Clause 13 Particulars to be included in drivers certificate applications: section 25 (2) (b)**

Insert “current or prospective” before “employer” in clause 13 (1) (b).

**[4] Clause 13 (1) (c)**

Omit the paragraph.

**[5] Clause 13 (1) (d)**

Omit “, that has been certified by one of the applicant’s referees to be a true likeness of the applicant”.

**[6] Clause 13 (2)**

Omit the subclause.

Tow Truck Industry Amendment (Miscellaneous) Regulation 2006

Amendments

Schedule 1

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**[7] Clause 15 Offences that disqualify applicants for drivers certificates: section 26 (2) (b)**

Omit “period, or a monetary penalty of more than \$1,000, or both” from clause 15 (1).

Insert instead “period, a direction under a community service order that the offender perform community service work for 100 or more hours or a monetary penalty of \$1,000 or more, or a combination of those penalties”.

**[8] Clause 22B**

Insert after clause 22A:

**22B Furnishing of information**

A person who is the holder of a licence or drivers certificate must notify the TTA in writing of the following, as soon as practicable after it occurs:

- (a) any change in the person’s residential address,
- (b) any change in the person’s postal address,
- (c) any change in the status of the person’s driver licence.

Maximum penalty: 5 penalty units.

**[9] Part 3**

Omit the heading to the Part. Insert instead:

**Part 3 Job allocation scheme and towing authorisations**

**[10] Clause 23 Definitions**

Omit the definition of *accident towing work*. Insert instead:

*accident towing work* means the initial towing or carrying away by a tow truck of a motor vehicle, either from the scene of an accident or from the place to which the motor vehicle has been towed in order to prevent it from being an obstruction to traffic at the scene of the accident, and includes any salvage or recovery work carried out by means of, or by the driver of, a tow truck at the scene of the accident in relation to the motor vehicle.

## Tow Truck Industry Amendment (Miscellaneous) Regulation 2006

## Schedule 1 Amendments

**[11] Clause 37 Additional circumstances in which towing authorisation required (non-JAS accident towing work)**

Omit clause 37 (1). Insert instead:

- (1) A towing authorisation is required in any circumstances in which accident towing work (other than accident towing work to which a JAS applies) is to be carried out.

- (1A) A person must not carry out, or attempt to carry out, any such accident towing work unless the person has obtained the relevant towing authorisation for the work.

Maximum penalty: 50 penalty units.

**Note.** Section 49 (1) of the Act provides that a person must not carry out towing work allocated under a JAS unless a towing authorisation for the towing work has been obtained.

**[12] Clause 37 (3)**

Insert after clause 37 (2):

- (3) For the purposes of subclause (2), but without limiting subclause (2) (b):
- (a) a vehicle that is towed under the authority of that subclause must be towed only to the place specified by the authorised officer or police officer who gave the direction (or, if no place is specified, to the nearest place where the vehicle will not be an obstruction to traffic), and
- (b) a person is required to obtain an appropriate towing authorisation before towing, or attempting to tow, the vehicle from that place.

**[13] Clause 37A**

Insert after clause 37:

**37A Restrictions on obtaining towing authorisations (non-JAS accident towing work)**

A person must not obtain, or attempt to obtain, a towing authorisation required by clause 37 (1A) in respect of any motor vehicle:

- (a) if another person has obtained a towing authorisation for the motor vehicle, or
- (b) until after any towing work authorised by a towing authorisation already obtained by the person has been carried out in accordance with the authorisation.

Maximum penalty: 20 penalty units.

Tow Truck Industry Amendment (Miscellaneous) Regulation 2006

Amendments

Schedule 1

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**[14] Clause 41 Completion of, and dealing with, towing authorisations**

Omit clause 41 (1). Insert instead:

- (1) A person who obtains a towing authorisation must ensure that the authorisation:
  - (a) is in the approved form, and
  - (b) is included in a towing authorisation book, and
  - (c) is signed by the person and by the person giving the authorisation, and
  - (d) specifies a place as the place to which the motor vehicle is to be towed, and
  - (e) is otherwise completed (to the extent that is reasonably practicable in the circumstances) by the insertion of the information required by the approved form.

Maximum penalty: 20 penalty units.

**[15] Clause 60 Tow truck equipment: section 55 (1)**

Insert after clause 60 (2):

- (3) In this clause:

*broom* means a brush or similar implement of bristles, nylon or twigs with a handle at least 1.2 metres long.

*shovel* means an implement consisting of a broad metal blade or scoop attached to a handle at least 1.2 metres long and designed for taking up and removing loose matter (such as earth, snow, coal and the like).

**[16] Clause 64 Conduct and duties of tow truck drivers**

Omit the penalty following clause 64 (2). Insert instead:

Maximum penalty: 10 penalty units.

**[17] Clause 65A**

Insert after clause 65:

**65A Invoices**

- (1) A licensee must include the following in any invoice issued by the licensee in relation to towing work:
  - (a) the name of the licensee as shown in the licensee's licence,
  - (b) the business name (if any) of the licensee and the relevant ABN,
  - (c) the name of the person to whom the invoice is issued,



## Tow Truck Industry Amendment (Miscellaneous) Regulation 2006

## Schedule 1 Amendments

- 
- (d) a description of the towing work to which the invoice relates,
  - (e) such fees (in itemised form) as are charged by the licensee in relation to the following:
    - (i) any salvage relating to the relevant vehicle,
    - (ii) the towing of the relevant vehicle,
    - (iii) any storage of the relevant vehicle,
  - (f) any other fee charged by the licensee in relation to the vehicle, fully described and set out in itemised form.

Maximum penalty: 10 penalty units.

- (2) A licensee must not include in the invoice any matter that the licensee knows to be false or misleading in a material particular.  
Maximum penalty: 50 penalty units.

- (3) A licensee must:
  - (a) keep at the licensee's place of business (as specified in the licence) a copy of each invoice issued by the licensee for a period of 5 years after its issue, and
  - (b) on demand by an authorised officer or a police officer within that period of 5 years, produce for inspection the copy of any such invoice, and
  - (c) allow the person to whom the copy is produced to take extracts from, or to make copies of, the invoice, or to remove the invoice for the purposes of producing it as evidence in any proceedings.

Maximum penalty: 10 penalty units.

**[18] Clause 68 Stand-by tow trucks**

Omit "subclause (2)" from clause 68 (4) (a). Insert instead "subclause (3)".

**[19] Clause 74**

Insert after clause 73:

**74 Savings provision—licences and certificates**

- (1) Clause 7 as in force immediately before the commencement of the amendment made to that clause by the *Tow Truck Industry Amendment (Miscellaneous) Regulation 2006* continues to apply, for the purposes of section 18 (2) (b) and (3) (i) of the Act, in respect of any offence of which an applicant for a subsequent licence, or a close associate of the applicant, was convicted or found guilty before that amendment commenced.

## Tow Truck Industry Amendment (Miscellaneous) Regulation 2006

Amendments

Schedule 1

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- (2) Clause 15 as in force immediately before the commencement of the amendment made to that clause by the *Tow Truck Industry Amendment (Miscellaneous) Regulation 2006* continues to apply, for the purposes of section 26 (2) (b) of the Act, in respect of any offence of which an applicant for a subsequent drivers certificate was convicted or found guilty before that amendment commenced.

**[20] Schedule 1 Penalty notice offences**

Insert in appropriate order under the heading “**Offences under this Regulation**”:

Clause 22B	\$110
Clause 37 (1A)	\$1,100
Clause 37A	\$440
Clause 41 (1)	\$440
Clause 65A (1)	\$220
Clause 65A (3)	\$220

**[21] Schedule 1, matter relating to clause 68 (4) (b)**

Omit “(b)”.

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## Department of Lands

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**ARMIDALE OFFICE**  
**108 Faulkner Street (PO Box 199A), Armidale NSW 2350**  
**Phone: (02) 6770 3100 Fax (02) 6771 5348**

### APPOINTMENT OF TRUST BOARD MEMBERS

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

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

#### SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Kenneth John BEDDIE (re-appointment), Craig John ADAMSON (re-appointment), Charles Raymond McCLUSKEY (re-appointment), Alistair Thomas Llewelyn WILLIAMS (re-appointment), Jody Louise BLACKWELL (re-appointment), Robert Victor ADAMSON (re-appointment), Albert Joseph LANSDOWN (re-appointment).	Inverell Rifle Range (R67992) Reserve Trust.	Reserve No.: 67992. Public Purpose: Rifle range. Notified: 4 November 1938. File No.: AE91 R 1.

#### Term of Office

For a term commencing 1 January 2007 and expiring  
 31 December 2011.

**BOARD OF SURVEYING AND SPATIAL INFORMATION**  
**Panorama Avenue (PO Box 143), Bathurst NSW 2795**  
**Phone: (02) 6332 8238 Fax: (02) 6332 8240**

**SURVEYING ACT 2002**

Registration of Surveyors

PURSUANT to the provisions of the Surveying Act 2002, section 10(1)(a), the undermentioned persons have been Registered as Land Surveyors in New South Wales from the dates shown.

<i>Name</i>	<i>Address</i>	<i>Effective Date</i>
Scott Robert BARKER.	6/453 Glenmore Road, Paddington NSW 2021.	2 October 2006.
Colin William CURRIE.	324 Balo Street, Moree NSW 2400.	3 October 2006.
Peter Mark GRAHAM.	E 705/599 Pacific Highway, St Leonards NSW 2065.	10 October 2006.
Stephen Robert EMERY.	200 Willandra Road, Cromer NSW 2099.	26 October 2006.
Christopher Samson KUSTURIN.	2/75 Shirley Street, Ourimbah NSW 2258.	3 November 2006.
Colin John PETHERS.	2 Carellan Close, Bolwarra NSW 2320.	6 October 2006.
Daniel Shane ROWSELL.	4 Blazey Place, Theodore ACT 2905.	6 October 2006.

W. A. WATKINS, President

G. K. A. LEATHERLAND, Registrar

**SURVEYING ACT 2002**

Registration of Surveyors

PURSUANT to the provisions of the Surveying Act 2002, section 10(1)(b), the undermentioned persons have been Registered as Mining Surveyors (Unrestricted) in New South Wales from the dates shown.

<i>Name</i>	<i>Address</i>	<i>Effective Date</i>
Jamie Allan William COSTELLO.	15 Pitt Street, Singleton NSW 2330.	20 October 2006.
Mario Peter FANTIN.	Lot 12 Weemilah Place, Orange NSW 2800.	9 November 2006.
Luke James HAMSON.	92 Ballydoyle Drive, Ashtonfield NSW 2323.	13 October 2006.

W. A. WATKINS, President

G. K. A. LEATHERLAND, Registrar

**SURVEYING ACT 2002**

Restoration of Name to the Register of Surveyors

PURSUANT to the provisions of the Surveying Act 2002, section 10A, the undermentioned Land Surveyors have been restored to the Register of Surveyors.

<i>Name</i>	<i>Date of Original Registration</i>	<i>Removal Date</i>	<i>Restoration Date</i>
Christopher John ABLETT.	6 December 1984.	1 September 2006.	15 September 2006.
Robert Bruce ADDISON.	12 September 1986.	1 September 2006.	7 November 2006.
Phillip Alfred ALLDIS.	5 October 1965.	1 September 2006.	15 September 2006.
Cheryl Margaret ANDERSON.	17 July 2003.	1 September 2006.	15 September 2006.
Kenneth John AUSTIN.	4 October 1966.	1 September 2006.	29 September 2006.
David Kenneth BURKE.	13 September 1991.	1 September 2006.	15 September 2006.
Mark Ernest BUTTSWORTH.	19 March 1982.	1 September 2006.	11 October 2006.
Thomas John CLARKE.	28 March 1960.	1 September 2006.	27 October 2006.
Brian CRISP.	9 April 1953.	1 September 2006.	15 September 2006.
Brett Clifford CURREY.	4 June 1993.	1 November 2005.	10 November 2006.
Frederick Llewellyn De BELIN.	22 March 1976.	1 September 2006.	13 September 2006.
Kevin Joseph DONOVAN.	3 October 1967.	1 September 2006.	11 September 2006.

Richard Lloyd DUMMETT.	18 September 1992.	1 September 2006.	4 October 2006.
James DURTANOVICH.	10 April 1967.	1 September 2006.	13 September 2006.
Paul Leonard GARRETT.	2 April 1997.	1 September 2006.	14 September 2006.
Peter Michael GATELY.	2 October 1974.	1 September 2006.	13 September 2006.
Simon Andrew GEEST.	25 January 1999.	1 September 2006.	13 September 2006.
Wolfgang GOLDBERGER.	3 March 1989.	1 September 2006.	6 September 2006.
Peter Godfrey HARRIS.	2 May 1966.	1 September 2006.	13 September 2006.
Alan Raymond HAWDON.	20 September 1971.	1 September 2006.	13 September 2006.
Simon Christopher HUGHES.	30 September 2003.	1 September 2006.	14 September 2006.
Philip John HUNTER.	22 March 1976.	1 September 2006.	7 November 2006.
Alastair Douglas KEMP.	25 September 1989.	1 September 2006.	12 September 2006.
Vincent Jonathon KENNEDY.	11 May 2006.	1 September 2006.	11 September 2006.
Peter Michael McCARTNEY.	20 September 1963.	1 September 2006.	11 September 2006.
Philip Harold MUDGE.	1 April 1963.	1 September 2006.	8 September 2006.
Brian Anthony MURPHY.	25 March 1966.	1 September 2006.	9 November 2006.
Peter Anthony PAPAS.	9 November 1987.	1 September 2006.	4 September 2006.
Peter David RICHMOND.	22 April 2004.	1 September 2006.	15 September 2006.
Stephen Charles SAUNDERS.	20 October 1995.	1 September 2006.	3 October 2006.
Mark Nicholas SCANLON.	1 July 2004.	1 September 2006.	11 September 2006.
Andrew Blair SPAIN.	30 September 1997.	1 September 2006.	15 September 2006.
David William TIMBS.	14 September 1970.	1 September 2006.	8 September 2006.
John Kenneth WICKS.	17 March 1969.	1 September 2006.	11 September 2006.

W. A. WATKINS, President

G. K. A. LEATHERLAND, Registrar

### SURVEYING ACT 2002

#### Restoration of Name to the Register of Surveyors

PURSUANT to the provisions of the Surveying Act 2002, section 10A, the undermentioned Mining Surveyors (Unrestricted) have been restored to the Register of Surveyors.

<i>Name</i>	<i>Date of Original Registration</i>	<i>Removal Date</i>	<i>Restoration Date</i>
Craig CLUDERAY.	22 September 2003.	1 September 2006.	29 September 2006.
Stephen John KOOSMEN.	23 October 2003.	1 September 2006.	3 October 2006.
Stuart Lennox McNAUGHTON.	30 October 2003.	1 September 2006.	10 October 2006.

W. A. WATKINS, President

G. K. A. LEATHERLAND, Registrar

### SURVEYING ACT 2002

#### Restoration of Name to the Register of Surveyors

PURSUANT to the provisions of the Surveying Act 2002, section 10A, the undermentioned Mining Surveyor (Open Cut) has been restored to the Register of Surveyors.

<i>Name</i>	<i>Date of Original Registration</i>	<i>Removal Date</i>	<i>Restoration Date</i>
John Anthony MORGAN.	3 October 2003.	1 September 2006.	8 September 2006.

W. A. WATKINS, President

G. K. A. LEATHERLAND, Registrar

**DUBBO OFFICE****142 Brisbane Street (PO Box 865), Dubbo NSW 2830****Phone: (02) 6841 5200 Fax: (02) 6841 5231****REMOVAL OF MEMBERS**

Gulgong Racecourse Reserve Trust

THE Minister for Lands, pursuant to Clause 6(4) of Schedule 3 of the Crown Lands Act 1989, hereby removes from office the persons specified in the Schedule hereunder, as members of the trust board of the Gulgong Racecourse Reserve Trust with effect from the 24 November 2006.

File No.: DB81 R 179.

**SCHEDULE**

Michael YORK  
 Ronald George WILLIAMS  
 Alexander McMahon MARTYN  
 Carol Elizabeth HILLS  
 Vern WAKEFIELD  
 Susan Joy PASCOE  
 Joanne Lee TRENGOVE

The person for the time being holding the office of Member, Gulgong Heritage Harness Association Inc. (ex-officio member)

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

**APPOINTMENT OF ADMINISTRATOR**

Gulgong Racecourse Reserve Trust

THE Minister for Lands, pursuant to section 117 of the Crown Lands Act 1989, hereby appoints Lester Graham LYNCH as administrator of the Gulgong Racecourse Reserve Trust with effect from the 24 November 2006.

File No.: DB81 R 179.

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

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

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

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

**Description**

*Parish – Bubalahla; County – Georgiana;  
 Land District – Crookwell;  
 L.G.A. – Upper Lachlan Council.*

Lot 5, DP 1018349 (not being land under the Real Property Act).

File No.: GB06 H 217.BA.

Notes: On closing, the title for the land in Lot 5 remains vested in Upper Lachlan Council as operational land.

In accordance with section 44 of the Roads Act 1993, the Crown consents to the land in Lot 5 being vested in the Upper Lachlan Council as operational land, to be given by the Council as compensation for other land acquired by the Council for the purpose of the Roads Act.

**APPOINTMENT OF TRUST BOARD MEMBERS**

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

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

**Schedule**

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Margaret O'Neill (new member)	Cookbundoon Sports Fields (R83605) Reserve Trust	Reserve No. 83605 Public Purpose: Public Recreation Notified: 1 December 1961 File Reference: GB80R74

For a term commencing the date of this notice and expiring 11 March 2009.

**GRAFTON OFFICE**  
**76 Victoria Street (Locked Bag 10), Grafton NSW 2460**  
**Phone: (02) 6640 3400 Fax: (02) 6642 5375**

**APPOINTMENT OF TRUST BOARD MEMBERS**

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

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

**SCHEDULE**

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Wayne Kingsford BURLEY (new member), Marie Patricia STEELE (new member).	Dorrigo Showground and Public Recreation Trust.	Dedication No.: 540031. Public Purpose: Showground and public recreation. Notified: 27 July 1956. File No.: GF80 R 194.

Term of Office

For a term commencing the date of this notice and expiring 13 March 2008.

**APPOINTMENT OF ADMINISTRATOR TO  
MANAGE A RESERVE TRUST**

PURSUANT to section 117 of the Crown Lands Act 1989, the person specified in Column 1 of the Schedule hereunder, is appointed as administrator for the term also specified thereunder, of the reserve trust specified opposite thereto in Column 2, which is trustee of the reserve referred to in Column 3 of the Schedule.

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

**SCHEDULE**

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Phillip Thomas FOGARTY.	Reserve No. 140102.	The part of the reserve being Lot 1, DP 740102; Lot 7056, DP 752817, Parish of Coff, County of Fitzroy. Public Purpose: Public recreation and environmental protection. Notified: 28 June 1996. File No.: GF03 R 05.

For a term commencing 17 December 2006 and expiring 16 June 2007.

**NOTIFICATION OF CLOSING OF ROAD**

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

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

Description

*Land District – Lismore;*  
*LGA – Lismore City*

Roads Closed: Lot 1, DP 1103851 at Lismore, Parish Lismore, County Rous.

File Reference: GF04 H 71.

Schedule

On closing, the land within Lot 1, DP 1103851 becomes vested in Lismore City as operational land for the purposes of the Local Government Act 1993.

Councils reference: RF:P.2493.

Description

*Land District – Bellingen;*  
*LGA – Nambucca*

Roads Closed :Lot 1, DP 1101393 at Bowraville, Parish Bowra, County Ralieggh.

File Reference: GF05 H 629.

Schedule

On closing, the land within Lot 1, DP 1101393 becomes vested in Nambucca as operational land for the purposes of the Local Government Act 1993.

Councils reference: SF432.

Description

*Land District – Casino;*  
*LGA – Kyogle*

Roads Closed: Lots 1 to 5, DP 1072037 at The Risk, Parish Loadstone, County Rous.

File Reference: GF04 H 519.

Schedule

On closing, the land within Lots 1 to 5, DP 1072037 become vested in Kyogle as operational land for the purposes of the Local Government Act 1993.

Councils reference: 02/101:HM.

Description

*Land District – Lismore;*  
*LGA – Lismore City*

Roads Closed: Lot 220, DP 1098730 at Chilcotts Grass, Parish Lismore, County Rous.

File Reference: GF04 H 125.

Schedule

On closing, the land within Lot 220, DP 1098730 becomes vested in Lismore City as operational land for the purposes of the Local Government Act 1993.

Councils reference: LW:TMI:DA03/824.



**NOTIFICATION OF CLOSING OF ROAD**

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

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

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Description

*Land District – Lismore;  
LGA – Ballina*

Roads Closed: Lot 7043, DP 1095792 at Ballina, Parish Balliina, County Richmond.

File Reference: GF06 H 58.

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Schedule

On closing, the land within Lot 7043, DP 1095792 becomes vested in the State of New South Wales as Crown Land.

**ERRATUM**

IN pursuance of the provisions of the Roads Act, 1993 the order “Notification of Closing of Roads” appearing in the Government Gazette of 13th October 2006, Folio 8719, under the heading “Grafton Office” specifying “Notification of Closing of Public Roads” Shire – Clarence Valley Council; Parish - Ewingar; County - Drake” the description is corrected by the inclusion of the of the words and figures “and Lot 12 DP 40691” after the words and figures “DP 1008875” which Lot should have been included as road to be closed.

Papers: GF 03H166.

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

**ORANGE OFFICE**

**92 Kite Street (PO Box 2146), Orange NSW 2800**

**Phone: (02) 6391 4300 Fax: (02) 6362 3896**

**NOTIFICATION OF CLOSING OF PUBLIC ROAD**

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

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

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SCHEDULE

Description

*Parish – Ponsonby and Arkell; County – Bathurst;  
Land District – Bathurst; Shire – Bathurst Regional.*

Road Closed: Lots 1 to 4 in Deposited Plan 1088101 at Fosters Valley.

File No.: OE01 H 321.

Note: On closing, the land within Lots 1 to 4, DP 1088101 remains vested in Bathurst Regional Council as operational land for the purposes of the Local Government Act 1993.



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

**NOTIFICATION OF CLOSING OF ROAD**

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

TONY KELLY, MLC.,  
 Minister for Lands

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Descriptions

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

Lot 2, DP 1011880 at Erskine Park, Parish Melville, County Cumberland being land in CT 2/1011880.

MN05 H 298.

Note: On closing, title for the land in lot 2 remains vested in the Crown.

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**REVOCATION OF DEDICATION OF CROWN  
 LAND FOR A PUBLIC PURPOSE**

PURSUANT to section 84 of the Crown Lands Act 1989, the dedication 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.

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Schedule

<i>Column 1</i>	<i>Column 2</i>
Land District: Penrith	Being the whole of lot 90
Shire/Municipality/City: Penrith	DP 752041, dedicated
Parish: Melville	20 October 1961, for Public
County: Cumberland	School Site at Erskine Park
Locality: Erskine Park	containing an area
Lot 90 DP 752041	4566 square metres.
Area: 4566 square metres	
Dedicated for Public School Site	
Date of Notification: 20 October 1961	
Dedication No.: 501028	
Torrens Title Identifier: 90/752041	
File No.: MN05H298	

**TAMWORTH OFFICE**  
**25-27 Fitzroy Street (PO Box 535), Tamworth NSW 2340**  
**Phone: (02) 6764 5100 Fax: (02) 6766 3805**

**ROADS ACT 1993**

Order

Transfer of Crown Road to Council

IN pursuance of provisions of section 151, Roads Act 1993, the Crown public roads specified in Schedule 1 are transferred to the Roads Authority specified in Schedule 2 hereunder, as from the date of publication of this notice and as from that date, the roads specified in Schedule 1 cease to be Crown public road.

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

SCHEDULE 1

*Parishes – Gill and Piallamore; County – Parry;  
 Land District – Tamworth;  
 L.G.A. – Tamworth Regional Council.*

Crown public road of 20.115 metres wide and described as north of Lot 43 and Lot PT42, DP 755326, road north Lot A, DP 317410 and roads within Lots 38 and 41, DP 755326; road within Lots 110, 132 and 72, DP 755337.

SCHEDULE 2

Roads Authority: Tamworth Regional Council.

File No.: TH06 H 188.

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

**DRAFT ASSESSMENT OF LAND UNDER PART 3  
 OF THE CROWN LANDS ACT 1989 AND CROWN  
 LANDS REGULATION 2006**

THE Minister for Lands has prepared a draft land assessment for the Crown Land described hereunder.

Inspection of this draft assessment can be made at the Department of Lands, 98 Victoria Street, Taree and at the Offices of Greater Taree City Council during normal business hours and on the Lands Department website at [www.lands.nsw.gov.au](http://www.lands.nsw.gov.au), land management.

Representations are invited from the public on the draft assessment. These may be made in writing for a period commencing from 1 December 2006 to 29 December 2006 and should be sent to the Manager, Mid North Coast, Department of Lands, PO Box 440, Taree NSW 2430. Telephone enquiries should be directed to the Taree Office on (02) 6591 3500.

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

Description

Approximately 5.6 hectares of Crown Land (being part bed of the Manning River) located in the Village of Manning Point, Parish of Oxley, County of Macquarie.

Reason: To determine appropriate future land use and management options of the Crown Land.

Contact Officer: Mr Glenn Barrett.

File No.: TE80 H 1068.

**WESTERN DIVISION OFFICE**  
**45 Wingewarra Street (PO Box 1840), Dubbo NSW 2830**  
**Phone: (02) 6883 3000 Fax: (02) 6883 3099**

**GRANTING OF A WESTERN LANDS LEASE**

IT is hereby notified that under the provisions of section 28A of the Western Lands Act 1901, the Western Lands Leases specified in the following Schedule have been granted.

The leases are subject to the provisions of the Western Lands Act 1901 and the Regulations thereunder.

The land is to be used only for the purpose of Residence.

Initial rent will be \$100.00 per annum and re-assessed thereafter annually on 1 April of each year.

The Conditions and Reservations annexed to the leases are those published in the *New South Wales Government Gazette* of 18 February 2005, Folios 434 and 435.

All amounts due and payable to the Crown MUST be paid to the Department of Lands by the due date.

IAN MACDONALD, M.L.C.,  
Minister for Natural Resources

SCHEDULE

*Administrative District – Walgett North; L.G.A. – Walgett; Parish – Wallangulla; County – Finch.*

WLL No.	Name of Lessee	Lot	Deposited Plan	Folio Identifier	Area (square metres)	Term of Lease	
						From	To
WLL14491	Malcolm HOLLAND	1	1103870	1/1103870	3883 square metres	15-11-2006	14-11-2026
WLL14766	Maureen Phyllif HOLD	32	1076808	32/1076808	2404 square metres	17-11-2006	16-11-2026
WLL14687	Maca LESICH	96	1057617	96/1057617	2264 square metres	17-11-2006	16-11-2026
WLL14702	Joan Phoebe McKINNON	315	1076808	315/1076808	1786 square metres	17-11-2006	16-11-2026
WLL14634	Fahrudin RESIDOVIC and Tereza KALANJ as Joint Tenants	85	1076808	85/1076808	2463 square metres	17-11-2006	16-11-2026
WLL14779	Jack Mac VAN DER LAAN	177	1076808	177/1076808	2886 square metres	17-11-2006	16-11-2026
WLL14690	Annette Maureen Joan MANUEL and John Alan McGREGOR as Joint Tenants	214	1076808	214/1076808	2479 square metres	17-11-2006	16-11-2026
WLL14768	Lynette DE FREITAS and FRANCISCO DE FREITAS as Joint Tenants	67	1057617	67/1057617	2092 square metres	17-11-2006	16-11-2026
WLL14677	Edward Thomas CRAM	94	1073508	94/1073508	2399 square metres	17-11-2006	16-11-2026

**SURRENDER OF A WESTERN LANDS LEASE**

IT is hereby notified for public information that in pursuance of section 33A of the Western Lands Act 1901, the Western Lands Lease particularised hereunder has been surrendered.

IAN MACDONALD, M.L.C.,  
Minister for Natural Resources

Western Lands Lease No.: 13484.

Name of Lessee: Lachlan Farming Limited.

Description of land surrendered: Lot 5075, DP 46616; Lot 5076, DP 46616 and Lot 4, DP 753003 of 204.3 hectares.

Date of Surrender: 17 November 2006.

Administrative District: Hillston.

Shire: Carrathool.

**ADDITION TO A WESTERN LANDS LEASE**

IT is hereby notified that in pursuance of section 35C of the Western Lands Act 1901, the land particularised hereunder has been added to the undermentioned Western Lands Lease.

IAN MACDONALD, M.L.C.,  
Minister for Natural Resources

**SCHEDULE**

Western Lands Lease No.: 13827.

Name of Lessee: Lachlan Farming Limited.

Area Added: Lot 5075, DP 46646; Lot 5076, DP 46646 and Lot 4, DP 753003, Parish of Wyadra, County of Franklin, of 204.3 hectares. (Folio Identifier's 5075/46646, 5076/46646 and 4/753003).

Total Area Following Addition: Lot 5075, DP 46646; Lot 5076, DP 46646; Lot 5077, DP 46616; Lot 5213, DP 720998; Lot 5214, DP 720998 and Lot 4, DP 753003, Parishes Wyadra and Hadyn, County of Franklin of 4909.1 hectares. (Folio Identifier's 5075/46616, 5076/46616 5077/46616, 5213/720998, 5214/720998 and 4/753003).

Date of Addition: 17 November 2006.

Administrative District: Hillston.

Shire: Carathool.

**GRANTING OF A WESTERN LANDS LEASE**

IT is hereby notified that under the provisions of section 28A of the Western Lands Act 1901, the Western Lands Lease of the land specified has been granted to the undermentioned persons.

The lease is subject to the provisions of the Western Lands Act 1901 and the Regulations thereunder and to the special conditions, provisions, exceptions, covenants and reservations set out hereunder.

The land is to be used only for the purpose for which the lease is granted.

All amounts due and payable to the Crown must be paid to the Department of Lands by the due date.

IAN MACDONALD, M.L.C.,  
Minister for Natural Resources

**Description**

*Administrative District – Wentworth; Shire – Wentworth;  
Parish – Mourquong; County – Wentworth.*

Western lands Lease 14759 was granted to Ilinga Pty Limited, comprising Lot 804, DP 756961 (Folio Identifier 804/756961) of 2795 square metres at Buronga, for the purpose of "Slip for Building and Repairing of Boats" for a term of 20 years commencing 30 September 2006 and expiring 29 September 2026.

Papers: WLL 14759.

**CONDITIONS AND RESERVATIONS ATTACHED TO WESTERN LANDS LEASE 14759**

(1) In the conditions annexed to the lease, the expression "the Minister" means the Minister administering the Western Lands Act 1901, and any power, authority,

duty or function conferred or imposed upon the Minister by or under those conditions may be exercised or performed either by the Minister or by such officers of the Department of Natural Resources as the Minister may from time to time approve.

- (2) In these conditions and reservations the expression "the Commissioner" means the Commissioner charged with the administration of the Western Lands Act 1901 ("the Act") in accordance with section 4(2) of the Act.
- (3) (a) For the purposes of this clause the term Lessor shall include Her Majesty the Queen Her Heirs and Successors the Minister and the agents servants employees and contractors of the Lessor Her Majesty Her Majesty's Heirs and Successors and the Minister.
- (b) The lessee agrees to occupy use and keep the Premises at the risk of the lessee and hereby releases to the full extent permitted by law the Lessor from all claims and demands of every kind resulting from any accident damage or injury occurring therein and the lessee EXPRESSLY AGREES that the Lessor shall have no responsibility or liability for any loss of or damage to fixtures and/or the personal property of the lessee.
- (c) The lessee expressly agrees that the obligations of the lessee under this clause shall continue after the expiration or other determination of this Lease in respect of any act deed matter or thing occurring before such expiration or determination.
- (4) The lessee will (without in any way limiting the liability of the lessee under any other provision of this lease) forthwith take out and thereafter during the Term keep current a public risk insurance policy for \$10,000,000 for any one claim (or such other reasonable amount as the Minister may from time to time specify in writing to the lessee) whereby the Minister shall during the continuance of this lease be indemnified against all actions suits claims demands proceedings losses damages compensations costs charges and expenses mentioned or referred to in this lease to which the Minister shall or may be liable.
- (5) The rent of the lease shall be assessed in accordance with Part 6 of the Western Lands Act 1901.
- (6) The rent shall be due and payable annually in advance on 1 July in each year.
- (7) (a) "GST" means any tax on goods and/or services, including any value-added tax, broad-based consumption tax or other similar tax introduced in Australia.  
"GST law" includes any Act, order, ruling or regulation, which imposes or otherwise deals with the administration or imposition of a GST in Australia.
- (b) Notwithstanding any other provision of this Agreement:
- (i) If a GST applies to any supply made by either party under or in connection with this Agreement, the consideration provided or to be provided for that supply will be increased by an amount equal to the GST liability properly incurred by the party making the supply.

- (ii) If the imposition of a GST or any subsequent change in the GST law is accompanied by or undertaken in connection with the abolition of or reduction in any existing taxes, duties or statutory charges (in this clause "taxes"), the consideration payable by the recipient of the supply made under this Agreement will be reduced by the actual costs of the party making the supply that are reduced directly or indirectly as a consequence of the abolition of or reduction in taxes.
- (8) The lessee shall pay all rates and taxes assessed on or in respect of the land leased during the currency of the lease.
- (9) The lessee shall hold and use the land leased bona fide for the lessee's own exclusive benefit and shall not transfer, convey or assign the land or any portion thereof without having first obtained the written consent of the Minister.
- (10) The lessee shall not enter into a sublease of the land leased unless the sublease specifies the purpose for which the land may be used under the sublease, and it is a purpose which is consistent with the purpose for which the land may be used under this lease.
- (11) If the lessee enters into a sublease of the land leased, the lessee must notify the Commissioner of the granting of the sublease within 28 days after it is granted.
- (12) The land leased shall be used only for the purpose of Business Purposes (Slip for Building and Repairing of Boats).
- (13) The lessee shall maintain and keep in reasonable repair all improvements on the land leased during the currency of the lease and shall permit the Minister or the Commissioner or any person authorised by the Minister or the Commissioner at all times to enter upon and examine the whole or any part of the land leased and the buildings or other improvements thereon.
- (14) All minerals within the meaning of the Mining Act 1992, and all other metals, gemstones and semiprecious stones, which may be in, under or upon the land leased are reserved to the Crown and the lessee shall permit any person duly authorised in that behalf to enter upon the land leased and search, work, win and remove all or any minerals, metals, gemstones and semiprecious stones in, under or upon the land leased.
- (15) Mining operations may be carried on, upon and in the lands below the land leased and upon and in the lands adjoining the land leased and the lands below those lands and metals and minerals may be removed therefrom and the Crown and any lessee or lessees under any Mining Act or Acts shall not be subject to any proceedings by way of injunction or otherwise in respect of or be liable for any damage occasioned by the letting down, subsidence or lateral movement of the land leased or any part thereof or otherwise by reason of the following acts and matters, that is to say, by reason of the Crown or any person on behalf of the Crown or any lessee or lessees, having worked now or hereafter working any mines or having carried on or now or hereafter carrying on mining operations or having searched for, worked, won or removed or now or hereafter searching for, working, winning or removing any metals or minerals under, in or from the lands lying beneath the land leased or any part thereof, or on, in, under or from any other lands situated laterally to the land leased or any part thereof or the lands lying beneath those lands, and whether on or below the surface of those other lands and by reason of those acts and matters or in the course thereof the Crown reserves the liberty and authority for the Crown, any person on behalf of the Crown and any lessee or lessees from time to time to let down without payment of any compensation any part of the land leased or of the surface thereof.
- (16) The lessee shall comply with the provisions of the Local Government Act 1993, and of the ordinances made thereunder.
- (17) The lessee shall effectively prevent any interference with the amenity of the locality by reason of the emission from the land leased of noise, vibration, smell, fumes, smoke, vapour, steam, soot ash, dust, waste water, waste products, grit or oil or otherwise, and when directed by the Commissioner shall abate that interference forthwith.
- (18) The lessee shall not erect or permit any person to erect any buildings or extend any existing buildings on the land leased except in accordance with plans and specifications approved by the Council of the local Government area.
- (19) The lessee shall ensure that the land leased is kept in a neat and tidy condition to the satisfaction of the Commissioner and not permit refuse to accumulate on the land.
- (20) Upon termination or forfeiture of the lease the Commissioner may direct that the former lessee shall remove any structure or material from the land at his own cost and without compensation. Where such a direction has been given the former lessee shall leave the land in a clean and tidy condition free from rubbish and debris.
- (21) The lessee shall, within 1 year from the date of commencement of the lease or such further period as the Commissioner may allow, enclose the land leased, either separately or conjointly with other lands held in the same interest, with a suitable fence to the satisfaction of the Commissioner.
- (22) If the lessee is an Australian registered company than the following conditions shall apply:
- i/ The Lessee will advise the Commissioner of the name, address and telephone number of the Lessee's company secretary, that person being a person nominated as a representative of the company in respect of any dealings to be had with the company. The Lessee agrees to advise the Commissioner of any changes in these details.
  - ii/ Any change in the shareholding of the Lessee's company which alters its effective control of the lease from that previously known to the Commissioner shall be deemed an assignment by the Lessee.
  - iii/ Where any notice or other communication is required to be served or given or which may be convenient to be served or given under or in connection with this lease it shall be sufficiently executed if it is signed by the company secretary.
  - iv/ A copy of the company's annual financial balance sheet or other financial statement which gives a true and fair view of the company's state of affairs as at the end of each financial year is to be submitted to the Commissioner upon request.



## Department of Natural Resources

### WATER MANAGEMENT ACT 2000

Order under Section 323

Temporary Water Restriction Order

Lower Namoi Regulated River Water Source and  
Gwydir Regulated River Water Source

PURSUANT to section 323 of the Water Management Act 2000, I, IAN MACDONALD, M.P., Minister for Natural Resources, on being satisfied that it is necessary in the public interest to do so because of water shortage in the Menindee Lakes Storage used to supply Broken Hill, do, by this Order direct that the taking of water under supplementary water access licences from the Lower Namoi Regulated River Water Source as defined in the Water Sharing Plan for the Upper Namoi and Lower Namoi Regulated River Water Sources 2003 and from the Gwydir Regulated River Water Source as defined in the Water Sharing Plan for the Gwydir Regulated River Water Sources 2003, and currently in force, is prohibited, except where the water is announced as available to be taken.

This Order takes effect on the date of first broadcasting and will continue until it is repealed by a further Order.

Dated at Sydney, this 10th day of August 2006.

IAN MACDONALD, M.P.,  
Minister for Natural Resources

Barwon-Darling Critical Water Situation Working Rules  
Rules:

The following is in priority order of access to water during a flow event. Access cannot be granted to a lower priority until the higher priority has been or is guaranteed to be satisfied.

1. All town water and domestic and stock requirements in the regulated tributaries and the Barwon-Darling are to be guaranteed before water is secured for inflow to Menindee. It is assumed that all these requirements will be satisfied in achieving any inflow to Menindee.
2. Ensure that there is sufficient inflow to Menindee Lakes Storage to increase the security to Broken Hill to 21 months. At the same time, Barwon-Darling "A" class licences will be allowed to operate to existing licence conditions.
3. Ensure that all High Security entitlements serviced by Menindee have an Available Water Distribution of 1.0 megalitre per unit share for the current water year, and flows downstream of Menindee are consistent with the Water Sharing Plan.
4. Provide access in the regulated tributaries under the rules specified in the WSPs and existing rules for the Border Rivers (under the Water Act 1912).
5. Provide up to 7 days of access to "B" and "C" class licences along the Barwon-Darling, consistent with their current licence conditions.
6. Ensure there is 0.5 megalitres per unit share for General Security entitlements serviced by Menindee for the current water year.
7. Revert to standard access rules.

Consultation/Communication

The department will:

1. Inform the community when the rules will be applied, ie when the security to Broken Hill falls to less than 18 months.
2. Provide regular updates on flow forecasts and access scenarios to peak industry and community representatives.
3. Provide timely announcements of access during an event.
4. Consult with the Critical Water Supply Reference Group as required.

### WATER MANAGEMENT ACT 2000

Order under Section 323

Temporary Water Restrictions Order  
Basic Landholder Rights  
Barwon-Darling River

PURSUANT to section 323 of the Water Management Act 2000, I, IAN MACDONALD, M.L.C., for Minister for Natural Resources, on being satisfied that it is necessary in the public interest to do so because of water shortage, do by this Order direct that the use of water that is being taken as basic landholder rights under section 52 from the water sources listed in Schedule 1 of this Order is restricted as set out in the Schedule 2 to this Order.

This Order takes effect on the first broadcasting and will continue until it is repealed by a further Order.

Dated at Sydney, this 23rd day of November 2006.

IAN MACDONALD, M.L.C.,  
Minister for Natural Resources

#### SCHEDULE 1

Water Sources

Weir pools of the Barwon-Darling River system upstream of the weirs at Collarenebri, Walgett Brewarrina, Bourke and Wilcannia.

#### SCHEDULE 2

Water Use Restrictions

When water restrictions apply to water supplied by a reticulated system within the town or village in which the landholder resides, then the same water restrictions apply to the landholder in respect of the use of water that is taken for domestic consumption under basic landholder rights.

### WATER ACT 1912

AN application under Part 2, within proclaimed (declared) local areas under section 5(4) of the Water Act 1912.

An application for a licence under section 10 for works within a proclaimed (declared) local area as generally described hereunder has been received from:

*Macquarie River Valley*

Stanley Ross BENNETT for a pump on the Cooyal Creek, Easement within Lot 56, DP 250751, Parish of Eurundury, County of Phillip, for water supply for stock and domestic purposes (new licence) (Reference: 80SL96256).

Written objections to the applications specifying grounds thereof, may be made by any statutory authority or local occupier within the proclaimed local (declared) area and must be lodged with the Departments Regional Office at Dubbo, within twenty-eight (28) days as prescribed by the Act.

APPLICATIONS for licences under Part 5 of the Water Act 1912, as amended, have been received from:

Gregory Charles READFORD for a proposed artesian bore, Lot 68, DP 754189, Parish of Cambara, County of Leichhardt, for water supply for stock and domestic purposes (new licence) (Reference: 80BL243790).

Roger William HERTEL and Janice Elizabeth HERTEL for a proposed artesian bore, Lot 1, DP 754282, Parish of Yuma, County of Leichhardt, for water supply for stock and domestic purposes and for water supply to the occupiers of Lot 26, 36, 38 and 93, DP 754249, Parish of Tahrone and Lot 55, DP 754282, Parish of Yuma, all County of Leichhardt (new licence) (Reference: 80BL243787).

GA2:310223.

Any inquiries regarding the above should be directed to the undersigned (telephone: 6884 2560).

Written objections to the applications specifying grounds of how your interests may be affected may be made by any statutory authority or local occupier within the proclaimed local (declared) area and must be lodged with the Departments Office at Dubbo, by 15 December 2006, as prescribed by the Act.

ANGUS FOSTER,  
Natural Resource Officer,  
Inland

Department of Natural Resources,  
PO Box 717, Dubbo NSW 2830.

**WATER ACT 1912**

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

Gregory Jon HARDING for a pump on the Orara River on easement within Lot 206, DP 752834, Parish of Moonee, County of Fitzroy, for water supply for domestic and stock purposes to the occupiers of Lot 130, DP 752834. (Reference: 6324210) (GA2:476250).

Any enquiries regarding the above should be directed to the undersigned (telephone: (02) 6641 6500).

Written objections specifying the grounds thereof must be lodged within the 28 days of this publication as prescribed by the Act.

G. LOLLBACK,  
Resource Access Manager,  
North Coast

Department of Natural Resources,  
Locked Bag 10, Grafton NSW 2460.

**WATER ACT, 1912**

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

Alfonso & Gina DE CASTO and Jean Elias & Rita Tania DAHER for a pump on Currency Creek on Lot 59//815570, Parish of Wilberforce, County of Cook for irrigation of 6.0 hectares (improved pasture)(replacement licence-permanent transfer of 6.0 megalitres from 10SL048024)(no increase in annual water entitlement)(Not subject to the 1995 Hawkesbury/Nepean Embargo)(Reference: 10SL056741)(GA2:493348)

Eina Pty Ltd for an existing 20.0 megalitre bywash dam and 3 pumps on an Unnamed Watercourse (2nd Order) on Lots 1/966573, 100/2954 & 17/5/2954, Parish of Melville, County of Cumberland for the conservation of water and irrigation of 12.0 hectares (vegetables)(New Licence)(Not subject to the 1995 Hawkesbury/Nepean Embargo) (Ref:10SL056738) (GA2:493347).

Any inquiries regarding the above should be directed to the undersigned (Phone: (02) 9895 7194).

Written objections specifying grounds thereof must be lodged with the Department within 28 days of the date of this publication as prescribed by the Act.

WAYNE CONNERS,  
Natural Resource Project Officer  
Compliance and Licensing Division

Department of Natural Resources  
PO Box 3720  
Parramatta NSW 2124

**WATER ACT 1912**

AN application for a new license under Section 10 of the Water Act, 1912, as amended, has been received from:

John Charles Hankin & Jenny Louise Pryor for a pump on the Rous River on Lot 8 DP 624022, Parish of Murwillumbah, County of Rous, for water supply for Industrial (Dust Suppression / Road Construction) purposes. New license. Application made under exemption contained in section 22BA order. (Our Ref: 6324213 - GA2:476251).

Any enquiries regarding the above should be directed to the undersigned (telephone 0266 - 416500). Written objections specifying the grounds thereof must be lodged within the 28 days of this publication as prescribed by the Act.

D. MILLING,  
Manager Licensing (North)

Department of Natural Resources  
LOCKED BAG 10 GRAFTON NSW 2460

**WATER ACT, 1912**

THE Local Land Board for the Land District of Nowra will at 10.00am on Wednesday, 29th November 2006 at Nowra Showground Committee Room publicly inquire as to the desirability of granting the application for a licence under Part 2 of the Water Act, 1912 by Brad and Susan ALLEN for a 50 millimetre centrifugal pump on Wandandian Creek on Lot 1//100976, Parish of Farnham, County of St. Vincent for the irrigation of 1.0 hectare(kiwifruit) (New Licence) (Ref:10SL055787) (GA2:502425).

WAYNE RYAN,  
Natural Resource Project Officer  
Compliance & Licensing Unit

Department of Natural Resources  
PO Box 309  
Nowra NSW 2541

**WATER ACT, 1912**

THE Local Land Board for the Land District of Nowra will at 10.00am on Tuesday, 29th November 2006 at Nowra Showground Committee Room publicly inquire as to the desirability of granting the application for a licence under Part 2 of the Water Act, 1912 by Alwyn Leslie and Loraine Carol MARTIN for a 65 millimetre centrifugal pump on Wandandian Creek on Lot 201//1088020, Parish of Farnham, County of St. Vincent for the irrigation of 4.5 hectares(Orchard) (New Licence) (Ref:10SL055723) (GA2:502426).

WAYNE RYAN,  
Natural Resource Project Officer  
Compliance & Licensing Unit

Department of Natural Resources  
PO Box 309  
Nowra NSW 2541

**WATER ACT 1912**

Notice under section 22B

Pumping Restrictions

NSW Upper Murray Unregulated Streams

THE WATER ADMINISTRATION MINISTERIAL CORPORATION, pursuant to Section 22B of the Water Act 1912, being satisfied that the quantity of water available or likely to be available in NSW Upper Murray Unregulated Streams is insufficient to meet all requirements with respect to the taking of water hereby gives notice to:

All holders of licences issued under Part 2 of the Water Act 1912 that use pumps to extract water directly from unregulated streams in the NSW Upper Murray for purposes other than stock; domestic or town water supply purposes, that from midnight on 29th November 2006, the taking of water from the following NSW Upper Murray Unregulated Streams is restricted as follows:

**NSW MURRAY RIVER (NOT INCLUDING INDI RIVER)**

**Downstream of the Swampy Plan River junction to the upper level of Hume Dam storage.**

- Pumping for irrigation purposes may only occur between the hours of 7.00pm and 7.00am until further notice.

**NSW MURRAY RIVER (INDI RIVER)**

**Upstream of the Swampy Plan River junction (also known as the Indi River).**

- Pumping for irrigation may only occur in accordance with roster provisions (to be provided to licence holders by the Department) until such time as the flows measured at the Biggara Gauge (401012) fall to or below 50ML/day.
- Pumping for irrigation is to cease when flows measured at the Biggara Gauge (401012) fall to or below 50ML/day and then:
- Pumping for irrigation may only recommence when flows at the Biggara Gauge (401012) rise above 50ML/day and then only in accordance with the roster provisions.

Note: that daily flows at the Biggara Gauge can be found at the following address <http://waterinfo.nsw.gov.au/drr/murray/index.shtml>

**SWAMPY PLAIN RIVER**

- Pumping for irrigation may only occur between the hours of 7.00pm and 7.00am until further notice.

**TOOMA RIVER**

- Pumping for irrigation may only occur between the hours of 7.00pm and 7.00am until such time as the flows measured at the Pinegrove Gauge (401014) fall to or below 50ML/day.
- Pumping for irrigation is to cease when flows measured at the Pinegrove Gauge (401014) fall to or below 50ML/day and then:
- Pumping for irrigation may only recommence when flows at the Pinegrove Gauge (401014) rise above 50ML/day and then only between the hours of 7.00pm and 7.00am until further notice.

Note: that daily flows at the Pinegrove Gauge can be found at the following address <http://waterinfo.nsw.gov.au/drr/murray/index.shtml>

**TUMBARUMBA SUBCATCHMENT**

**Upstream of the Paddy's River Junction including Tumbarumba Creek, Pound Creek, Burra Creek, Boggy Creek and Paddys River.**

- Pumping for irrigation and industrial purposes must COMPLETELY CEASE.
- Pumping for irrigation and industrial purposes may ONLY RECOMMENCE when flows measured at the Tumbarumba 2 Gauge (401007) rise above 10ML/day (measured as a height 0.28 metres on the Tumbarumba 2 Gauge) and then only between the hours of 7.00pm and 7.00am until further notice.

**TUMBARUMBA SUBCATCHMENT**

**Downstream of the Paddy's River Junction (including only the Tumbarumba Creek downstream of Paddys River).**

- Pumping for irrigation and industrial purposes may only occur between the hours of 7.00pm and 7.00am until such time as the flows measured at the Pinegrove Gauge (401014) on the Tooma River fall to or below 50ML/day.
- Pumping for irrigation and industrial purposes is to cease when flows measured at the Pinegrove Gauge (401014) on the Tooma River fall to or below 50ML/day.



- Pumping for irrigation and industrial purposes may only recommence when flows at the Pinegrove Gauge (401014) on the Tooma River rise above 50ML/day and then only between the hours of 7.00pm and 7.00am until further notice.

Note: that daily flows at the Pinegrove Gauge can be found at the following address <http://waterinfo.nsw.gov.au/drr/murray/index.shtml>

#### MARAGLE SUBCATCHMENT

##### **Including Maragle Creek; Maragle Back Creek; Reedy Creek and Sawpit Creek.**

- Pumping for irrigation must COMPLETELY CEASE (where licence conditions have not already required this).
- Pumping for irrigation may ONLY RECOMMENCE when flows measured at the Maragle Gauge (401009) rise above 10ML/day (measured as a height 0.38 metres on the Maragle Gauge) and then only between the hours of 7.00pm and 7.00am until further notice.

#### MANNUS SUBCATCHMENT:

##### **Including Mannus Creek upstream of the Glenroy Height Gauge.**

- Pumping for irrigation and industrial purposes must COMPLETELY CEASE (where licence conditions have not already required this).
- Pumping for irrigation and industrial purposes may ONLY RECOMMENCE when flows measured at the Glenroy Height Gauge (401008) rise above a height 0.2 metres and then only between the hours of 7.00pm and 7.00am until further notice.

#### MANNUS SUBCATCHMENT

##### **Including Mannus Creek downstream of the Glenroy Height Gauge; Boggy Creek; Mundaroo Creek; Mundaroo Back Creek and unnamed tributaries of these creek systems.**

- Pumping for irrigation and industrial purposes must COMPLETELY CEASE (where licence conditions have not already required this).
- Pumping for irrigation and industrial purposes may ONLY RECOMMENCE when flows measured at the Yarramundi Gauge (401017) rise above a height 0.45 metres and then only between the hours of 7.00pm and 7.00am until further notice.

#### JINGELIC SUBCATCHMENT

##### **Including Jingellic Creek; Coppabella Creek and Lankeys Creek.**

- Pumping for irrigation and industrial purposes must COMPLETELY CEASE...
- Pumping for irrigation and industrial purposes may ONLY RECOMMENCE when flows measured at the Jingellic Gauge (401013) rise above rise above 10ML/day measured as a height 1.03 metres on the Jingellic Gauge (401013) and then only between the hours of 7.00pm and 7.00am until further notice.

Note: that daily flows at the Jingellic Gauge can be found at the following address <http://waterinfo.nsw.gov.au/drr/murray/index.shtml>

Any person who contravenes the restrictions imposed by this notice is guilty of an offence and is liable on conviction to a penalty not exceeding:

- Where the offence was committed by a Corporation \$22 000; or in the case of a continuing offence to a further penalty not exceeding \$2 200 per day.
- Where the offence was committed by any other person \$11 000; or in the case of a continuing offence to a further penalty not exceeding \$1 100 per day.

Signed for the Water Administration Ministerial Corporation

Dated this 28th day of November 2006.

MARWAN EL-CHAMY,  
Manager, Licensing (South)  
Department of Natural Resources  
(by delegation)

For further information regarding restrictions call Clare Purtle on (02) 6024 8880 or Steve Webb or Scott Lawson on (02) 6953 0700.

GA2:524726.

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#### WATER MANAGEMENT ACT 2000

Water Sharing Plan for the New South Wales Murray and Lower Darling Regulated Rivers Water Sources 2003  
Amendment Order 2006

under the

Water Management Act 2000

PURSUANT to section 45 (1) (b) of the Water Management Act 2000, I, the Minister for Natural Resources, make the following Order.

Dated this 16th day of November 2006.

IAN MACDONALD, M.P.,  
Minister for Natural Resources

Explanatory Note

This Order amends the Water Sharing Plan for the New South Wales Murray and Lower Darling Regulated Rivers Water Sources 2003 and is stage one of implementing alternative arrangements to replace existing replenishment flow provisions for The Great Anabranch of the Darling River.

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#### WATER MANAGEMENT ACT 2000

Water Sharing Plan for the New South Wales Murray and Lower Darling Regulated Rivers Water Sources 2003  
Amendment Order 2006

##### 1. Name of Order

This Order is the Water Sharing Plan for the New South Wales Murray and Lower Darling Regulated Rivers Water Sources 2003 Amendment Order 2006.

##### 2. Commencement

This Order commences on the day it is published in the Gazette.

### 3. Amendment of Water Sharing Plan for the New South Wales Murray and Lower Darling Regulated Rivers Water Sources 2003

The Water Sharing Plan for the New South Wales Murray and Lower Darling Regulated Rivers Water Sources 2003 is amended as set out in Schedule 1.

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#### Schedule 1 – Amendments

##### [1] Clause 60 (1)

Omit the clause. Insert instead:

- (1) Replenishment flows may be provided to the Great Anabranch, if required and subject to subclauses (2) and (3), a volume of 47,000 ML each water year will be reserved for this purpose.

##### [2] Note following clause 60

Omit the note. Insert instead:

**Note.** A piped water system is currently being constructed to replace the need for the above replenishment flow. As soon as possible after completion of the pipeline, and not after the end of the 2006/07 water year, the Minister will issue one or more new licences to the Water Administration Ministerial Corporation for the water savings resulting from the pipeline project. The Corporation will commit these licences as adaptive environmental water. This Plan will be amended to reflect these changes.

##### [3] Clause 31 (1) (a)

Omit the subclause. Insert instead:

- (a) the long-term average annual extraction from the water source that would occur with the water storages, share components and water use development that existed in the water source in 2000/2001, and the share components of the access licences issued as part of the arrangements that replaced the replenishment flow provisions in clause 60 of this Plan, and the water management rules defined in this Plan, and

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## Department of Planning

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New South Wales

# State Environmental Planning Policy No 52—Farm Dams and Other Works in Land and Water Management Plan Areas (Amendment No 1)

under the

Environmental Planning and Assessment Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979* in accordance with the recommendation made by the Minister for Planning. (S06/00997)

FRANK SARTOR, M.P.,  
Minister for Planning

Clause 1 State Environmental Planning Policy No 52—Farm Dams and Other Works  
in Land and Water Management Plan Areas (Amendment No 1)

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## **State Environmental Planning Policy No 52—Farm Dams and Other Works in Land and Water Management Plan Areas (Amendment No 1)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of Policy**

This Policy is *State Environmental Planning Policy No 52—Farm Dams and Other Works in Land and Water Management Plan Areas (Amendment No 1)*.

### **2 Aims of Policy**

The aim of this Policy is to enable the construction and maintenance, by or on behalf of public authorities, of temporary works for the purpose of or associated with drought relief to be carried out without development consent.

### **3 Land to which Policy applies**

This Policy applies to all land within the local government areas of Albury, Balranald, Berrigan, Carrathool, Central Darling, Conargo, Corowa, Greater Hume, Griffith, Gundagai, Hay, Jerilderie, Leeton, Murray, Murrumbidgee, Narrandera, Tumut, Urana, Wagga Wagga, Wakool, Wentworth and Yass Valley.

### **4 Amendment of State Environmental Planning Policy No 52—Farm Dams and Other Works in Land and Water Management Plan Areas**

*State Environmental Planning Policy No 52—Farm Dams and Other Works in Land and Water Management Plan Areas* is amended as set out in Schedule 1.

State Environmental Planning Policy No 52—Farm Dams and Other Works  
in Land and Water Management Plan Areas (Amendment No 1)

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 4)

### [1] Clause 1

Omit the clause and the note to the clause. Insert instead:

#### 1 Name of Policy

This Policy is *State Environmental Planning Policy No 52—  
Farm Dams, Drought Relief and Other Works*.

### [2] Clause 2 Aims of Policy

Insert after clause 2 (2) (c) (before the note):

- (d) the construction or maintenance, by or on behalf of a public authority, of temporary works for the purpose of or associated with drought relief.

### [3] Clause 3 Land to which this Policy applies

Insert “(except clause 8 (2))” after “This Policy”.

### [4] Clause 3 (2)

Insert at the end of the clause:

- (2) Clause 8 (2) applies to land within the local government areas specified in clause 8 (1).

### [5] Clause 8

Insert after clause 7:

#### 8 Consent not required for temporary drought relief works

- (1) This clause applies to development on land within the local government areas of Albury, Balranald, Berrigan, Carrathool, Central Darling, Conargo, Corowa, Greater Hume, Griffith, Gundagai, Hay, Jerilderie, Leeton, Murray, Murrumbidgee, Narrandera, Tumut, Urana, Wagga Wagga, Wakool, Wentworth and Yass Valley, and so applies whether or not a land and water management plan applies to the land.

State Environmental Planning Policy No 52—Farm Dams and Other Works  
in Land and Water Management Plan Areas (Amendment No 1)

Schedule 1 Amendments

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- (2) Development for the purpose of the construction or maintenance of temporary works for or associated with drought relief may be carried out by or on behalf of a public authority without development consent.

**Note.** As a consequence of the removal of the requirement for development consent under Part 4 of the Act, development of the kind to which this clause applies will be subject to the environmental assessment and approval requirements of Part 5 of the Act.



New South Wales

## **Bankstown Local Environmental Plan 2001 (Amendment No 25)**

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (SRW0000478/S69)

FRANK SARTOR, M.P.,  
Minister for Planning

Clause 1            Bankstown Local Environmental Plan 2001 (Amendment No 25)

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## **Bankstown Local Environmental Plan 2001 (Amendment No 25)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Bankstown Local Environmental Plan 2001 (Amendment No 25)*.

### **2 Aims of plan**

The aims of this plan are:

- (a) to reinforce the status of the Hume Highway Corridor as a regional centre for transport, employment and economic activities, and
- (b) to establish a clear structure for the redevelopment of allotments and infrastructure in the Hume Highway Corridor, and
- (c) to allow some residential development to support the regional rail and bus routes, and the activities and services of the Hume Highway Corridor, and
- (d) to ensure the scale and density of development complements its location to shopping centres, public transport and public open spaces, and the desired future character of the Hume Highway Corridor, and
- (e) to provide the Hume Highway Corridor with environments that are safe, well landscaped and achieve high amenity, and
- (f) to rezone certain land to which this plan applies.

### **3 Land to which plan applies**

- (1) This plan applies to all land situated in the City of Bankstown, except as provided by this clause.
- (2) In respect of the amendment made by Schedule 1 [6] to this plan, this plan applies to land as shown distinctively coloured and with heavy black cross-hatching on Sheet 2 of the map marked "Bankstown Local Environmental Plan 2001 (Amendment No 25)" deposited in the office of Bankstown City Council.



Bankstown Local Environmental Plan 2001 (Amendment No 25)

Clause 4

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- (3) In respect of the amendment made by Schedule 1 [10] to this plan, this plan applies to the land as shown distinctively coloured and edged heavy black on Sheet 3 of the map marked “Bankstown Local Environmental Plan 2001 (Amendment No 25)” deposited in the office of Bankstown City Council.
  - (4) In respect of the amendment made by Schedule 1 [12] to this plan, this plan applies to the land shown distinctively coloured and edged heavy black on Sheets 1 and 2 of the map marked “Bankstown Local Environmental Plan 2001 (Amendment No 25)” deposited in the office of Bankstown City Council.
  - (5) In respect of the amendment made by Schedule 1 [13] to this plan, this plan applies to Lot 2, DP 184160, No 119 Hume Highway, Greenacre.
  - (6) In respect of the amendment made by Schedule 1 [14] to this plan, this plan applies to Lot 12, DP 24079, No 852 Hume Highway, Bass Hill, Lot 82, DP 207516, No 860 Hume Highway, Bass Hill and Nos 908–966 Hume Highway, Bass Hill.
  - (7) In respect of the amendment made by Schedule 1 [15] to this plan, this plan applies to Lot 345, DP 713612, Lots 1 and 2, DP 12521, Lot 1, DP 103526 and part of Lot 1, DP 217766, Nos 231–241A Hume Highway, Greenacre.
  - (8) In respect of the amendment made by Schedule 1 [16] to this plan, this plan applies to Lots 1–17, DP 16667 and Lots 10–12, DP 872968, No 18 George Street, Yagoona.
  - (9) The amendment made by Schedule 1 [10] to this plan does not apply to the land shown edged heavy black and indicated as “The Deferred Matter” on Sheet 3 of the map marked “Bankstown Local Environmental Plan 2001 (Amendment No 25)” deposited in the office of Bankstown City Council, being deferred matter within the meaning of section 68 (5) of the *Environmental Planning and Assessment Act 1979*.
  - (10) The amendment made by Schedule 1 [12] to this plan does not apply to the land shown edged heavy black and indicated as “The Deferred Matter” on Sheets 1 and 2 of the map marked “Bankstown Local Environmental Plan 2001 (Amendment No 25)” deposited in the office of Bankstown City Council, being deferred matter within the meaning of section 68 (5) of the *Environmental Planning and Assessment Act 1979*.

#### **4 Amendment of Bankstown Local Environmental Plan 2001**

*Bankstown Local Environmental Plan 2001* is amended as set out in Schedule 1.

Bankstown Local Environmental Plan 2001 (Amendment No 25)

Schedule 1 Amendments

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## Schedule 1 Amendments

(Clause 4)

**[1] Clause 8 Zones in this plan**

Insert after the matter relating to Zone 3 (b)—Business—Other Centres in clause 8 (1):

3 (c)—Business—Enterprise

**[2] Clause 11 Development which is allowed or prohibited within a zone**

Insert a column headed “3 (c)” in the Table to the clause after the column headed “3 (b)” in the grouping relating to Business zones.

**[3] Clause 11, Table**

Insert “High-tech industries” in alphabetical order in the first column of the Table.

**[4] Clause 11, Table**

Insert “✓” in the column for Zone 3 (c) (as inserted by Schedule 1 [2]) opposite each of the following kinds of development listed in the first column of the Table (as amended by Schedule 1 [3]):

Bulky goods salesrooms or showrooms  
Business premises  
Car parks  
Centre based child care centres  
Communications facilities  
Community facilities  
Convenience stores  
Entertainment establishments  
Entertainment facilities  
Health consulting rooms  
High-tech industries  
Highway service centres  
Hospitals  
Hotels  
Medical centres  
Motels  
Motor showrooms

Bankstown Local Environmental Plan 2001 (Amendment No 25)

Amendments

Schedule 1

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Office premises  
Passenger transport terminals  
Places of public worship  
Plant hire  
Public buildings  
Recreation areas  
Recreation facilities  
Registered clubs  
Research facilities  
Restaurants  
Retail plant nurseries  
Sanctuaries  
Service stations  
Utility installations  
Vehicle repair stations  
Warehouses or distribution centres

**[5] Clause 36C**

Insert after clause 36B:

**36C Development along arterial roads**

- (1) Consent must not be granted to development on an allotment of land that has a boundary adjoining an arterial road (or a road related area adjoining or associated with an arterial road) unless the consent authority is satisfied that:
- (a) where practicable, vehicle access to the land is provided by a road other than the arterial road, and
  - (b) the safety, efficiency and ongoing operation of the arterial road will not be adversely affected by the proposed development as a result of:
    - (i) the design of the vehicle access to the land from the arterial road, or
    - (ii) the nature, volume or frequency of vehicles using the arterial road to gain access to the land, or
    - (iii) the emission of smoke or dust from the proposed development, and
  - (c) the development is of a type that:
    - (i) is not sensitive to traffic noise, or

## Bankstown Local Environmental Plan 2001 (Amendment No 25)

## Schedule 1 Amendments

- 
- (ii) is appropriately located and designed, or
  - (iii) includes measures to reduce potential traffic noise within the site or the proposed development.

**[6] Clause 46 Core residential development standards**

Insert after clause 46 (7):

- (7A) The consent authority may grant consent to development for the purpose of terrace houses on an allotment of land within Zone 2 (a) only if the consent authority is satisfied that:
  - (a) the allotment of land within Zone 2 (a) is identified on the map distinctively coloured and with heavy black cross-hatching, and
  - (b) vehicle access to the allotment is from a road or right of way for access at the rear of the allotment.

**[7] Clause 48 Objectives of the Business zones**

Insert after clause 48 (2):

- (3) The objectives of Zone 3 (c) are:
  - (a) to promote economic and employment growth, and
  - (b) to promote a high standard of building design and landscaping (particularly along arterial roads), and
  - (c) to allow mixed use development on certain large allotments that have regard to local amenity, and
  - (d) to limit retail activity except where it involves bulky goods, or where it services the daily convenience needs of the local workforce, and
  - (e) to encourage appropriate and safe vehicle access to allotments (particularly along arterial roads).

**[8] Clause 50A**

Insert after clause 50:

**50A Development in Zone 3 (c)**

- (1) The consent authority must not grant consent to development on land within Zone 3 (c), unless the consent authority is satisfied that the development achieves high quality architectural and landscaping outcomes that contribute to improving the character and appearance of a locality or arterial road.
- (2) The consent authority must not grant consent to development on land within Zone 3 (c) if vehicle access to the development will

## Bankstown Local Environmental Plan 2001 (Amendment No 25)

## Amendments

## Schedule 1

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be by means of an arterial road, unless the consent authority is satisfied that:

- (a) there are no other practical means of access to the land, and
  - (b) traffic generated from the development will not have a significant adverse impact on the arterial road.
- (3) The consent authority may grant consent to development for the purpose of a convenience store on land within Zone 3 (c) only if it has a gross floor area of not more than 250 square metres.
- (4) Despite clause 11, the consent authority may grant consent to development on an allotment of land within Zone 3 (c) for the purpose of boarding-houses, family day care centres, home based child care centres, home businesses, housing for older people or people with a disability, residential flat buildings, serviced apartments, terrace houses and villas if the consent authority is satisfied that:
- (a) the allotment is identified on the map by pink cross-hatching, and
  - (b) the allotment has an area of not less than 5,000 square metres, and
  - (c) any dwellings are set back a minimum of 20 metres from any boundary of the allotment that adjoins an arterial road or a road related area (within the meaning of the *Roads Act 1993*) adjoining or associated with an arterial road, and
  - (d) any development other than dwellings will not detract from the amenity of any dwellings on the allotment.
- (5) Despite clause 11, the consent authority may grant consent to development on an allotment of land within Zone 3 (c) for the purpose of an educational establishment other than an infants', primary or secondary school.

**[9] Schedule 1 Dictionary**

Omit "2 or more" from the definition of *bulky goods complex*.

Insert instead "5 or more".

**[10] Schedule 1, definition of "Floor Space Ratio Map"**

Insert in appropriate order:

Bankstown Local Environmental Plan 2001 (Amendment No 25)—Sheet 3

## Bankstown Local Environmental Plan 2001 (Amendment No 25)

## Schedule 1 Amendments

**[11] Schedule 1**

Insert in alphabetical order:

**high-tech industry** means an enterprise that:

- (a) has as its primary function the manufacture, development, production, processing or assembly of, or researching into, any of the following:
  - (i) electronic and microelectronic systems and goods,
  - (ii) information technology, computer software or hardware,
  - (iii) instrumentation and instruments,
  - (iv) biological, pharmaceutical, medical or paramedical systems, goods and components,
  - (v) other goods, systems and components intended for use in science and technology, and
- (b) does not interfere with the amenity of the neighbourhood in which it is located by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, waste, water, waste products, grit, oil or otherwise.

**terrace house** means three or more attached dwellings facing the street with each having:

- (a) a common wall or walls with the adjoining dwelling or dwellings, and
- (b) vehicle access at the rear of the allotment on which the dwellings are located.

**[12] Schedule 1, definition of “the map”**

Insert in appropriate order:

Bankstown Local Environmental Plan 2001 (Amendment No 25)—Sheets 1 and 2

**[13] Schedule 2 Additional uses**

Omit “Lot 2, DP 184160, No 119 Hume Highway, Greenacre, and” from Item No 1.

**[14] Schedule 2**

Omit the matter relating to Item Nos 2 and 3. Insert instead:

- |   |  |                |
|---|--|----------------|
| 2 | Lot 12, DP 24079, No 852 Hume Highway, Bass Hill, and<br>Lot 82, DP 207516, No 860 Hume Highway, Bass Hill | Dwelling house |
| 3 | Nos 908–966 Hume Highway, Bass Hill  | Motel          |

Bankstown Local Environmental Plan 2001 (Amendment No 25)

Amendments

Schedule 1

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**[15] Schedule 2**

Omit item 14.

**[16] Schedule 2**

Omit “and Lots 1–17, DP 16667” from the matter relating to Item No 21.

Insert instead “, Lots 1–17, DP 16667 and Lots 10–12, DP 872968, No 18 George Street, Yagoona”.

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## Department of Primary Industries

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### COAL MINES REGULATION ACT, 1982

#### Notice Of Supplementary Approval

Approval No.: MDA GD 5069

File No.: 06/5449

Date: 22/11/06

### APP-TEK ODALOG 7000 GAS MONITOR

PURSUANT to the provisions of Clause 126, Part 8 Monitoring and detecting equipment Coal Mines (Underground) Regulation 1999, I hereby notify of the variation to approval MDA GD 5069:

#### Description of Original Approved Item

App-Tek Odalog 7000IR Gas Monitor

#### Supplier

App-Tek International Pty Ltd

#### Variation permitted by supplementary approval:

Approval to include the App-Tek Odalog 7000 Gas Monitor

This supplementary approval is subject to the following conditions:

1. There shall be no variation in design, construction, or performance from that of the samples tested by the Mine Safety Technology Centre and reported in test reports no. 05/822, 03/1121, 04/841 and 04/482 unless approval for modification has been obtained. Any repair that may affect the instrument's explosion protection properties shall be carried out at a workshop registered for the purpose.
2. Prior to being placed in service each gas monitor shall be tested for accuracy and calibrated by a NATA accredited test authority and a NATA endorsed certificate supplied to the mine.
3. The supplier shall ensure that the apparatus supplied complies with the requirements of the Occupational Health and Safety Act 2000.
4. The employer(s) shall ensure that the apparatus is used in compliance with the Occupational Health and Safety Act 2000.
5. At each mine where the instrument is used, the Manager shall ensure that the instrument is maintained in accordance with the current Australian Standard AS2290.3 electrical equipment for coal mines - Maintenance and overhaul Part 3 Maintenance of gas detecting and monitoring equipment.
6. The Chief Inspector of Coal Mines may vary or revoke this approval at any time.
7. A copy of this notice shall be supplied with each gas monitor supplied to a mine or rescue station.

R. REGAN,  
Chief Inspector of Coal Mines



**FISHERIES MANAGEMENT ACT 1994****FISHERIES MANAGEMENT (AQUACULTURE)  
REGULATION 2002**

## Clause 39(4) – Notice of Aquaculture Lease Renewal

THE Minister has renewed the following Class 1 Aquaculture Leases:

OL89/055 within the estuary of Port Stephens, having an area of 0.7133 hectares to Leon POST, Kim POST, Todd MASON and Priscilla MASON of Karuah NSW, for a term of 15 years expiring on 10 April 2021.

OL96/005 within the estuary of Port Stephens, having an area of 2.4175 hectares to Julie Elizabeth ALDIS of Karuah NSW, for a term of 15 years expiring on 21 June 2019.

OL89/055 within the estuary of Port Stephens, having an area of 0.7133 hectares to Leon POST, Kim POST, Todd MASON and Priscilla MASON of Karuah NSW, for a term of 15 years expiring on 10 April 2021.

OL60/093 within the estuary of Hawkesbury River, having an area of 1.6899 hectares to Robert Charles MOXHAM of Brooklyn NSW, for a term of 15 years expiring on 14 November 2021.

OL76/088 within the estuary of Crookhaven River, having an area of 3.7450 hectares to Edward ALLEN of Greenwell Point NSW, for a term of 15 years expiring on 16 January 2022.

OL76/090 within the estuary of Crookhaven River, having an area of 1.1542 hectares to Edward ALLEN of Greenwell Point NSW, for a term of 15 years expiring on 16 January 2022.

OL76/091 within the estuary of Crookhaven River, having an area of 3.4116 hectares to Edward ALLEN of Greenwell Point NSW, for a term of 15 years expiring on 16 January 2022.

AL03/002 within the estuary of Crookhaven River, having an area of 4.2631 hectares to Edward ALLEN of Greenwell Point NSW, for a term of 15 years expiring on 16 January 2022.

OL96/007 within the estuary of Crookhaven River, having an area of 1.3430 hectares to Edward ALLEN, Brian ALLEN and Barry ALLEN of Greenwell Point NSW, for a term of 15 years expiring on 16 January 2022.

AL03/003 within the estuary of Crookhaven River, having an area of 7.6359 hectares to Edward ALLEN, Brian ALLEN and Barry ALLEN of Greenwell Point NSW, for a term of 15 years expiring on 5 December 2021.

OL90/046 within the estuary of Brisbane Water, having an area of 1.3441 hectares to Graham James Moore BARCLAY of Forster NSW, for a term of 15 years expiring on 24 June 2022.

OL91/012 within the estuary of Brisbane Water, having an area of 1.2768 hectares to Graham James Moore BARCLAY of Forster NSW, for a term of 15 years expiring on 24 June 2022.

OL75/131 within the estuary of Hawkesbury River, having an area of 0.8269 hectares to Roger CLARKE of Berowra NSW, for a term of 15 years expiring on 25 July 2021.

OL76/166 within the estuary of Wallis Lake, having an area of 0.2793 hectares to Laurence COOMBES of Forster NSW, for a term of 15 years expiring on 16 January 2022.

OL76/032 within the estuary of Macleay River, having an area of 0.7280 hectares to Norma Jean BARBER of South West Rocks NSW, for a term of 15 years expiring on 14 March 2022.

OL59/051 within the estuary of Wapengo Lake, having an area of 3.5761 hectares to Cindy WREN and Colin WREN of Bermagui NSW, for a term of 15 years expiring on 25 February 2019.

OL59/094 within the estuary of Wapengo Lake, having an area of 0.5509 hectares to Cindy WREN and Colin WREN of Bermagui NSW, for a term of 15 years expiring on 31 March 2019.

OL90/013 within the estuary of the Clyde River, having an area of 0.3815 hectares to Rodney ELLIOT of Batemans Bay NSW, for a term of 15 years expiring on 10 April 2021.

OL74/104 within the estuary of Brisbane Water, having an area 3.4494 hectares to Judith FERGUSON and Allan FERGUSON of Empire Bay NSW, for a term of 15 years expiring on 24 August 2021.

OL75/137 within the estuary of the Bermagui River, having an area of 0.7514 hectares to John SMITH of Bermagui NSW, for a term of 15 years expiring on 18 July 2021.

BILL TALBOT,  
Director,

Fisheries Conservation and Aquaculture,  
Agriculture, Fisheries and Regional Relations,  
Department of Primary Industries

**FISHERIES MANAGEMENT (GENERAL)  
REGULATION 2002**

## Instrument of Delegation

I, IAN MACDONALD MLC, Minister for Primary Industries, pursuant to section 227 of the Fisheries Management Act 1994, ('the Act') hereby delegate all my functions under clause 133E of the Fisheries Management (General) Regulation 2002 to the Director-General of the NSW Department of Primary Industries.

Pursuant to section 228(2) of the Act, I also authorise the Director-General to sub delegate these functions to an authorised person within the meaning of s228(3) of the Act.

Dated this 2nd day of November 2006.

IAN MACDONALD, M.L.C.,  
Minister for Primary Industries

**FISHERIES MANAGEMENT (GENERAL)  
REGULATION 2002**

## Instrument of Delegation

I, B D BUFFIER, Director-General, of the NSW Department of Primary Industries with the delegated power of the Minister pursuant to section 227 of the Fisheries Management Act 1994 ('the Act') and pursuant to section 228 of the Act, hereby delegate all my functions under subclauses 133E(3)(b), (c) and (d) and subclause 133E(4) of the Fisheries

Management (General) Regulation 2002 to the persons who from time to time hold the following positions:

Director, Wild Harvest Fisheries  
 Manager, Fisheries Planning & Operations  
 Manager, Fisheries Business Services  
 Dated this 2nd day of November 2006.

B. D. BUFFIER,  
 Director-General  
 NSW Department of Primary Industries

(06-217)

No. 2735, now Exploration Licence No. 6661, CLANCY EXPLORATION PTY LTD (ACN 105 578 756), Counties of Gordon and Wellington, Map Sheet (8632), area of 49 units, for Group 1, dated 15 November, 2006, for a term until 14 November, 2008. As a result of the grant of this title, Exploration Licence No. 6180 and Exploration Licence No. 6443 have ceased to have effect.

IAN MACDONALD, M.L.C.,  
 Minister for Mineral Resources.

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### MINERAL RESOURCES

NOTICE is given that the following applications have been received:

#### EXPLORATION LICENCE APPLICATIONS

(06-7061)

No. 2930, BOHUON RESOURCES PTY LTD (ACN 102 533 817), area of 13 units, for Group 1, dated 16 November, 2006. (Cobar Mining Division).

(06-7063)

No. 2932, MINOTAUR OPERATIONS PTY LTD (ACN 108 925 284), area of 94 units, for Group 1, dated 22 November, 2006. (Orange Mining Division).

(06-7064)

No. 2933, NIPLATS AUSTRALIA LIMITED (ACN 103006542), area of 235 units, for Group 10, dated 24 November, 2006. (Broken Hill Mining Division).

(06-7065)

No. 2934, MUDGEE STONE CO. PTY LIMITED (ACN 100 974 365), area of 4 units, for Group 2, dated 24 November, 2006. (Armidale Mining Division).

(06-7066)

No. 2935, TRITTON RESOURCES LIMITED (ACN 100 095 494), area of 100 units, for Group 1, dated 27 November, 2006. (Cobar Mining Division).

(06-7067)

No. 2936, BIG ISLAND MINING LIMITED (ACN 112 787 470), area of 18 units, for Group 1, dated 27 November, 2006. (Armidale Mining Division).

#### MINING LEASE APPLICATION

(06-2844)

No. 291, WARKWORTH MINING LTD, area of about 1.418 hectares, to mine for coal, dated 23 November, 2006. (Singleton Mining Division).

IAN MACDONALD, M.L.C.,  
 Minister for Mineral Resources.

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NOTICE is given that the following applications have been granted:

#### EXPLORATION LICENCE APPLICATIONS

(06-105)

No. 2685, now Exploration Licence No. 6663, PROTO RESOURCES AND INVESTMENTS LTD (ACN 108 507 517), Counties of Evelyn, Poole and Tongowoko, Map Sheet (7238), area of 99 units, for Group 1, dated 17 November, 2006, for a term until 16 November, 2008.

NOTICE is given that the following application has been withdrawn:

#### EXPLORATION LICENCE APPLICATION

(06-7062)

No. 2931, ALLIANCE FUEL CELLS PEM PTY LTD (ACN 096 947 223), County of Farnell and County of Yancowinna, Map Sheet (7134). Withdrawal took effect on 21 November, 2006.

IAN MACDONALD, M.L.C.,  
 Minister for Mineral Resources.

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

(T92-0390)

Exploration Licence No. 4474, NOEL NORMAN DENNIS, area of 4 units. Application for renewal received 23 November, 2006.

(T98-1140)

Exploration Licence No. 5548, ALKANE EXPLORATION LTD (ACN 000 689 216), area of 27 units. Application for renewal received 29 November, 2006.

(T02-0388)

Exploration Licence No. 6035, LESLIE HERBERT SAVAGE, COLIN LAURENCE PLUMRIDGE, DAFYDD ARTHUR BEVAN AND JOY ELIZABETH PLUMRIDGE, area of 4 units. Application for renewal received 27 November, 2006.

(T04-0061)

Exploration Licence No. 6360, PROACTIVE ENERGY DEVELOPMENTS LTD (ACN 112 714 440), area of 37 units. Application for renewal received 23 November, 2006.

IAN MACDONALD, M.L.C.,  
 Minister for Mineral Resources.

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### RENEWAL OF CERTAIN AUTHORITIES

NOTICE is given that the following authorities have been renewed:

(C96-2388)

Exploration Licence No. 5306, BICKHAM COAL COMPANY PTY. LIMITED (ACN 087 270 899), County of Brisbane, Map Sheet (9034), area of 3040 hectares, for a further term until 27 May, 2009. Renewal effective on and from 9 November, 2006.

(T97-1199)

Exploration Licence No. 5359, MURRAY BASIN TITANIUM PTY LTD (ACN 082 497 827), Counties of Kilfera, Manara and Taila, Map Sheet (7429, 7430, 7529, 7530, 7531, 7630, 7631), area of 589 units, for a further term until 8 October, 2008. Renewal effective on and from 21 November, 2006.

(T97-1200)

Exploration Licence No. 5362, MURRAY BASIN TITANIUM PTY LTD (ACN 082 497 827), Counties of Perry and Wentworth, Map Sheet (7430, 7431), area of 256 units, for a further term until 9 October, 2008. Renewal effective on and from 21 November, 2006.

(C00-1585)

Exploration Licence No. 5888, BICKHAM COAL COMPANY PTY. LIMITED (ACN 087 270 899), County of Brisbane, Map Sheet (9034), area of 2040 hectares, for a further term until 27 May, 2009. Renewal effective on and from 9 November, 2006.

(T02-0035)

Exploration Licence No. 5969, TRIAKO RESOURCES LIMITED (ACN 008 498 119), County of Cunningham, Map Sheet (8332), area of 10 units, for a further term until 31 July, 2008. Renewal effective on and from 21 November, 2006.

(T02-0074)

Exploration Licence No. 6009, JERVOIS MINING LIMITED (ACN 007 626 575), Counties of Canbelego and Flinders, Map Sheet (8234, 8334, 8335), area of 23 units, for a further term until 20 October, 2008. Renewal effective on and from 22 November, 2006.

IAN MACDONALD, M.L.C.,  
Minister for Mineral Resources.

### CANCELLATION OF AUTHORITY AT REQUEST OF HOLDER

NOTICE is given that the following authority has been cancelled:

(T03-0030)

Exploration Licence No. 6101, GRAVITY CAPITAL LIMITED (ACN 009 178 689), County of Yancowinna, Map Sheet (7234), area of 18 units. Cancellation took effect on 28 November, 2006.

IAN MACDONALD, M.L.C.,  
Minister for Mineral Resources.

### PLANT DISEASES ACT 1924

#### Appointment of Inspector

I, B D BUFFIER, Director-General of New South Wales Department of Primary Industries, pursuant to section 11(1) of the Plant Diseases Act 1924 ('the Act'), appoint Johanne Maree TAYLOR as an inspector under the Act.

Dated this 22nd day of November 2006.

B. D. BUFFIER,  
Director-General  
NSW Department of Primary Industries

### PLANT DISEASES ACT 1924

#### PROCLAMATION P175

PROCLAMATION to regulate the importation, introduction and bringing into specified parts of New South Wales of certain fruit originating from or which has moved through other specified parts of New South Wales on account of an outbreak of Queensland fruit fly at Mulwala, New South Wales.

Her Excellency Professor MARIE BASHIR AC,  
Governor

I, Professor MARIE BASHIR, AC, Governor of the State of New South Wales, being of the opinion that the movement of fruit within a portion of New South Wales is likely to introduce the pest Queensland fruit fly (*Bactrocera tryoni*), with the advice of the Executive Council and pursuant to section 4(1) of the Plant Diseases Act 1924 ("the Act"), do by this Proclamation regulate the movement of fruit within New South Wales in the manner set out in this Proclamation.

1. Host Fruit that originates from or that has moved through the:

- (a) Outbreak Area must not be imported, introduced or brought into the Suspension Area;
- (b) Suspension Area must not be imported, introduced or brought into the Outer Area,

unless:

- (i) a Plant Health Certificate or a Plant Health Assurance Certificate has been issued in respect of the Host Fruit, and
- (ii) the Host Fruit is transported and stored in accordance with any conditions relating to such matters which are stated in the Plant Health Certificate or the Plant Health Assurance Certificate, and
- (iii) the Plant Health Certificate or the Plant Health Assurance Certificate is in the possession of the driver of the vehicle transporting the Host Fruit or the person otherwise having custody or control of the Host Fruit while it is in the Suspension Area or the Outer Area as the case may be, and
- (iv) the Plant Health Certificate or the Plant Health Assurance Certificate is produced on demand to an inspector or a person authorised pursuant to section 11(3) of the Act.

#### Definitions

In this Proclamation:

**Department means** the New South Wales Department of Primary Industries.

**Host Fruit means** the fruit specified in Schedule 1.

**Outbreak Area means** the part of New South Wales specified in Schedule 2.

**Outer Area means** the area known as the New South Wales Fruit Fly Exclusion Zone, as declared in Proclamation P36 published in Government Gazette No 13 of 31 January 1997, at page 321, other than the Suspension Area.

**Plant Health Assurance Certificate means** a certificate –  

- issued by a person authorised by the Department to issue Plant Health Assurance Certificates, and

- which certifies that the Host Fruit has been treated in a manner approved by the Director, Animal and Plant Biosecurity of the Department, and
- which specifies any conditions subject to which the Host Fruit must be transported or stored.

**Plant Health Certificate** means a certificate –

- issued by an inspector or a person authorised pursuant to section 11(3) of the Act, and
- which certifies that the Host Fruit has been treated in a manner approved by the Director, Animal and Plant Biosecurity of the Department, and
- which specifies any conditions subject to which the Host Fruit must be transported or stored.

**Suspension Area means** the part of New South Wales specified in Schedule 3.

**SCHEDULE 1 – HOST FRUIT**

All citrus fruit, pome fruit, stone fruit and tropical fruit (excepting pineapple).

The following berry fruit:

- |             |                 |            |
|-------------|-----------------|------------|
| blackberry  | cape gooseberry | raspberry  |
| blueberry   | loganberry      | strawberry |
| boysenberry | mulberry        | youngberry |

The following other fruit:

- |                  |                      |
|------------------|----------------------|
| abiú             | kiwifruit or Chinese |
| gooseberries     |                      |
| babaco           | loquat               |
| Brasilian cherry | medlars              |
| capsicum         | pepino               |
| cashew apple     | persimmon            |
| cherimoya        | pomegranate          |

- |  |                 |
|--|-----------------|
| chilli (chillies) (cherry peppers) (tabasco) | prickly pear    |
| dates (fresh)                                | rollinia        |
| feijoa                                       | santol          |
| fig  | tamarillo       |
| granadilla                                   | tomato          |
| grumichama (Brazilian) (Costa Rican)         | walnuts (green) |
| jujubes                                      | wax jambu       |

**SCHEDULE 2 – OUTBREAK AREA**

The part of New South Wales within a 1.5 kilometre radius of coordinates decimal degrees -35.985938 South and 146.007370 East, as identified as the Outbreak Area on the map titled “Mulwala Outbreak and Suspension Areas”.

**SCHEDULE 3 – SUSPENSION AREA**

The part of New South Wales within a 15 kilometre radius of coordinates decimal degrees -35.985938 South and 146.007370 East, as identified as the Suspension Area on the map titled “Mulwala Outbreak and Suspension Areas”.

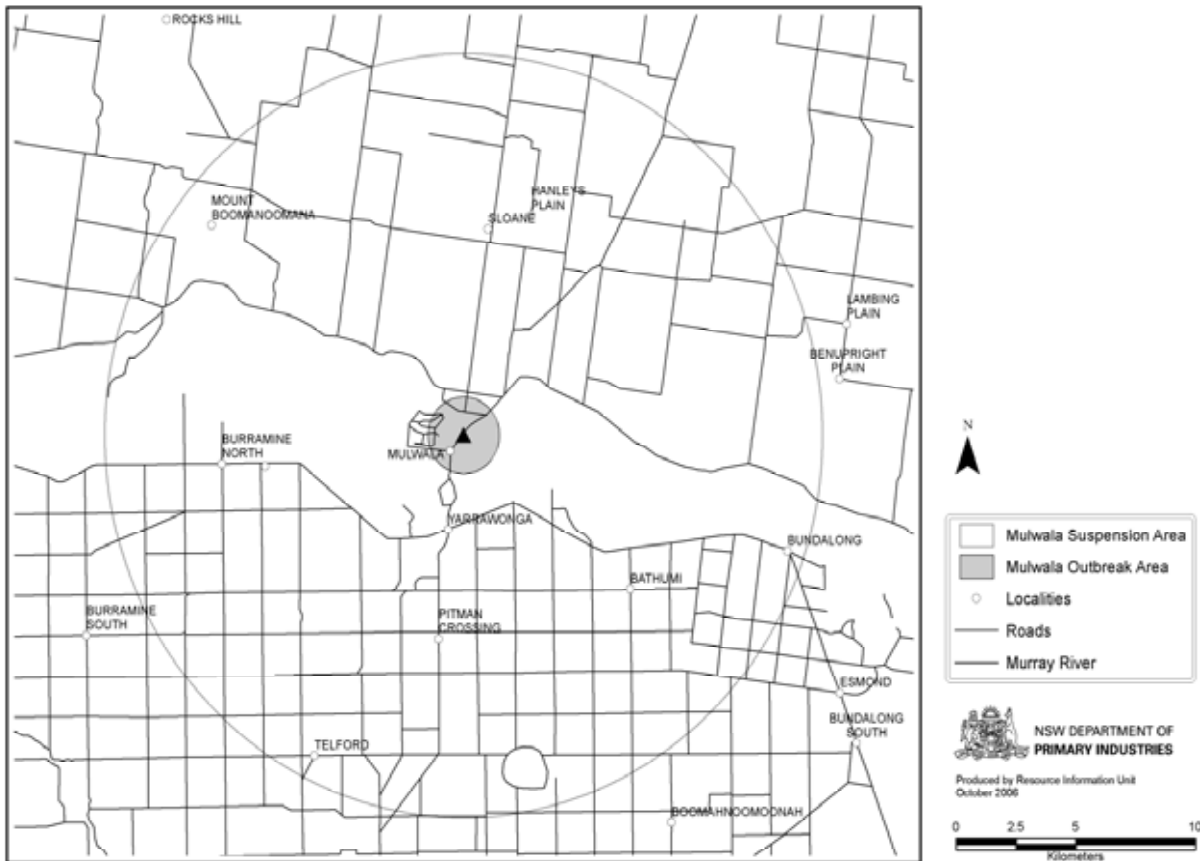
**Note:** The NSW Department of Primary Industries reference is P175.

For further information contact the Department on (02) 6391 3593.

Signed and sealed at Sydney this 14th day of November 2006.

By Her Excellency’s Command,  
 IAN MACDONALD, M.L.C.,  
 Minister for Primary Industries  
 GOD SAVE THE QUEEN!

**Mulwala Outbreak and Suspension Areas**





**POULTRY MEAT INDUSTRY ACT 1986**

Poultry Meat Industry Advisory Group

I, IAN MACDONALD, MLC, Minister for Primary Industries, pursuant to Section 6A(3)(b) of the Poultry Meat Industry Act 1986, hereby appoint the following persons as processor members of the Poultry Meat Industry Advisory Group from the 1st February 2006 to the date of this appointment.

CORDINA, John

WILSON, Alan

Dated this 28th day of March 2006.

IAN MACDONALD, M.L.C.,  
Minister for Primary Industries

**POULTRY MEAT INDUSTRY ACT 1986**

Poultry Meat Industry Advisory Group

I, IAN MACDONALD, MLC. Minister for Primary Industries, pursuant to Section 6A(3)(b) of the Poultry Meat Industry Act 1986, hereby appoint the following persons as processor members of the Poultry Meat Industry Advisory Group from the date of this appointment until 31 January 2008.

CORDINA, John

WILSON, Alan

Dated this 28th day of March 2006.

IAN MACDONALD, M.L.C.,  
Minister for Primary Industries

**POULTRY MEAT INDUSTRY ACT 1986**

Poultry Meat Industry Advisory Group

I, IAN MACDONALD, MLC. Minister for Primary Industries, pursuant to section 6A(3)(b) of the Poultry Meat Industry Act 1986, hereby appoint the following person as a processor member of the Poultry Meat Industry Advisory Group from the 1 May 2006 to the date hereof.

ETHERINGTON, Paul Ashley

Dated this 2nd day of November 2006

IAN MACDONALD, M.L.C.,  
Minister for Primary Industries

**POULTRY MEAT INDUSTRY ACT 1986**

Poultry Meat Industry Advisory Group

I, IAN MACDONALD, MLC. Minister for Primary Industries, pursuant to section 6A(3)(b) of the Poultry Meat Industry Act 1986, hereby appoint the following person as a processor member of the Poultry Meat Industry Advisory Group from the date hereof to the 30 April 2008.

ETHERINGTON, Paul Ashley

Dated this 2nd day of November 2006

IAN MACDONALD, M.L.C.,  
Minister for Primary Industries

**POULTRY MEAT INDUSTRY ACT 1986**

Poultry Meat Industry Advisory Group

I, IAN MACDONALD MLC, Minister for Primary Industries, pursuant to sections 6A(3)(a) and 6A(4) of the Poultry Meat Industry Act 1986, hereby appoint the following person as an independent member and Chairman of the Poultry Meat Industry Advisory Group from the 1 July 2006 until 30 June 2008.

CARROLL, Stephen

Dated this 3rd day of July 2006.

IAN MACDONALD, M.L.C.,  
Minister for Primary Industries

**POULTRY MEAT INDUSTRY ACT 1986**

Poultry Meat Industry Advisory Group

I, IAN MACDONALD MLC, Minister for Primary Industries, pursuant to sections 6A(3)(a) and 6A(4) of the Poultry Meat Industry Act 1986, hereby appoint the following person as an independent member and Chairman of the Poultry Meat Industry Advisory Group from the 1 February 2006 until 1 July 2006.

CARROLL, Stephen

Dated this 3rd day of July 2006.

IAN MACDONALD, M.L.C.,  
Minister for Primary Industries

**POULTRY MEAT INDUSTRY ACT 1986**

Poultry Meat Industry Advisory Group

I, IAN MACDONALD, MLC. Minister for Primary Industries, pursuant to section 6A(3)(c) of the Poultry Meat Industry Act 1986, hereby appoint the following persons as a processor member of the Poultry Meat Industry Advisory Group from the 1 February 2006 to the date hereof.

STEVENSON, Andrew

VELLA, Joseph

MCKELVEY, Brian

Dated this 2nd day of November 2006.

IAN MACDONALD, M.L.C.,  
Minister for Primary Industries

**POULTRY MEAT INDUSTRY ACT 1986**

Poultry Meat Industry Advisory Group

I, IAN MACDONALD, MLC. Minister for Primary Industries, pursuant to section 6A(3)(c) of the Poultry Meat Industry Act 1986, hereby appoint the following persons as a processor member of the Poultry Meat Industry Advisory Group from the date hereof to 31 January 2008.

STEVENSON, Andrew

VELLA, Joseph

MCKELVEY, Brian

Dated this 2nd day of November 2006.

IAN MACDONALD, M.L.C.,  
Minister for Primary Industries

**STOCK DISEASES ACT 1923**

## Appointment of Inspector

I, B D BUFFIER, Director-General of NSW Department of Primary Industries, pursuant to section 6(1) of the Stock Diseases Act 1923 ('the Act'), appoint Johanne Maree TAYLOR as an inspector under the Act.

Dated this 22nd day of November 2006.

B. D. BUFFIER,  
Director-General  
NSW Department of Primary Industries

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**STOCK FOODS ACT 1940**

## Authorisation of Inspector

I, B D BUFFIER, Director-General of NSW Department of Primary Industries, pursuant to section 20(1)(a) of the Stock Foods Act 1940 ('the Act'), appoint Johanne Maree TAYLOR as an inspector under the Act.

Dated this 22nd day of November 2006.

B. D. BUFFIER,  
Director-General  
NSW Department of Primary Industries

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**STOCK MEDICINES ACT 1989**

## Authorisation of Inspector

I, B D BUFFIER, Director-General of NSW Department of Primary Industries, pursuant to section 48 of the Stock Medicines Act 1989 ('the Act'), authorise Johanne Maree TAYLOR as an inspector under the Act.

Dated this 22nd day of November 2006.

B. D. BUFFIER,  
Director-General  
NSW Department of Primary Industries

**GAME AND FERAL ANIMAL CONTROL ACT 2002****ORDER****Declaration of public lands for hunting for the purposes of the  
*Game and Feral Animal Control Act 2002***

I, IAN MACDONALD MLC, Minister for Primary Industries, pursuant to section 20 of the *Game and Feral Animal Control Act 2002*, after having had regard to the matters set out in section 20(4), declare that game animals on public land described in the Schedules below may be hunted by persons duly licensed, subject to the relevant terms contained in each of the Schedules.

<p>NOTE: This declaration is limited to game animals as prescribed in section 5(1) and section 5(2) of the <i>Game and Feral Animal Control Act 2002</i>.</p>
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Dated this 29th day of November 2006

**IAN MACDONALD MLC**  
**Minister for Primary Industries**

**Schedule 1  
Avon River State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 1 December 2006.

**2. The land declared is limited to Avon River State Forest**

Avon River State Forest is located approximately 15 km south-west of the township of Gloucester. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'. Avon River State Forest area: 5094 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

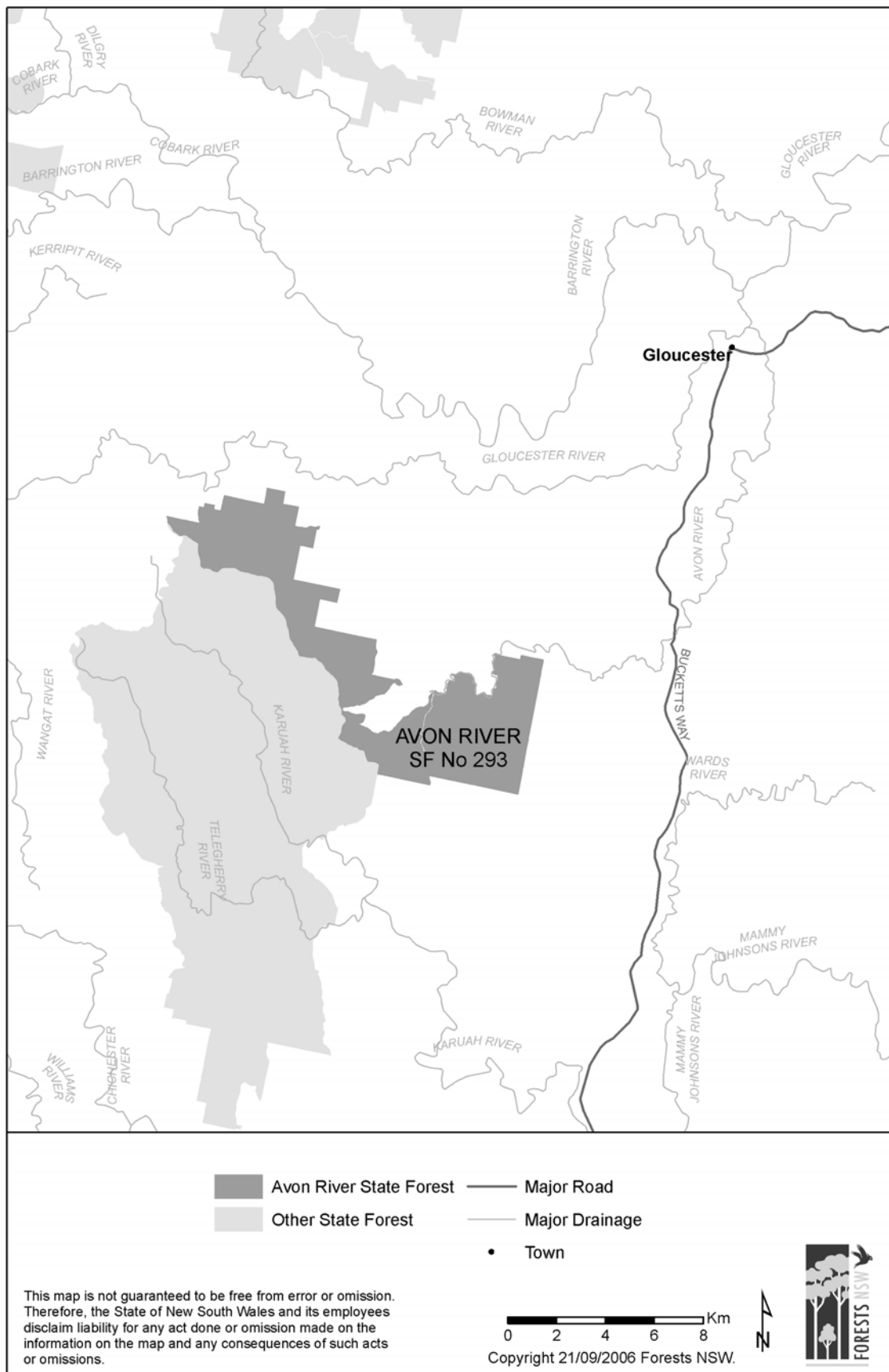
**6. Requirements of the declaration**

A person who hunts on the lands declared must:

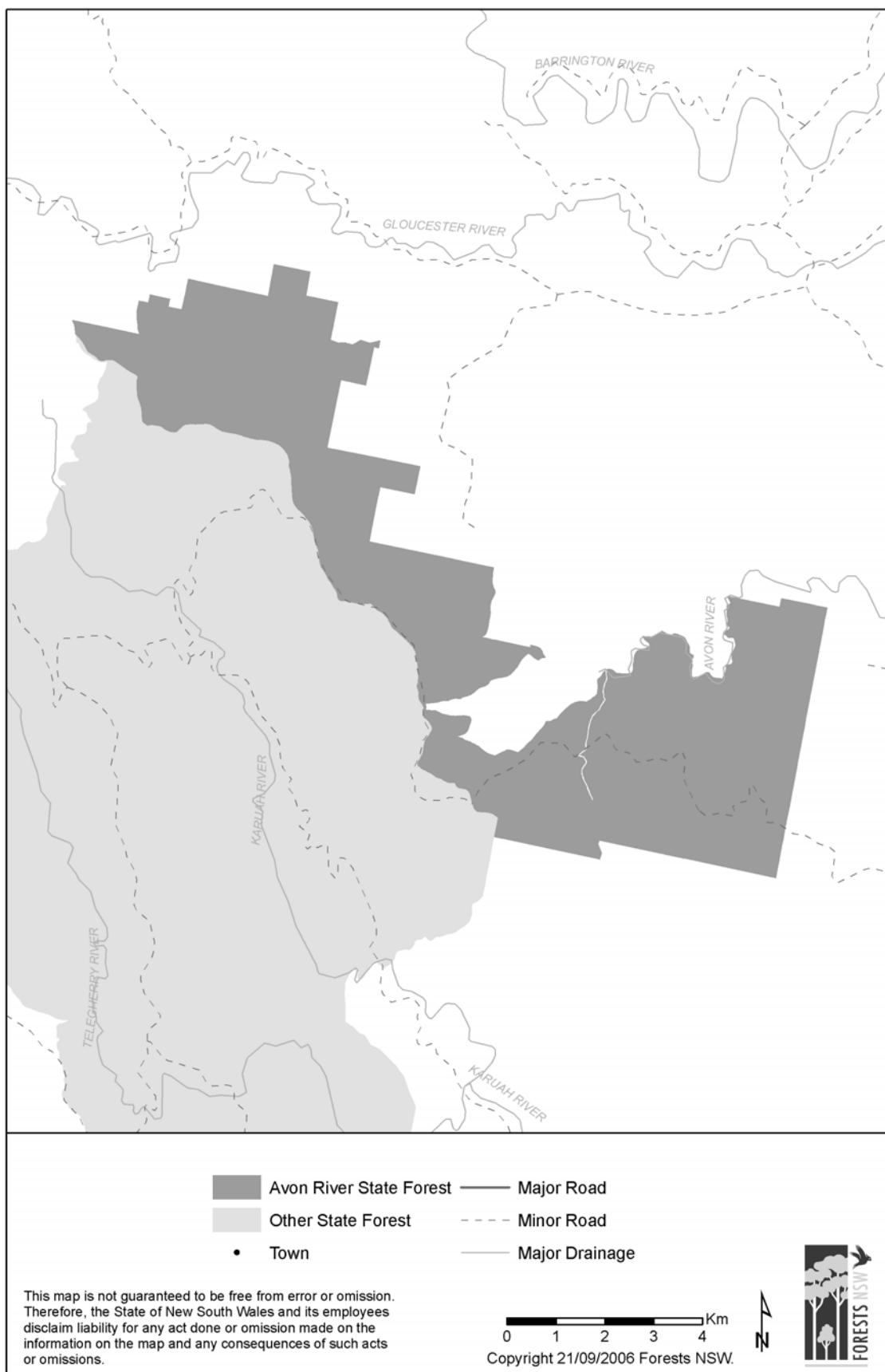
- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.



APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 2  
Baradine State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 1 December 2006.

**2. The land declared is limited to Baradine State Forest**

Baradine State Forest is located approximately 10 km north-east of the township of Baradine. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Baradine State Forest area: 9878 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

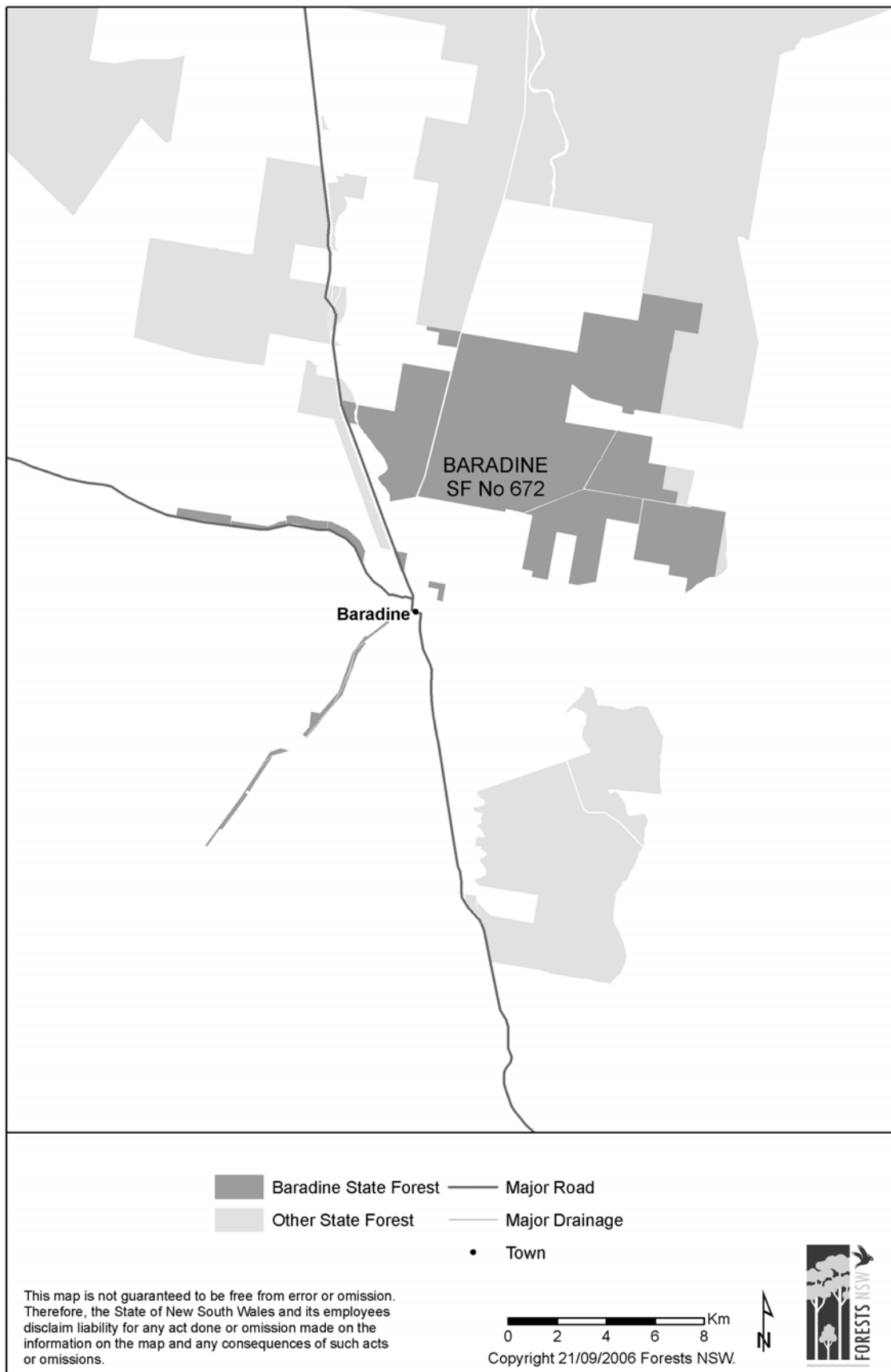
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



This map is not guaranteed to be free from error or omission. Therefore, the State of New South Wales and its employees disclaim liability for any act done or omission made on the information on the map and any consequences of such acts or omissions.

APPENDIX 'B' – Location Map



**Schedule 3  
Biblewindi State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 1 December 2006.

**2. The land declared is limited to Biblewindi State Forest**

Biblewindi State Forest is located approximately 40 km south of the township of Narrabri. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Biblewindi State Forest area: 7337 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

A person who hunts on the lands declared must:

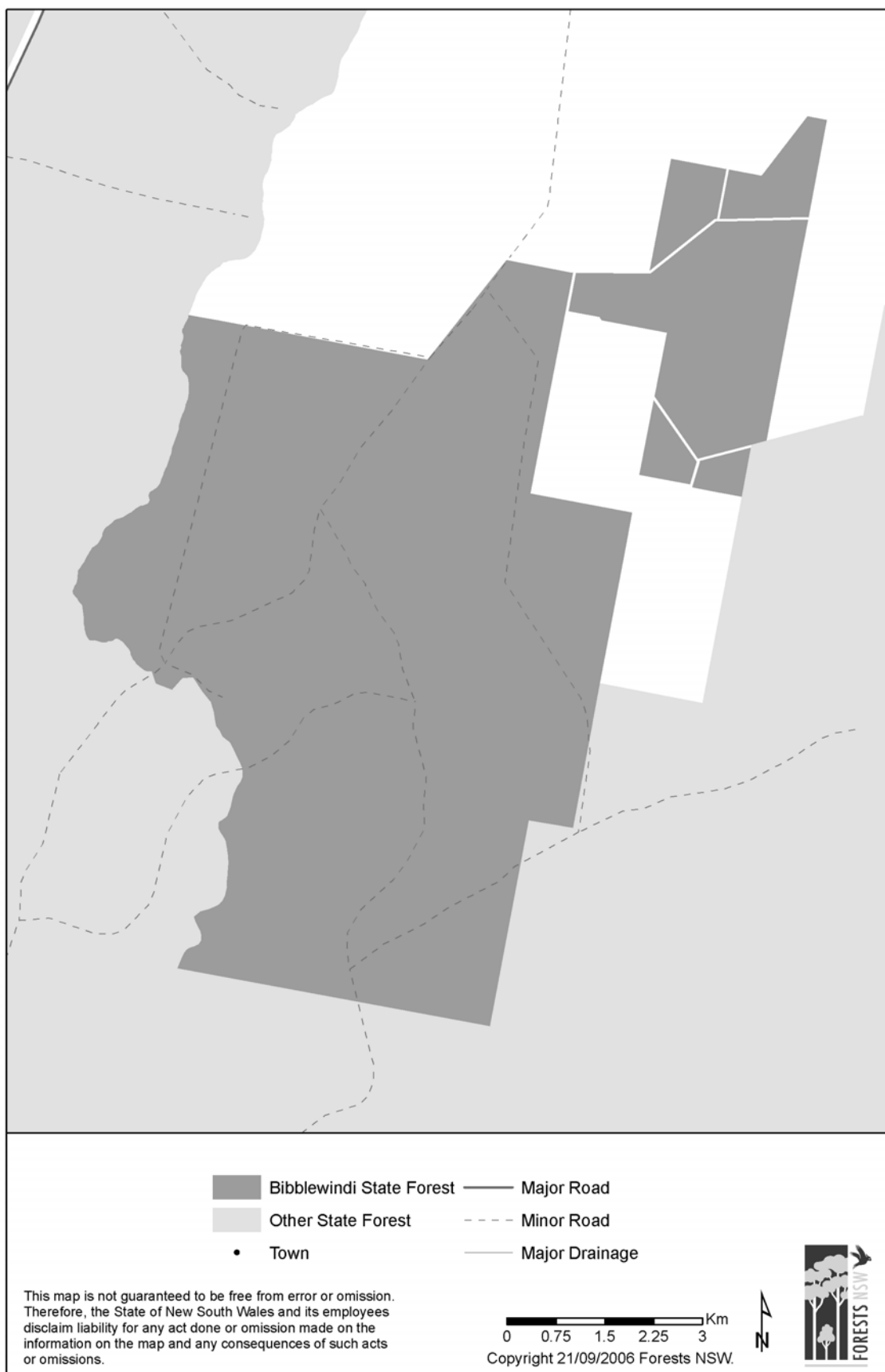
- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



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APPENDIX 'B' – Location Map





**Schedule 4  
Boambee State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 1 December 2006.

**2. The land declared is limited to Boambee State Forest**

Boambee State Forest is located approximately 8 km west of the township of Coffs Harbour. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Boambee State Forest area: 879 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

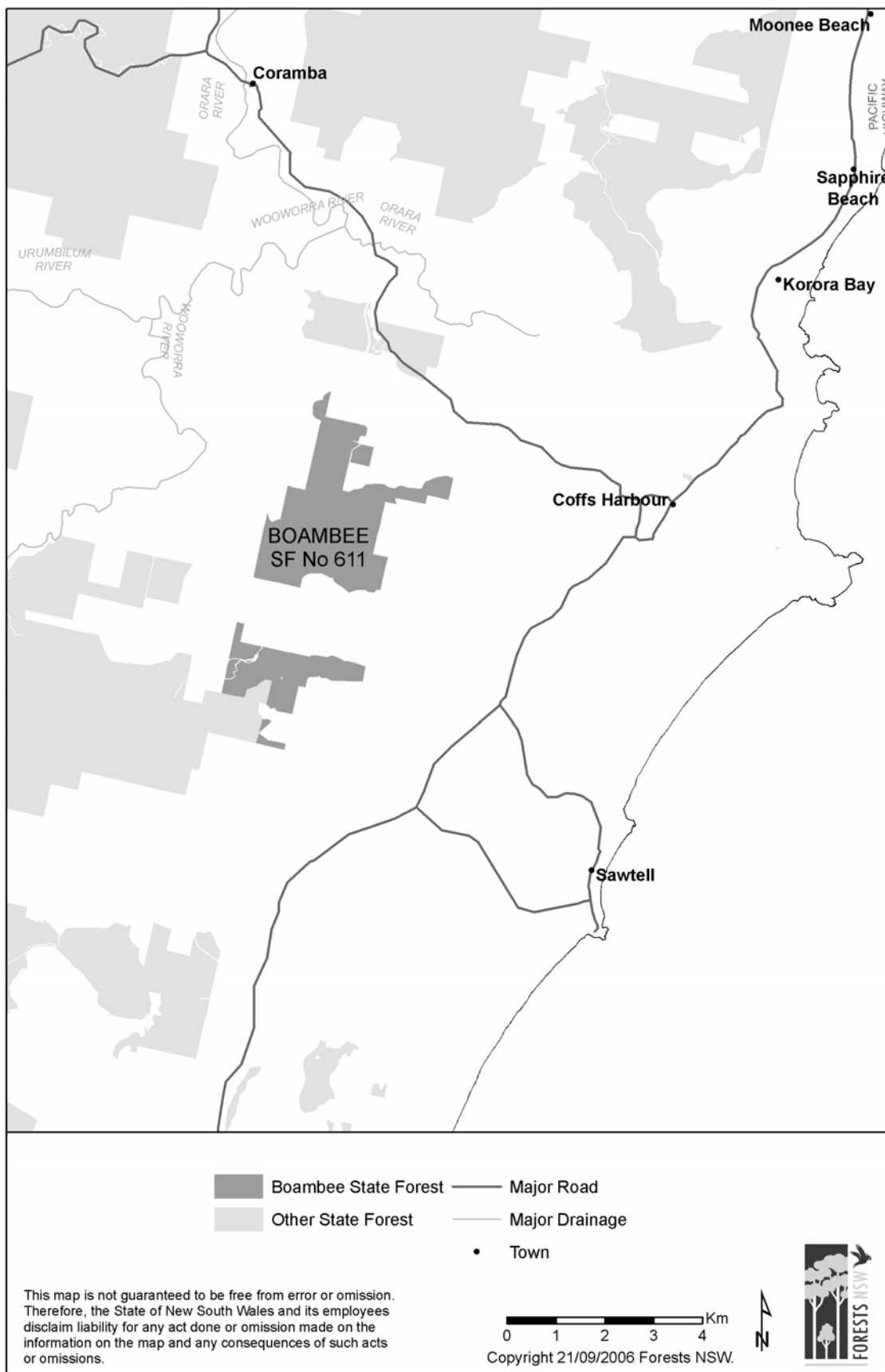
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

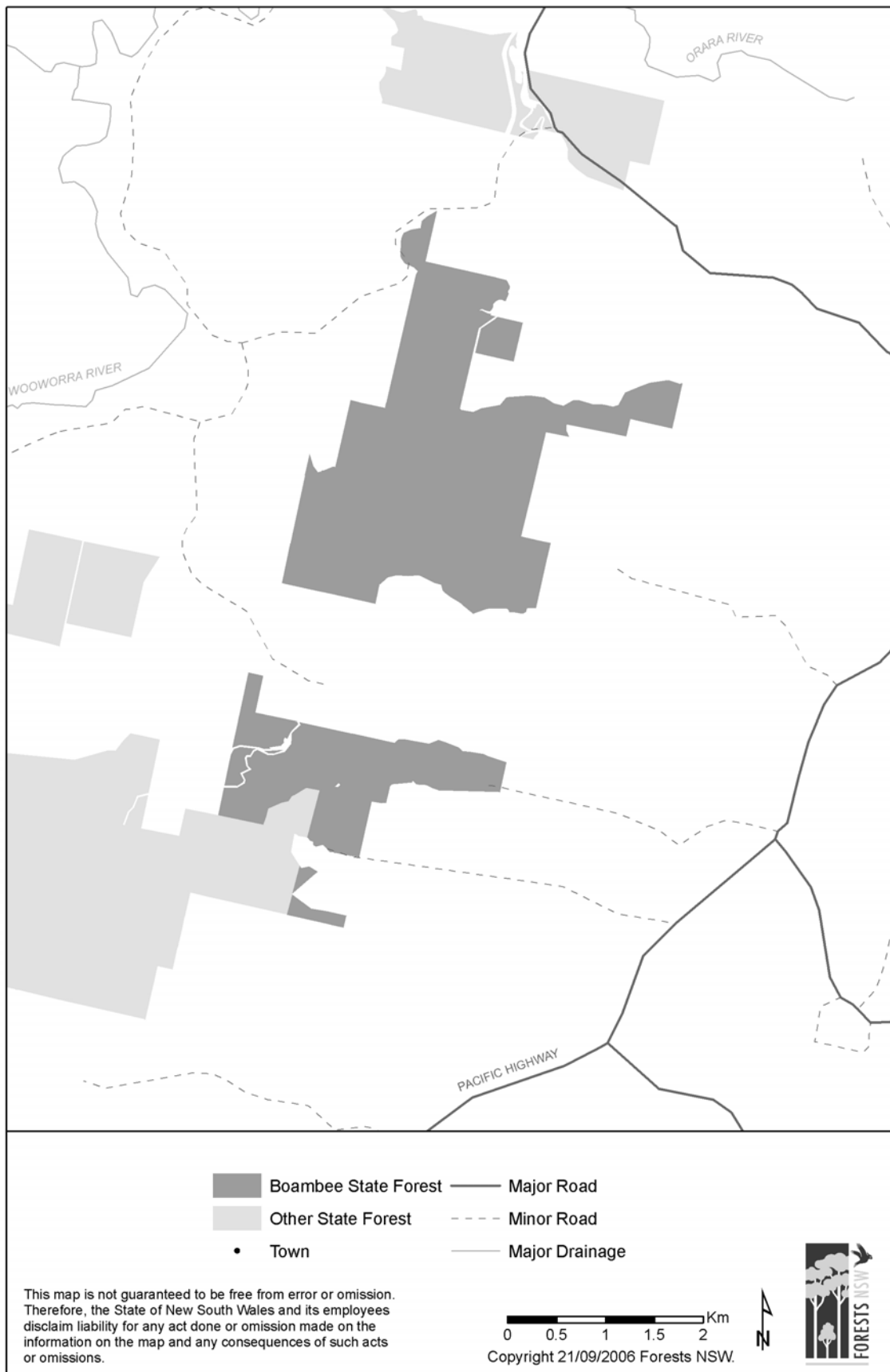
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 5  
Bombala State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 1 December 2006.

**2. The land declared is limited to Bombala State Forest**

Bombala State Forest is located approximately 13 km south-east of the township of Bombala. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'. Bombala State Forest area: 639 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 6**  
**Cairncross State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 1 December 2006.

**2. The land declared is limited to Cairncross State Forest**

Cairncross State Forest is located approximately 9 km north of the township of Wauchope. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Cairncross State Forest area: 5875 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

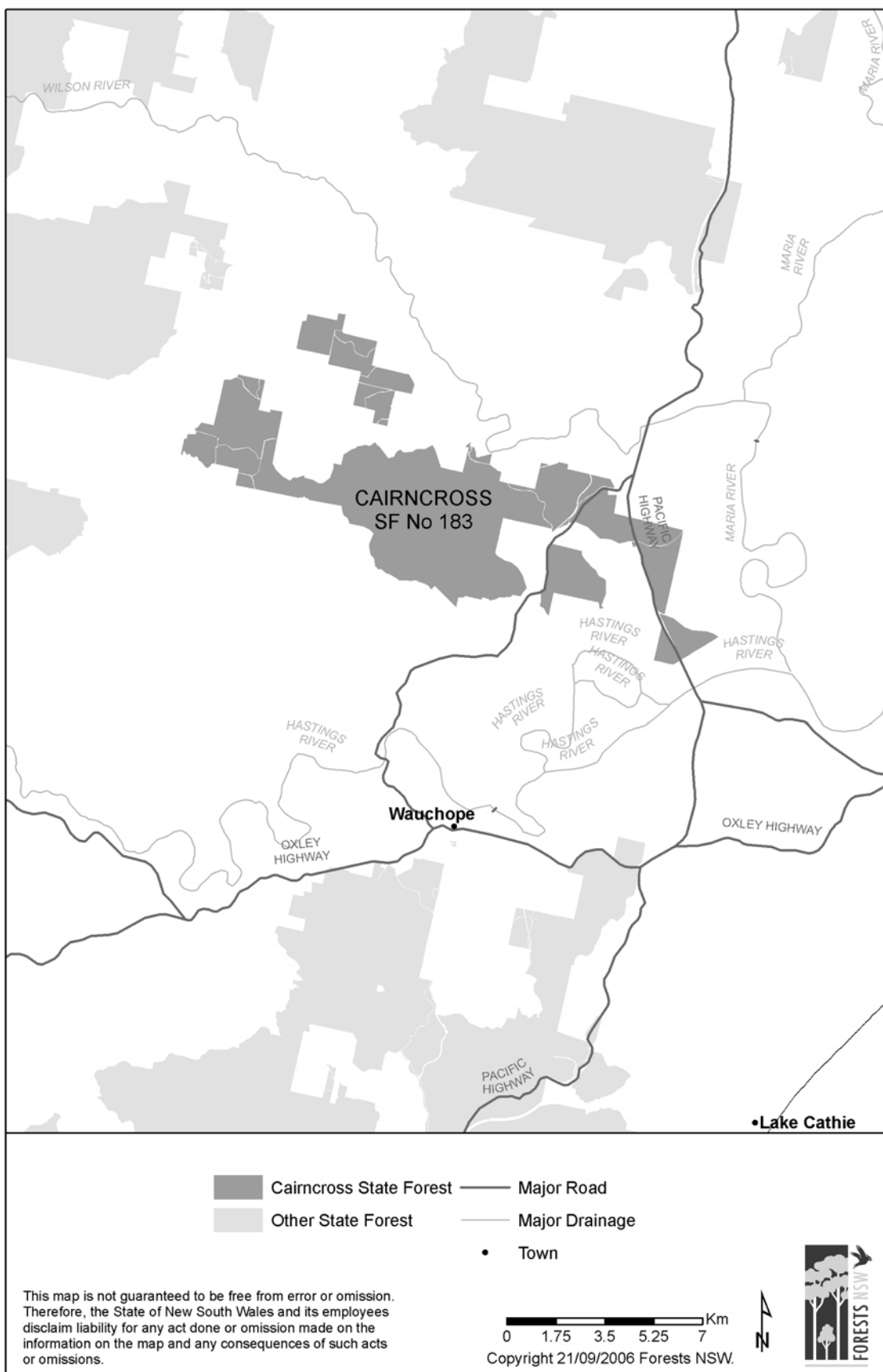
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map





APPENDIX 'B' – Location Map



**Schedule 7  
Conglomerate State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 1 December 2006.

**2. The land declared is limited to Conglomerate State Forest**

Conglomerate State Forest is located approximately 10 km north of the township of Woolgoolga. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'. Conglomerate State Forest area: 5685 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

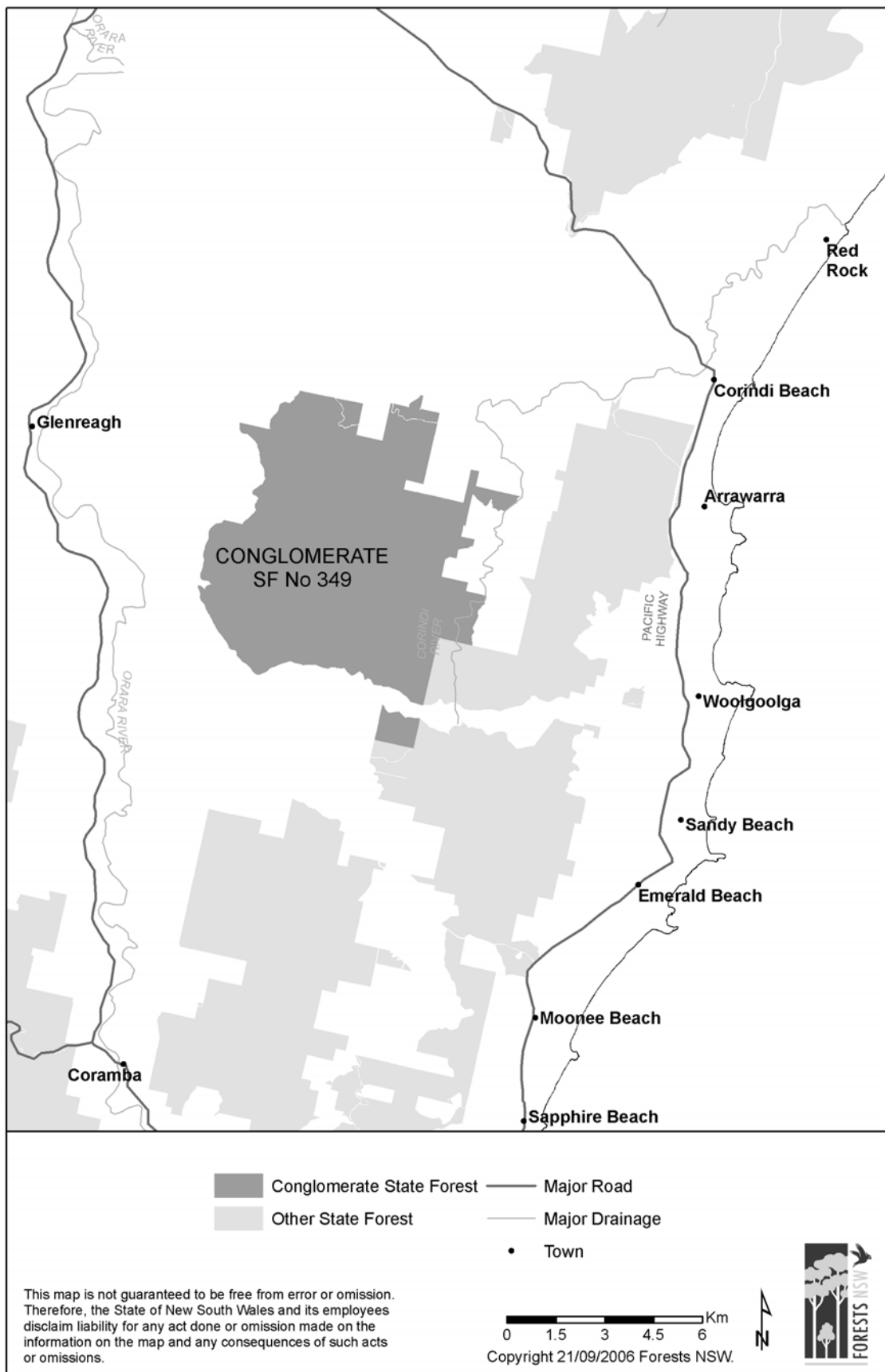
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

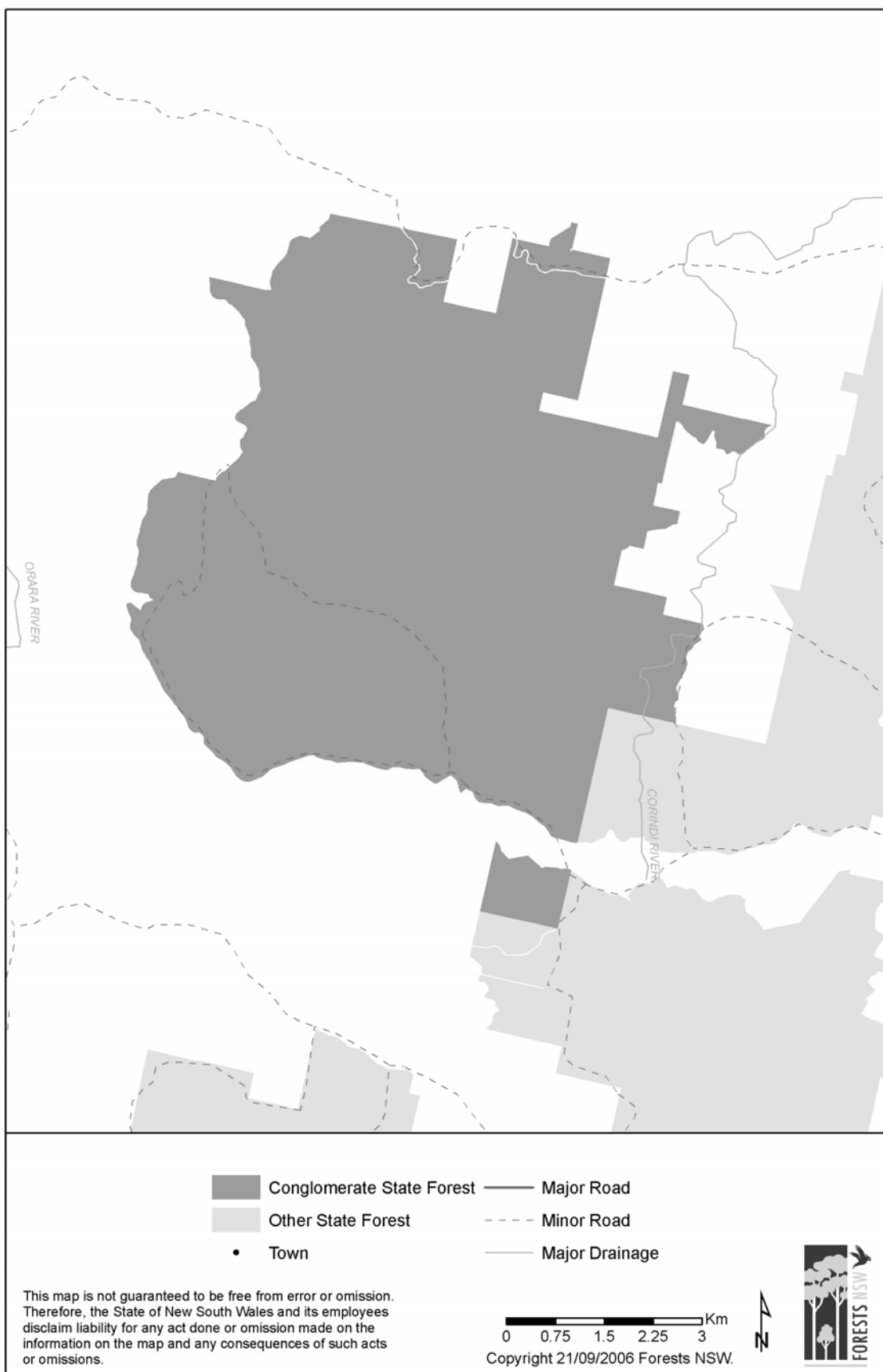
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 8  
Cumbil State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 1 December 2006.

**2. The land declared is limited to Cumbil State Forest**

Cumbil State Forest is located approximately 30 km north of the township of Baradine. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Cumbil State Forest area: 7483 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

A person who hunts on the lands declared must:

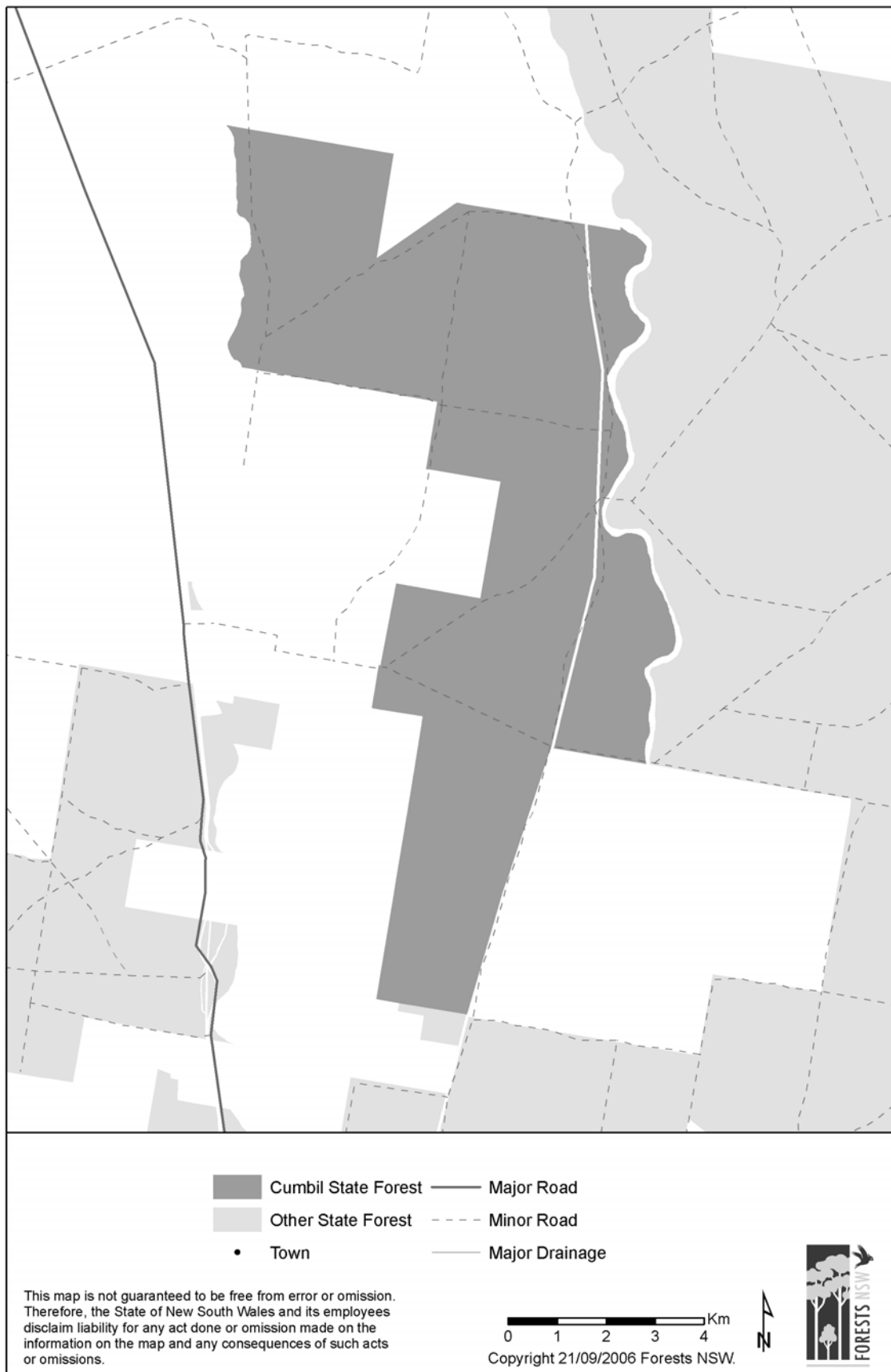
- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



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APPENDIX 'B' – Location Map



**Schedule 9  
Dingo State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 1 December 2006.

**2. The land declared is limited to Dingo State Forest**

Dingo State Forest is located approximately 25 km north-west of the township of Wingham. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Dingo State Forest area: 4083 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

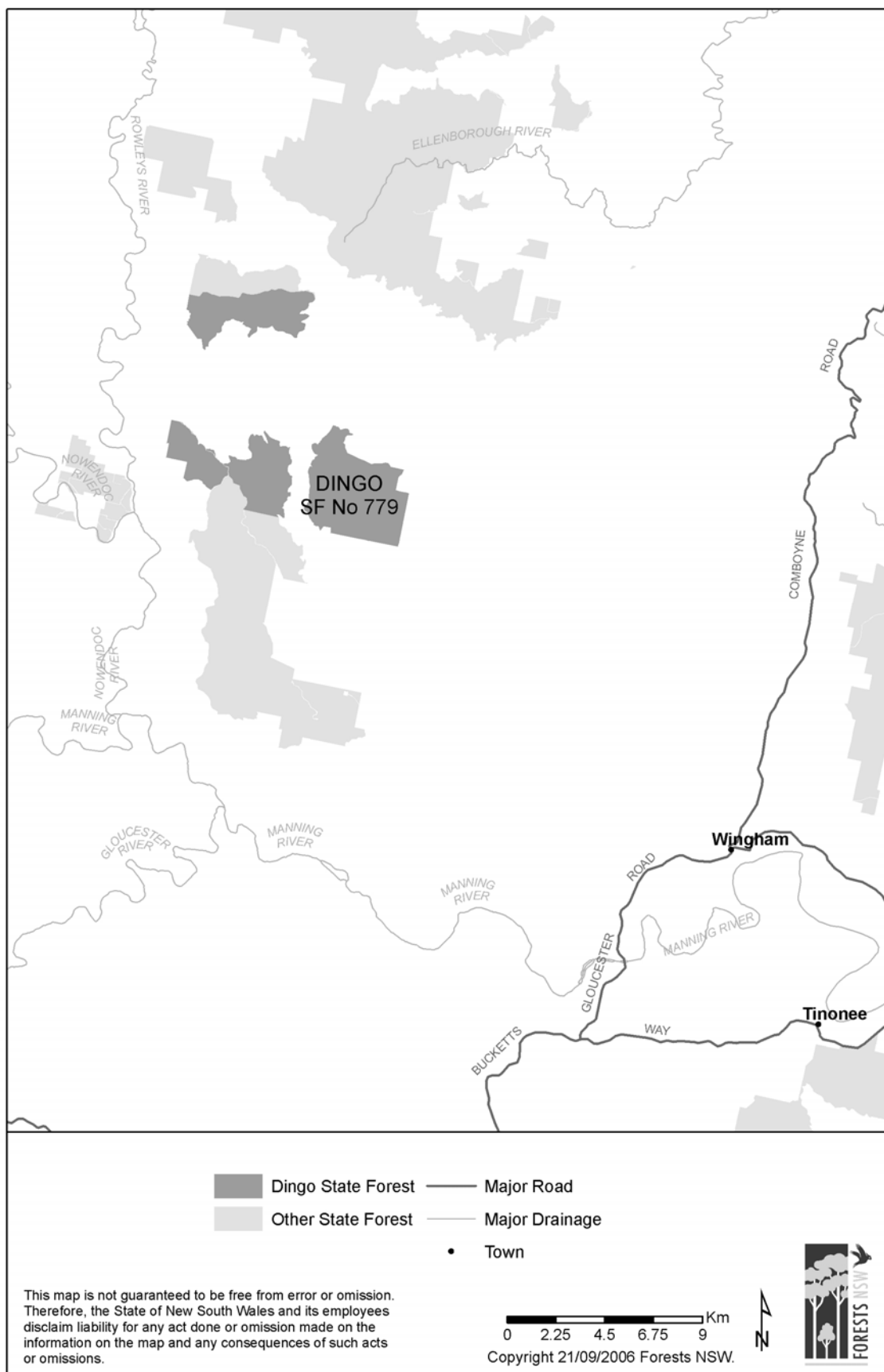
**6. Requirements of the declaration**

A person who hunts on the lands declared must:

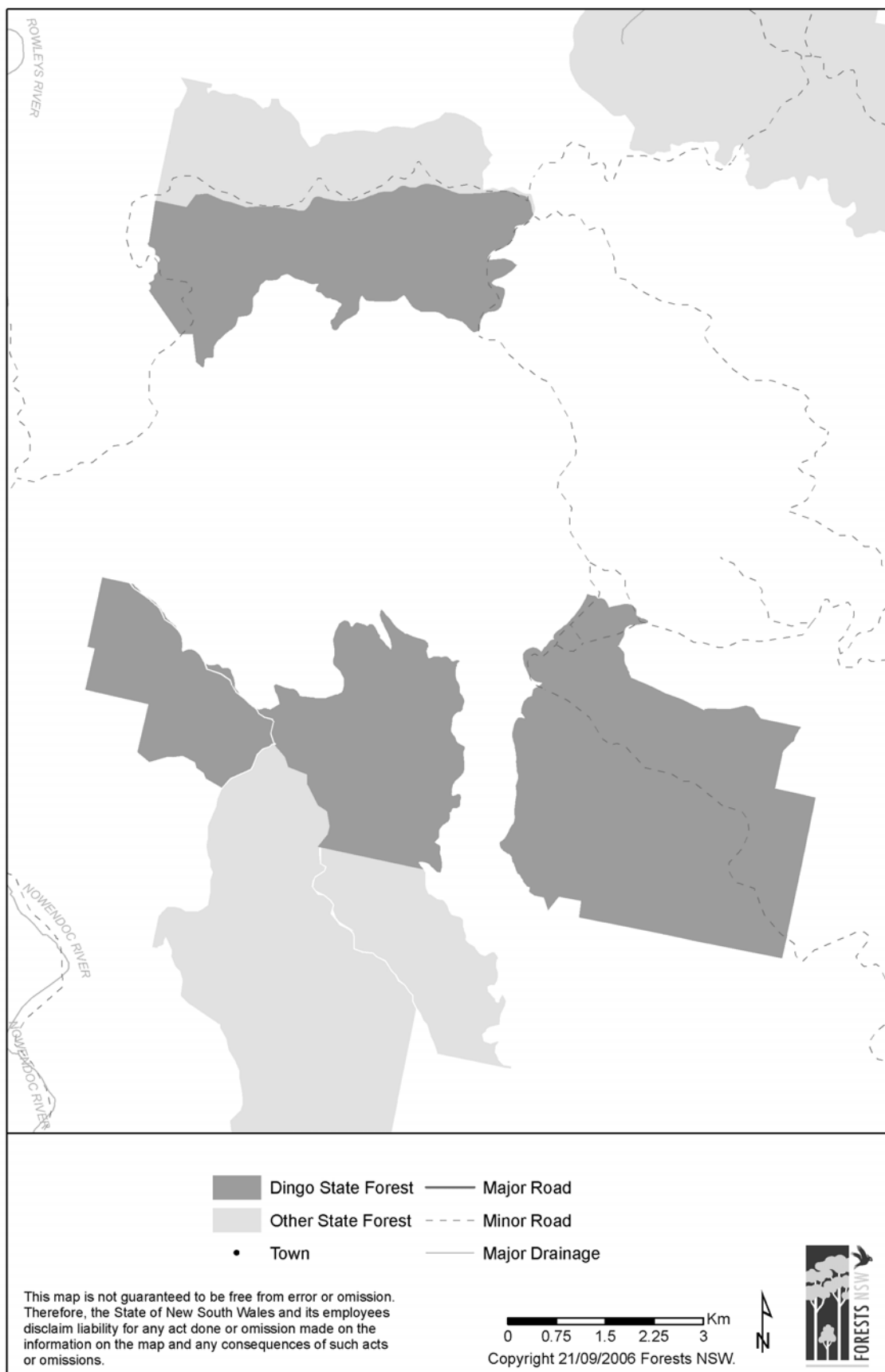
- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.



APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 10  
Euligal State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 1 December 2006.

**2. The land declared is limited to Euligal State Forest**

Euligal State Forest is located approximately 25 km north-east of the township of Baradine. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Euligal State Forest area: 10,296 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

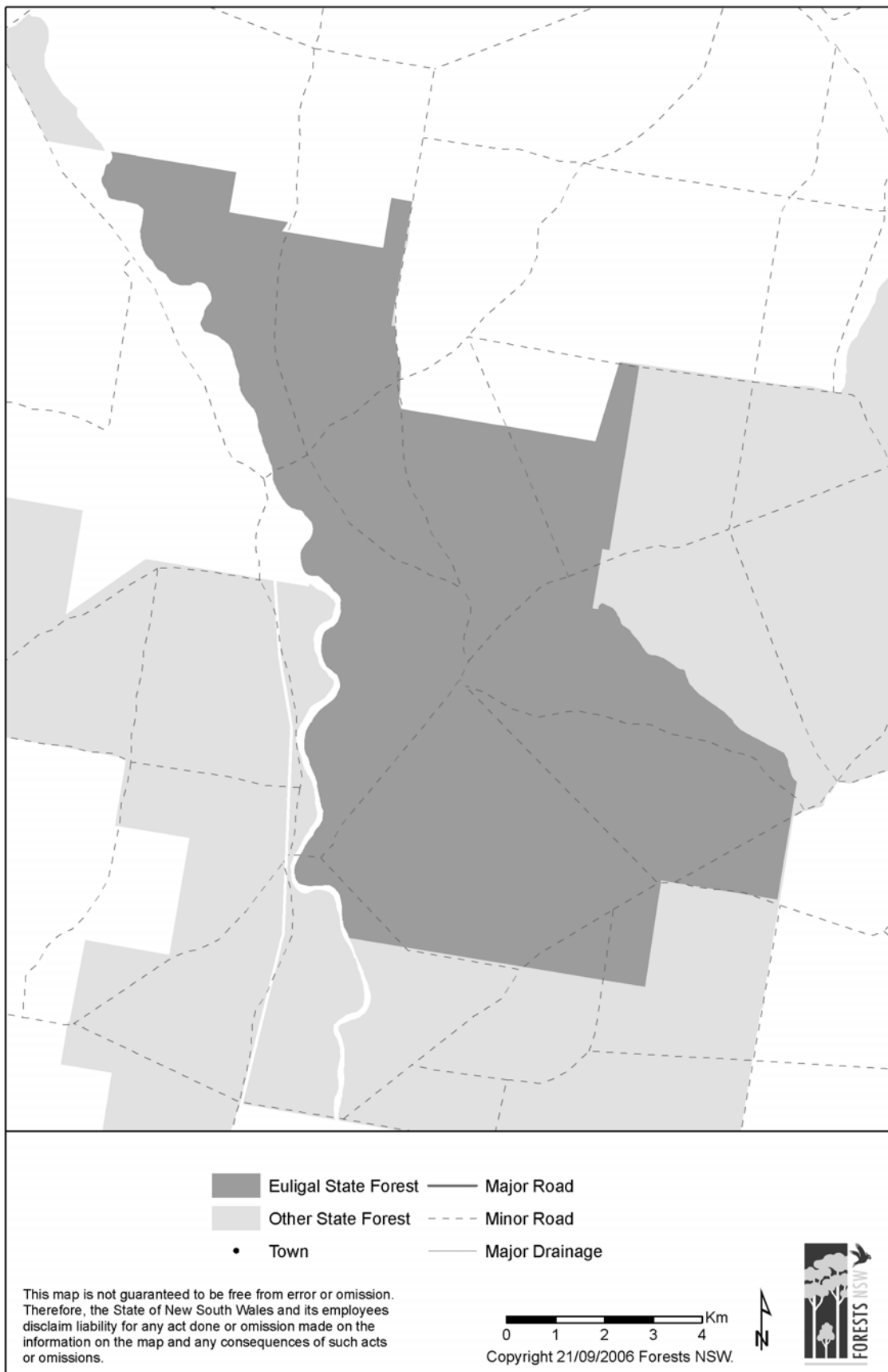
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 11  
Fosterton State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 1 December 2006.

**2. The land declared is limited to Fosterton State Forest**

Fosterton State Forest is located approximately 12 km north of the township of Dungog. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Fosterton State Forest area: 922 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

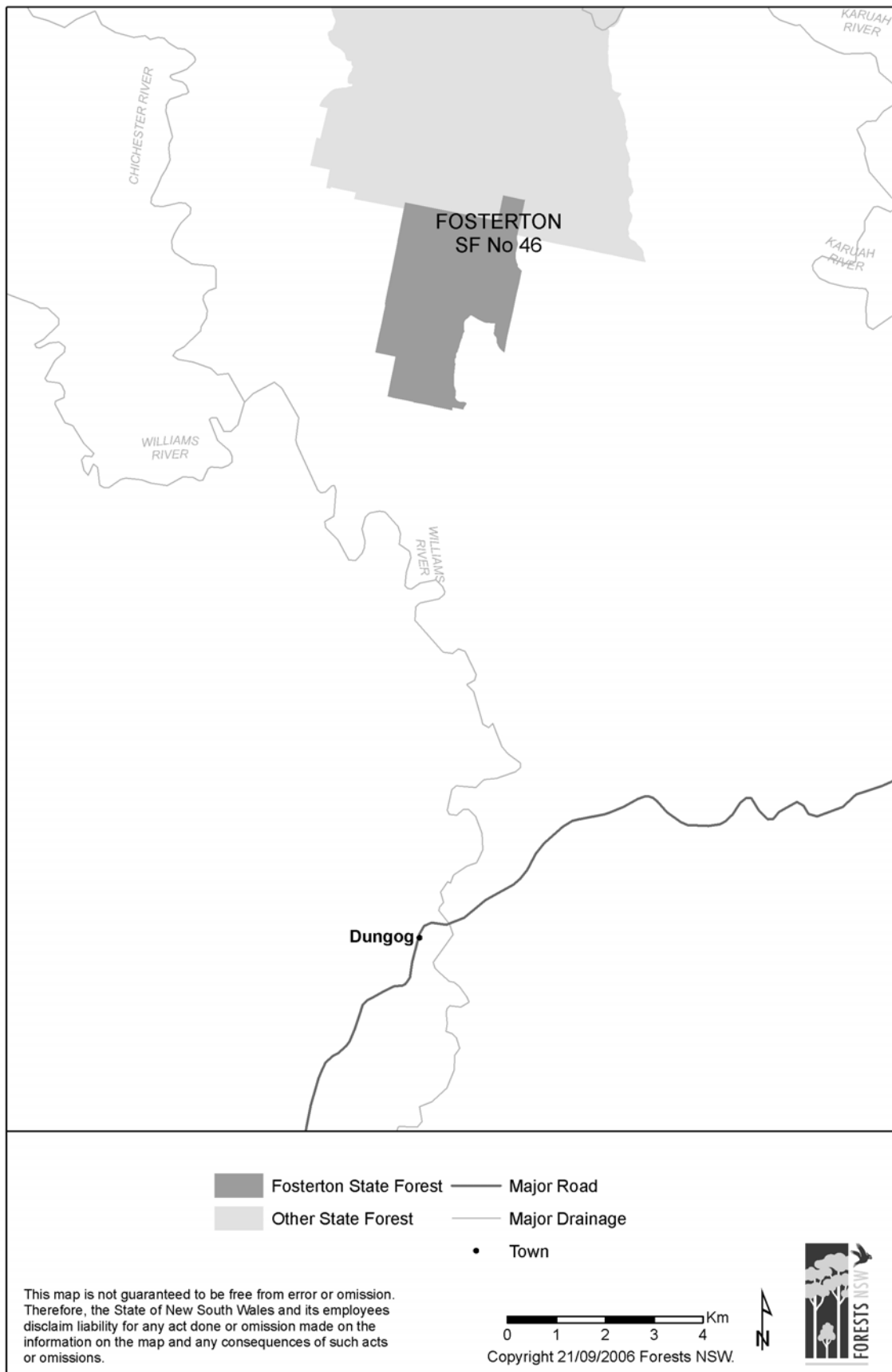
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

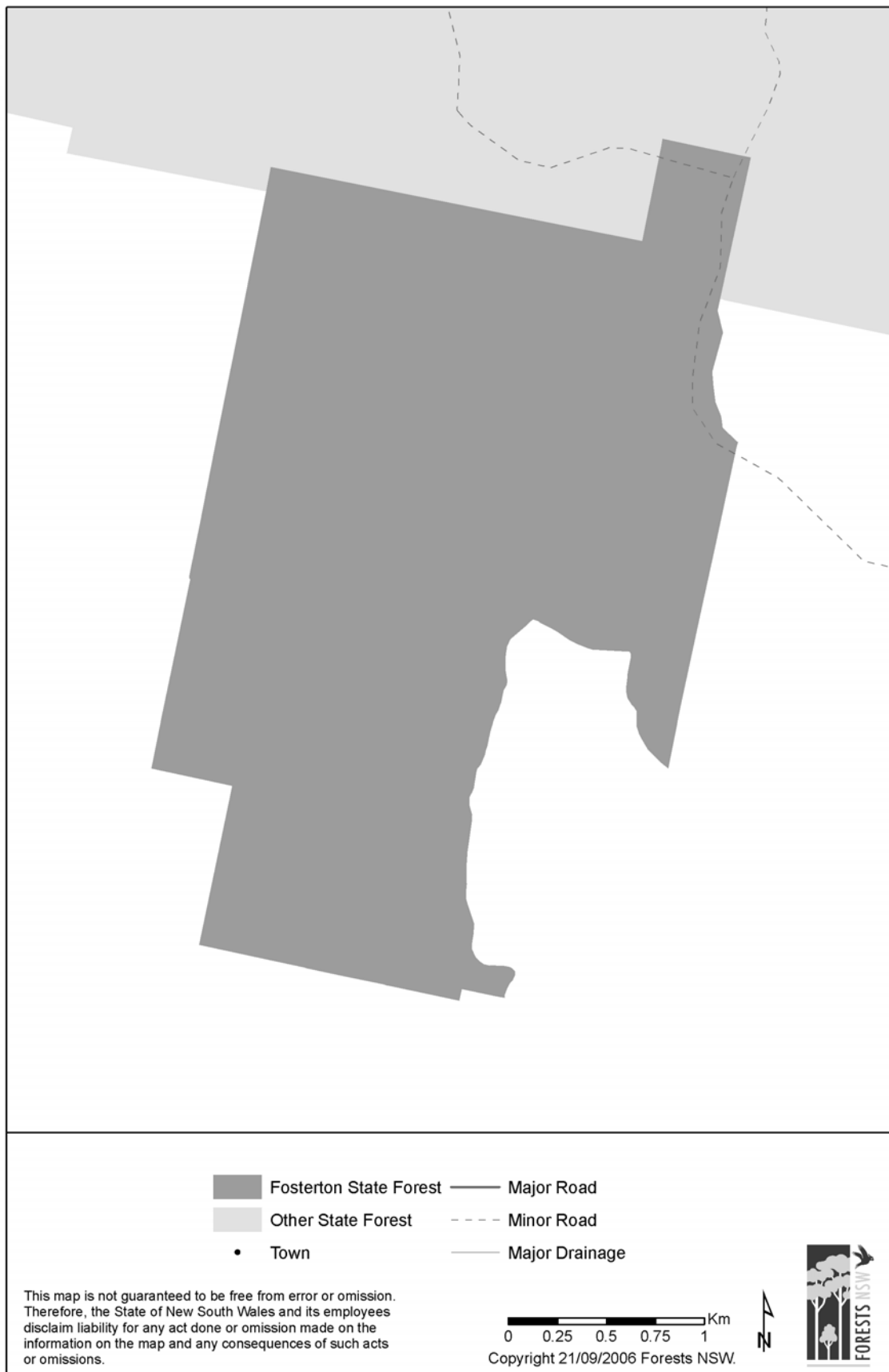
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map





**Schedule 12**  
**Gibraltar Range State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 1 December 2006.

**2. The land declared is limited to Gibraltar Range State Forest**

Gibraltar Range State Forest is located approximately 40 km north-east of the township of Glen Innes. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'. Gibraltar Range State Forest area: 3042 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

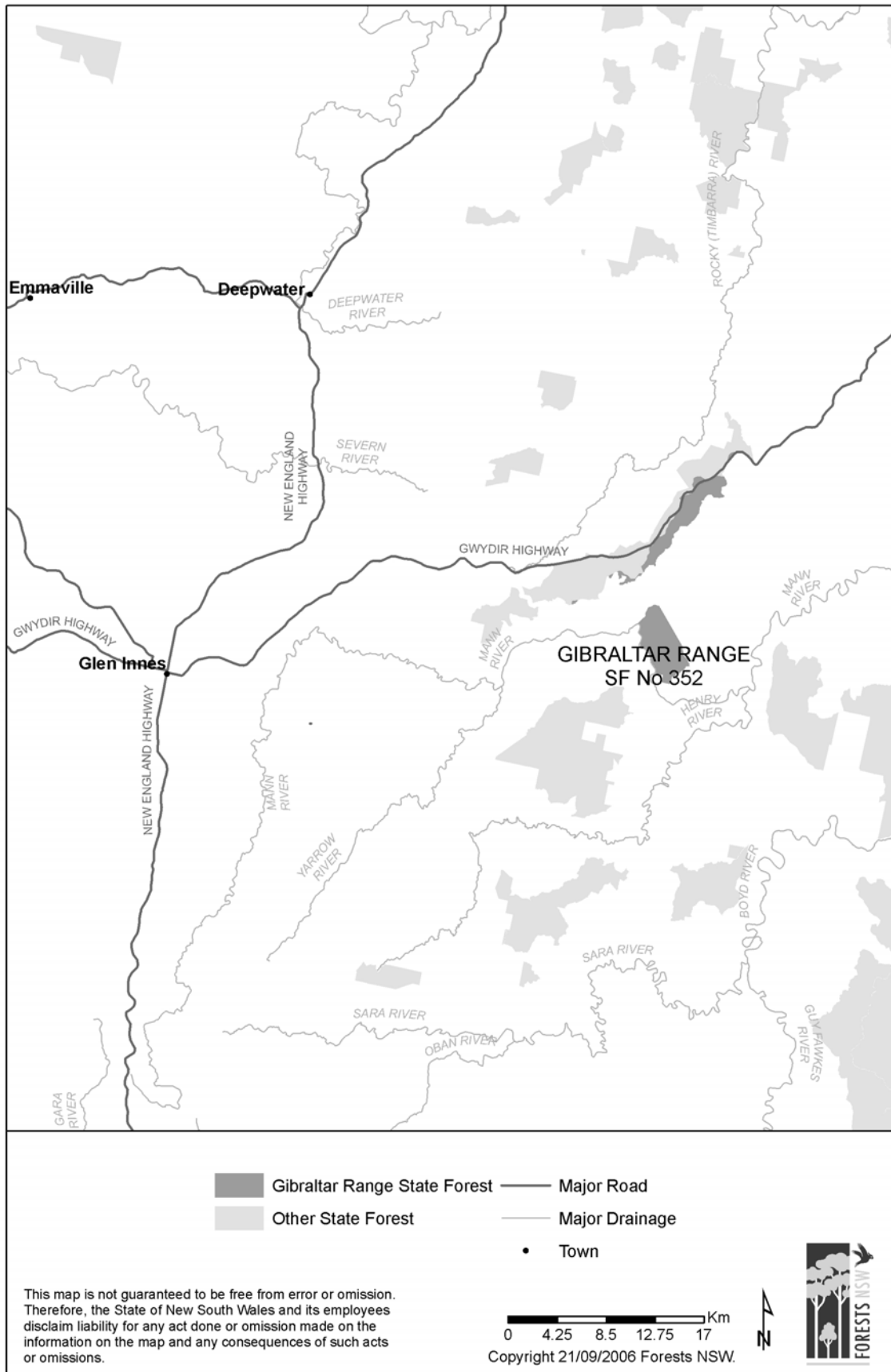
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

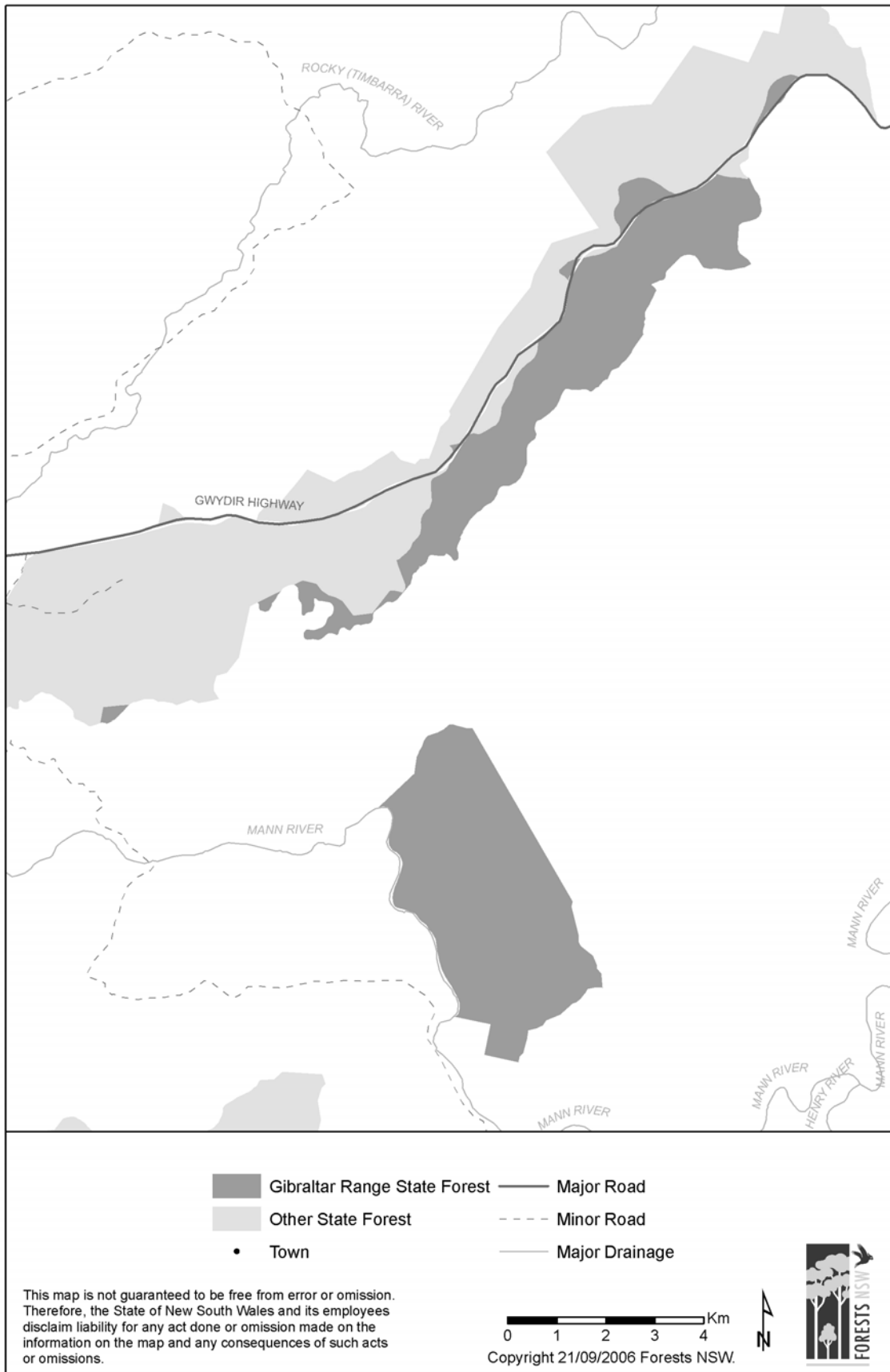
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 13  
Glen Elgin State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 1 December 2006.

**2. The land declared is limited to Glen Elgin State Forest**

Glen Elgin State Forest is located approximately 40 km north-east of the township of Glen Innes. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'. Glen Elgin State Forest area: 935 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

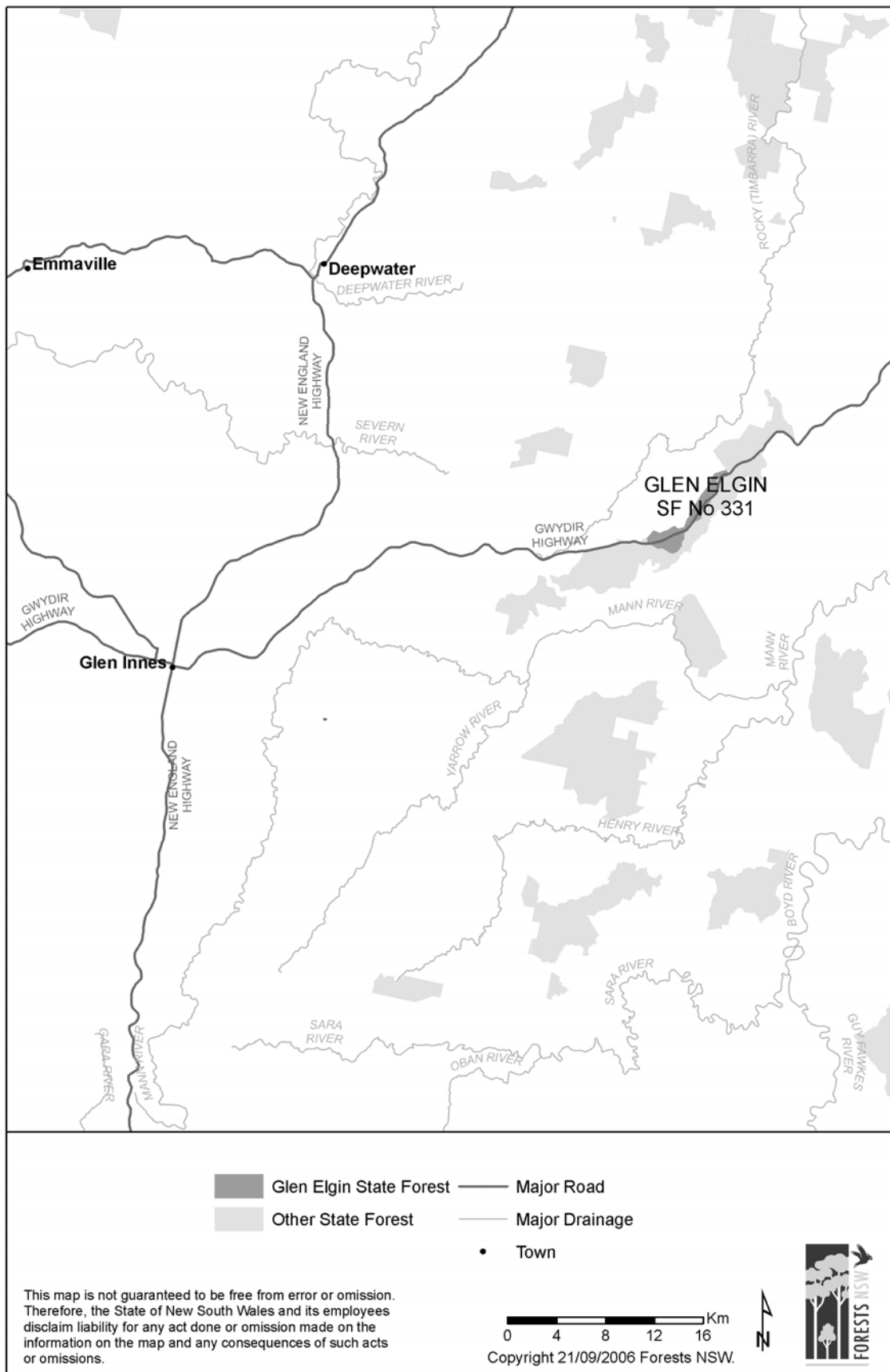
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 14  
Glenugie State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 1 December 2006.

**2. The land declared is limited to Glenugie State Forest**

Glenugie State Forest is located approximately 13 km south-east of the township of Grafton. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Glenugie State Forest area: 4980 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

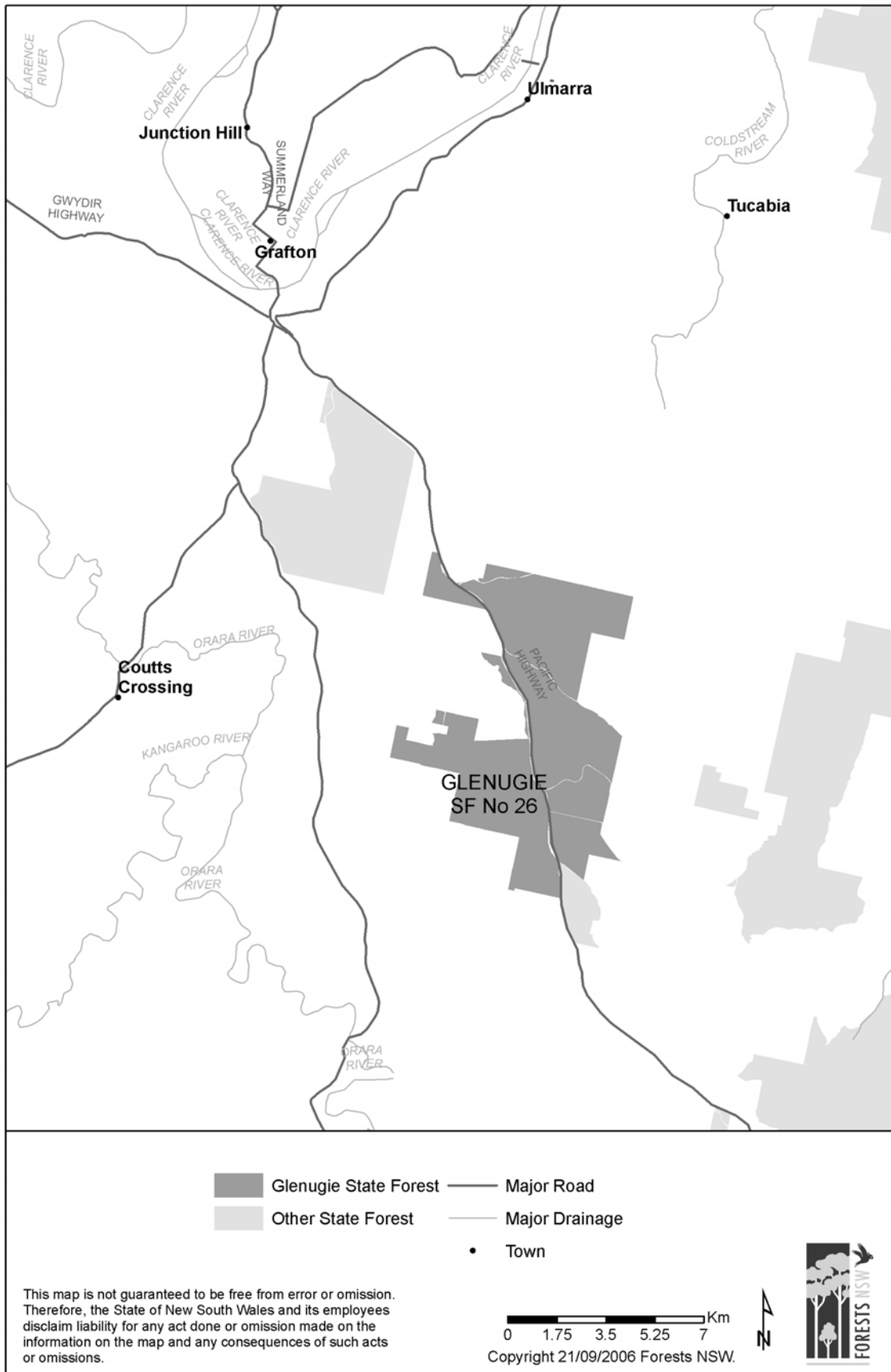
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

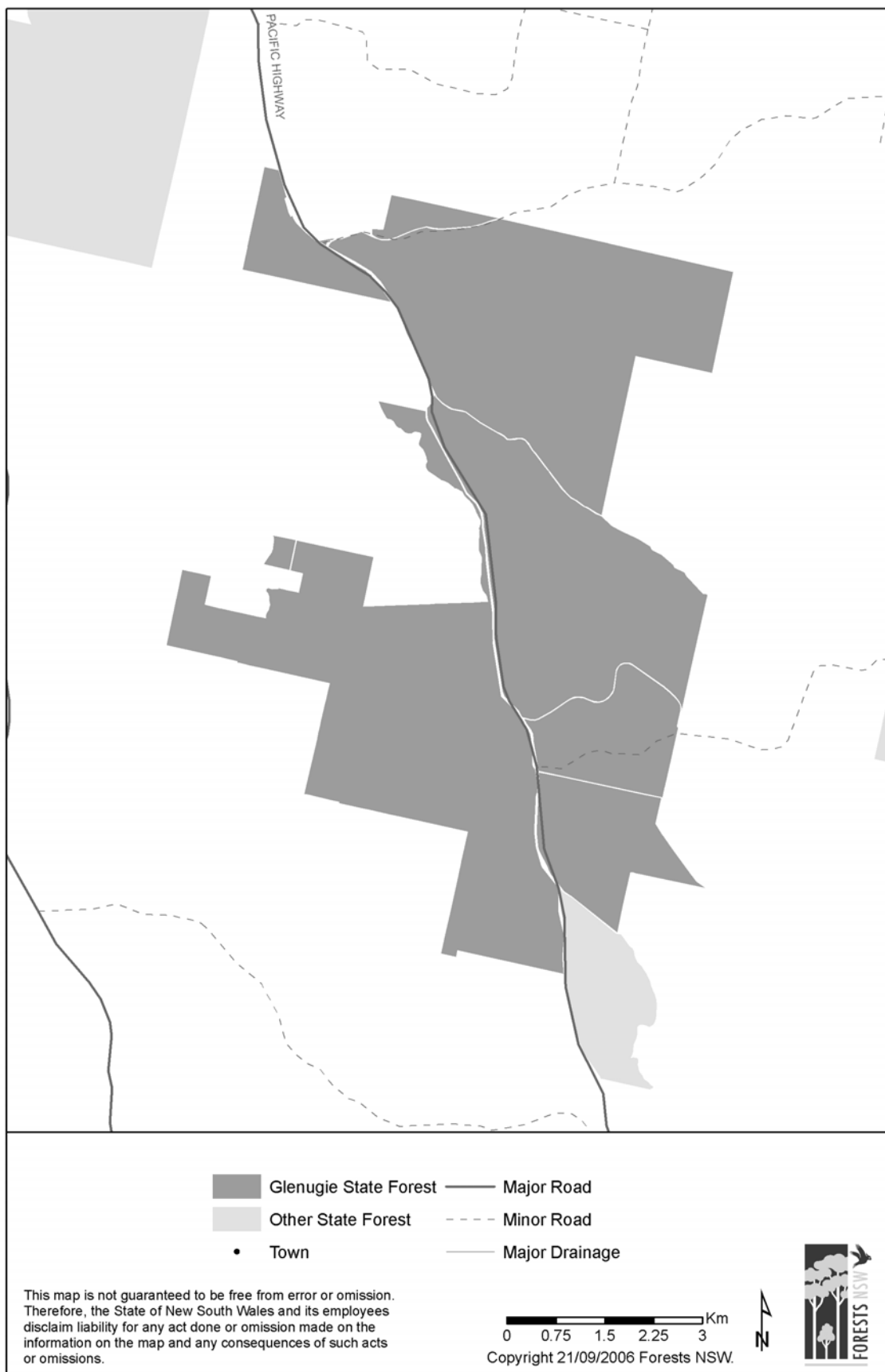
APPENDIX 'A' – Locality Map



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APPENDIX 'B' – Location Map



**Schedule 15  
Gnupa State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 1 December 2006.

**2. The land declared is limited to Gnupa State Forest**

Gnupa State Forest is located approximately 13 km west of the township of Pambula. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Gnupa State Forest area: 1360 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

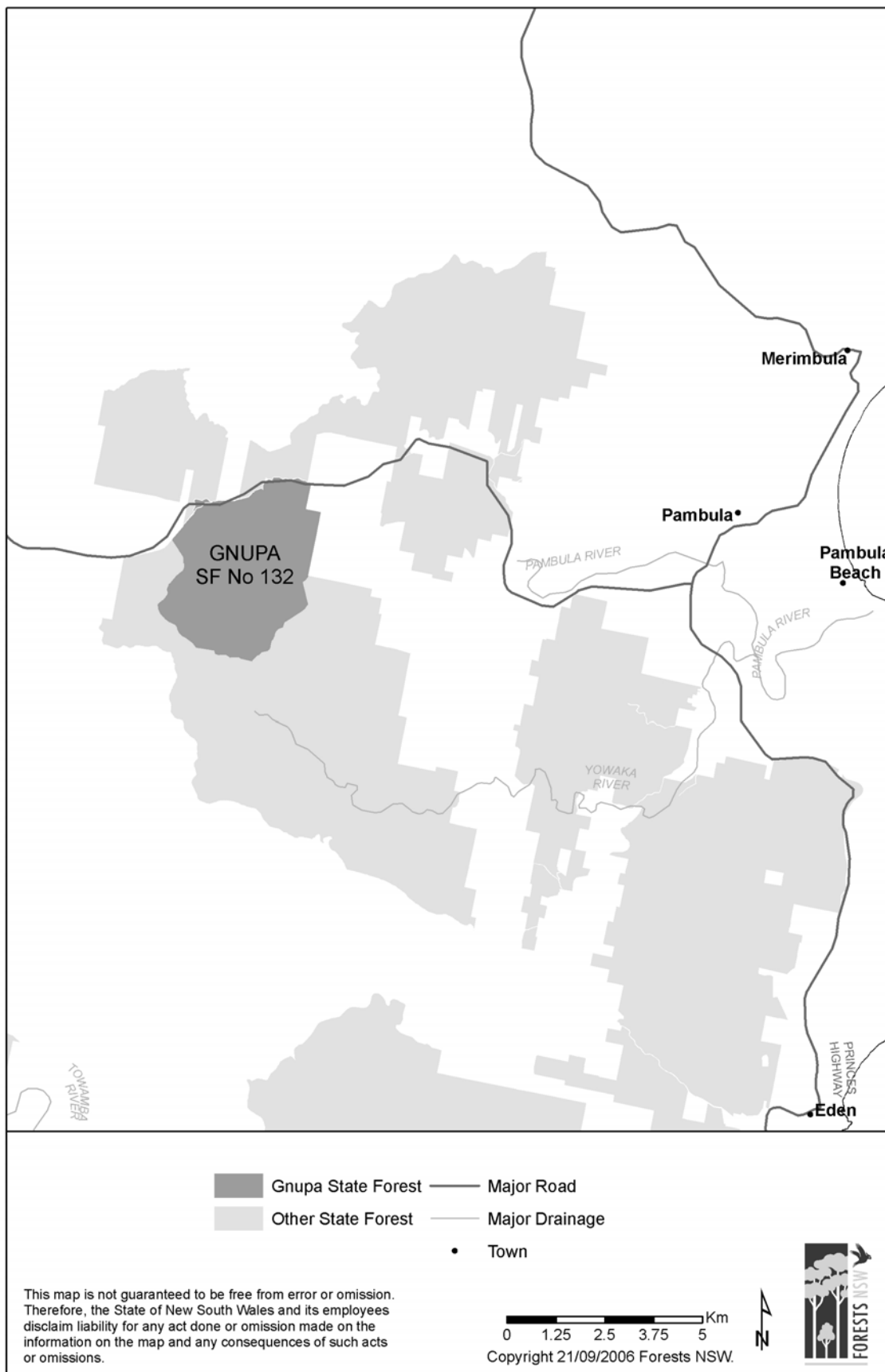
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

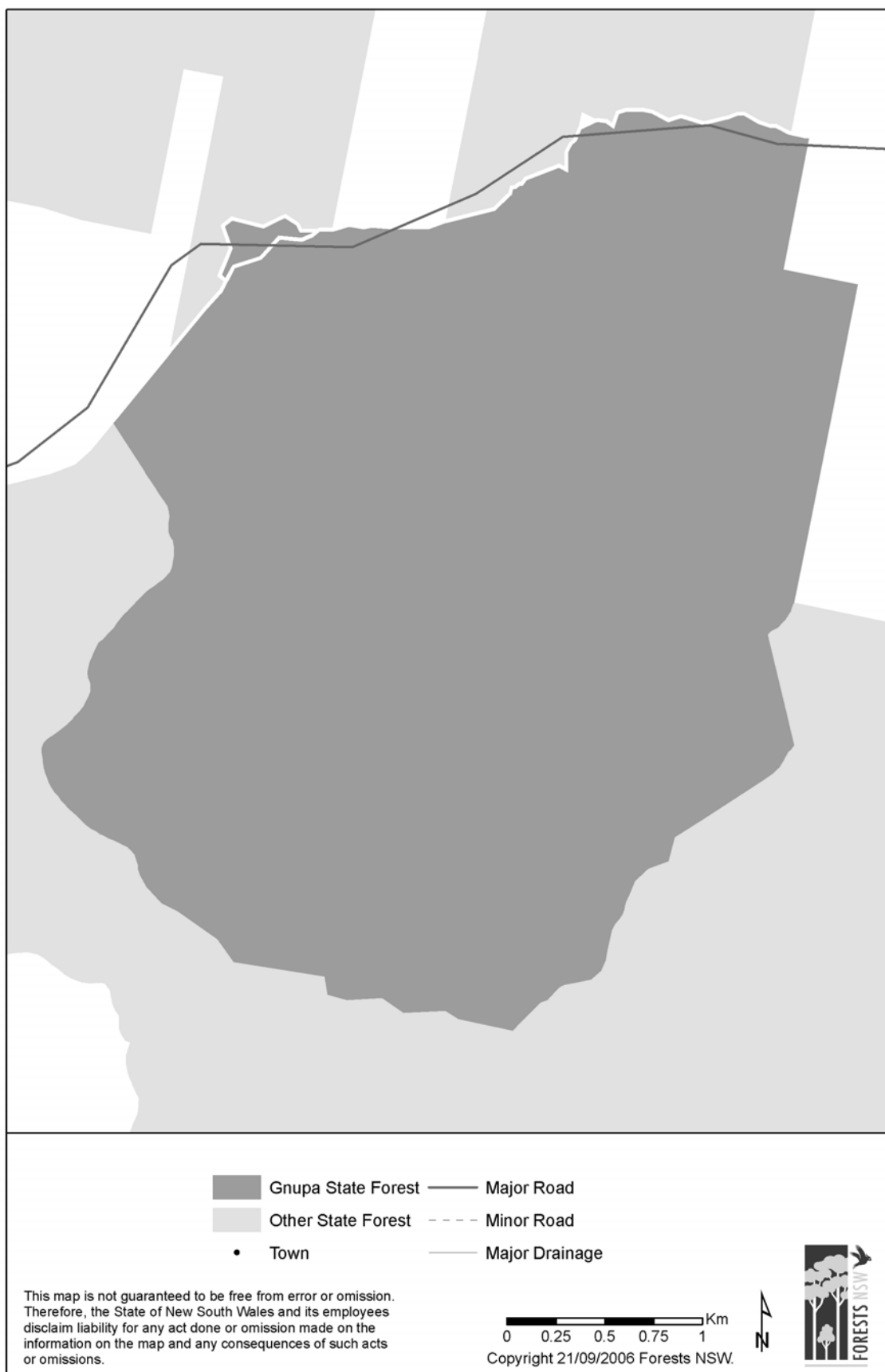
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 16  
Heaton State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 1 December 2006.

**2. The land declared is limited to Heaton State Forest**

Heaton State Forest is located approximately 20 km west of the city of Newcastle. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'. Heaton State Forest area: 3733 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

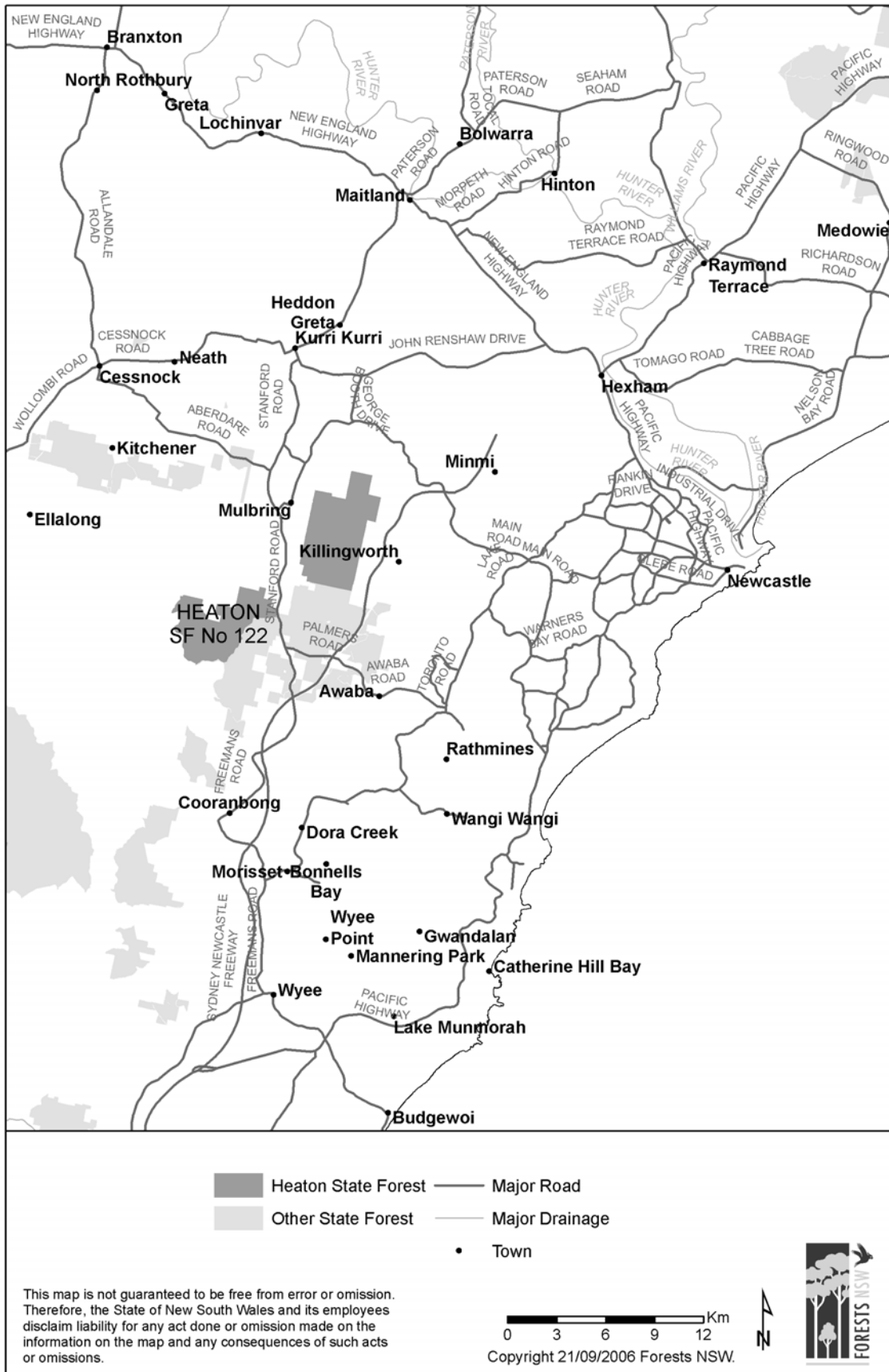
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 17**  
**Ingalba State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 1 December 2006.

**2. The land declared is limited to Ingalba State Forest**

Ingalba State Forest is located approximately 10 km south-west of the township of Macksville. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'. Ingalba State Forest area: 6894 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

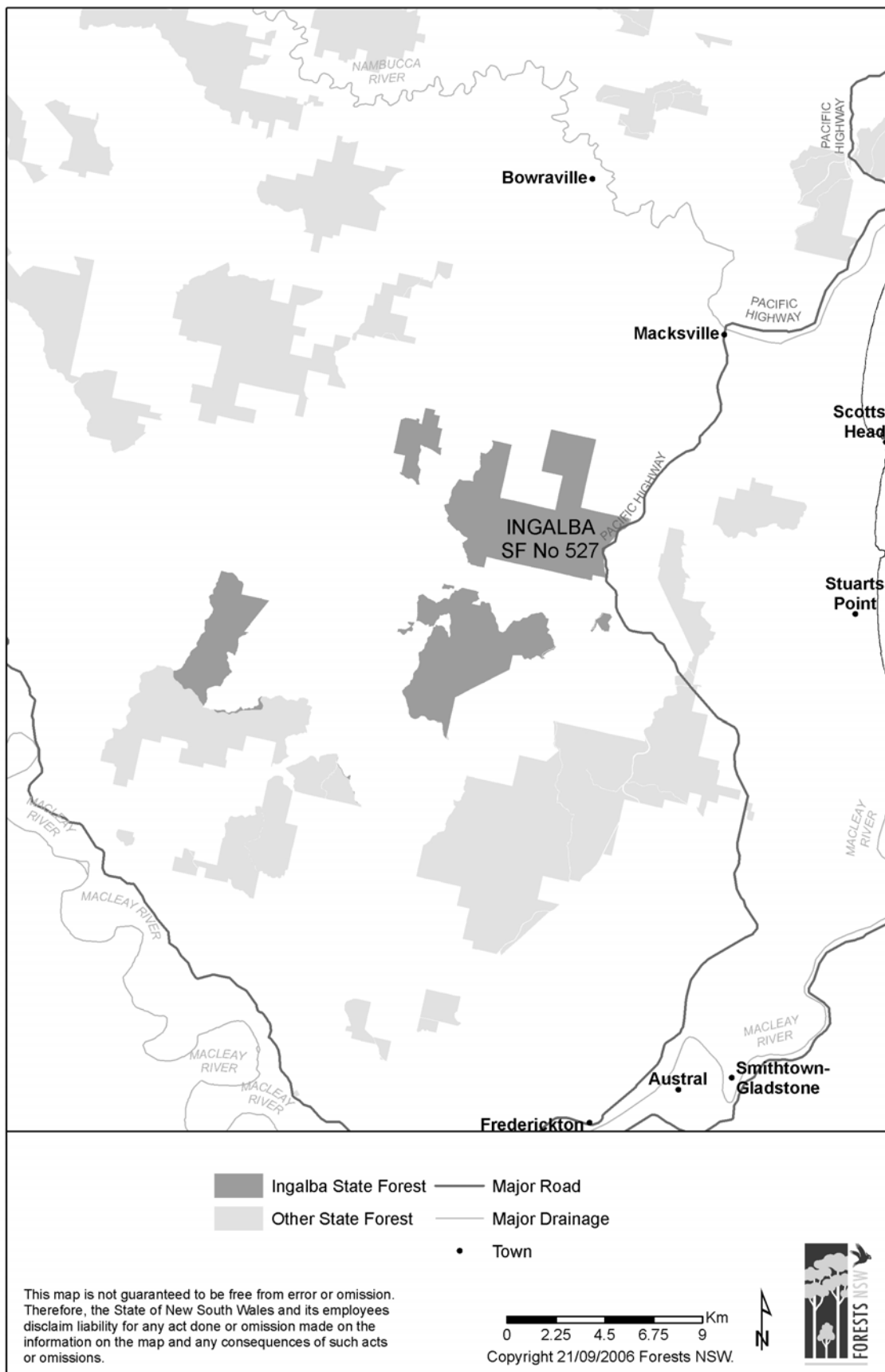
**6. Requirements of the declaration**

A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.



APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 18  
Jacks Creek State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 1 December 2006.

**2. The land declared is limited to Jacks Creek State Forest**

Jacks Creek State Forest is located approximately 20 km South of the township of Narrabri. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Jacks Creek State Forest area: 9850 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

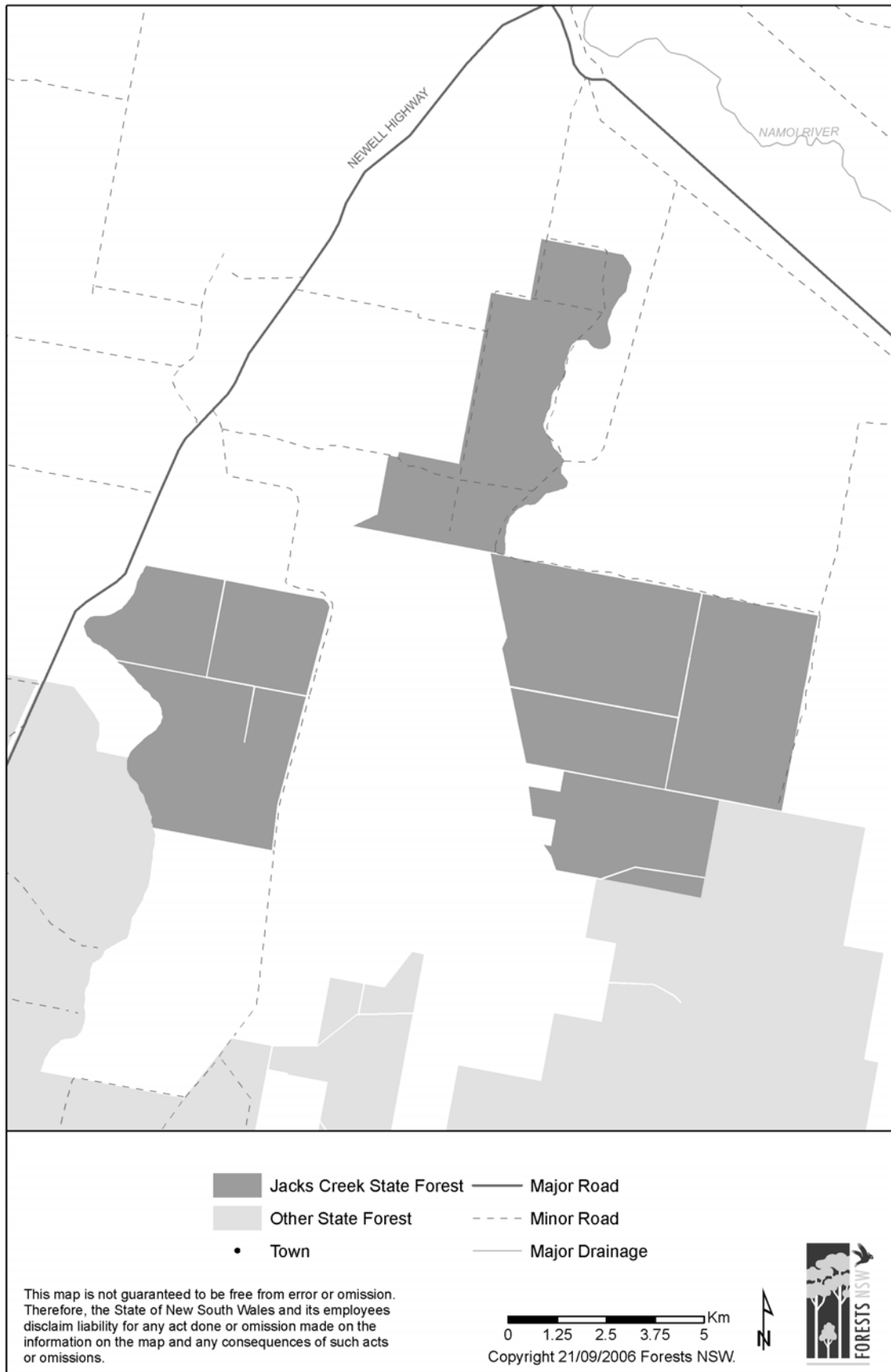
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 19  
Kerringle State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 1 December 2006.

**2. The land declared is limited to Kerringle State Forest**

Kerringle State Forest is located approximately 55 km west of the township of Gunnedah. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Kerringle State Forest area: 6635 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

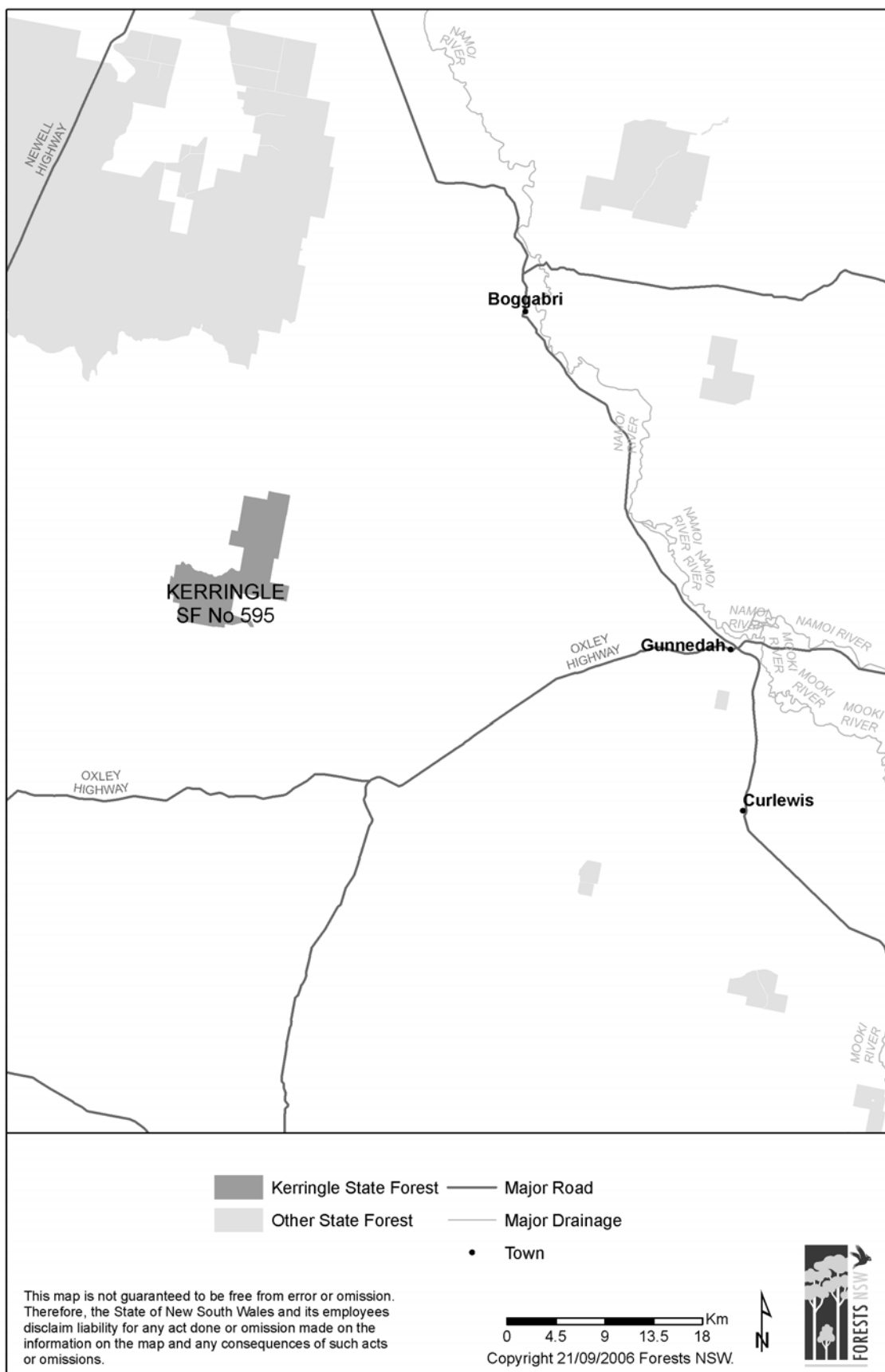
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map





**Schedule 20**  
**Kiwarra State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 1 December 2006.

**2. The land declared is limited to Kiwarra State Forest**

Kiwarra State Forest is located approximately 4 km south of the township of Taree. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'. Kiwarra State Forest area: 6708 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

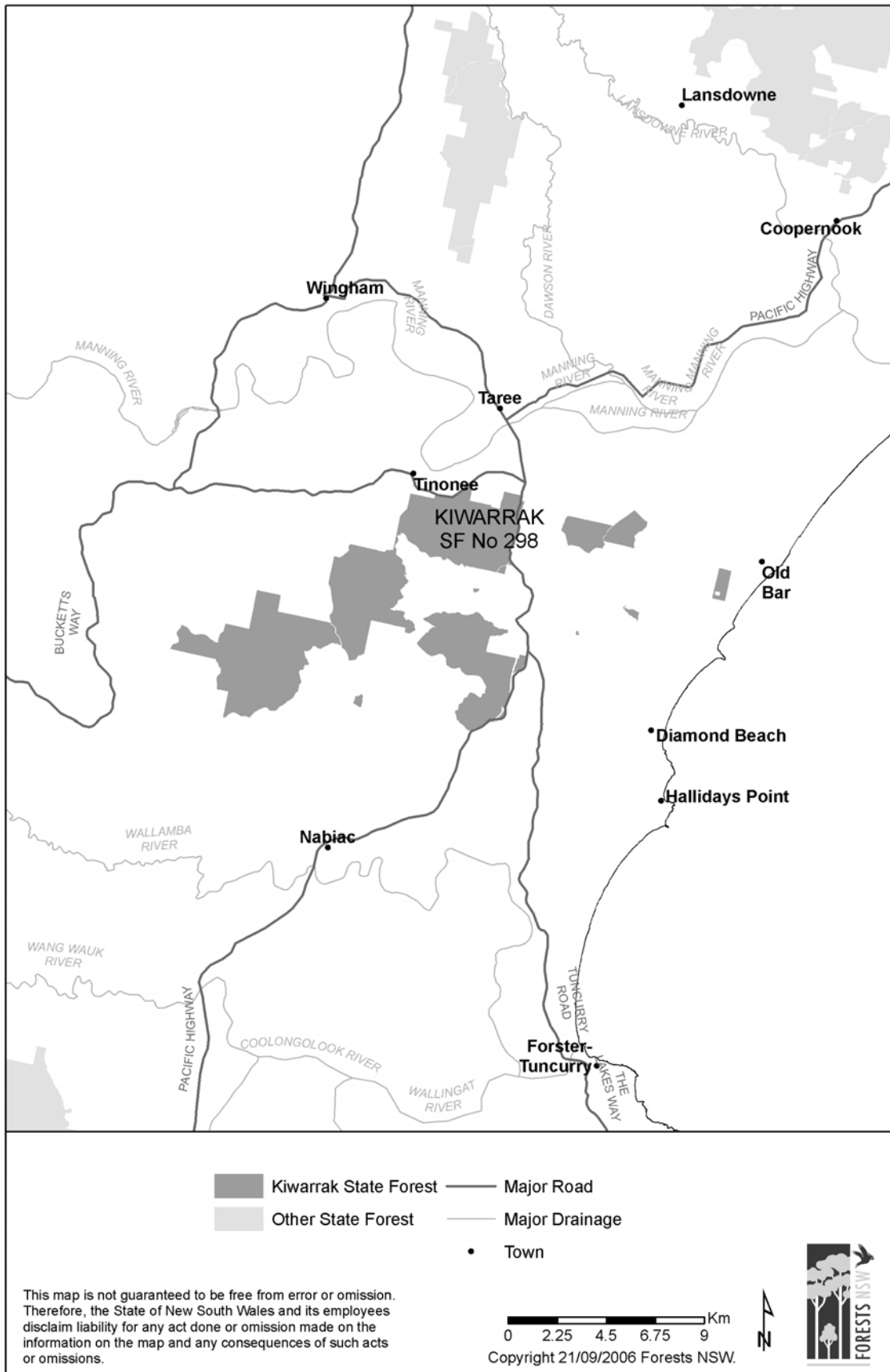
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 21  
Knorrit State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 1 December 2006.

**2. The land declared is limited to Knorrit State Forest**

Knorrit State Forest is located approximately 19 km West of the township of Wingham. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Knorrit State Forest area: 5175 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

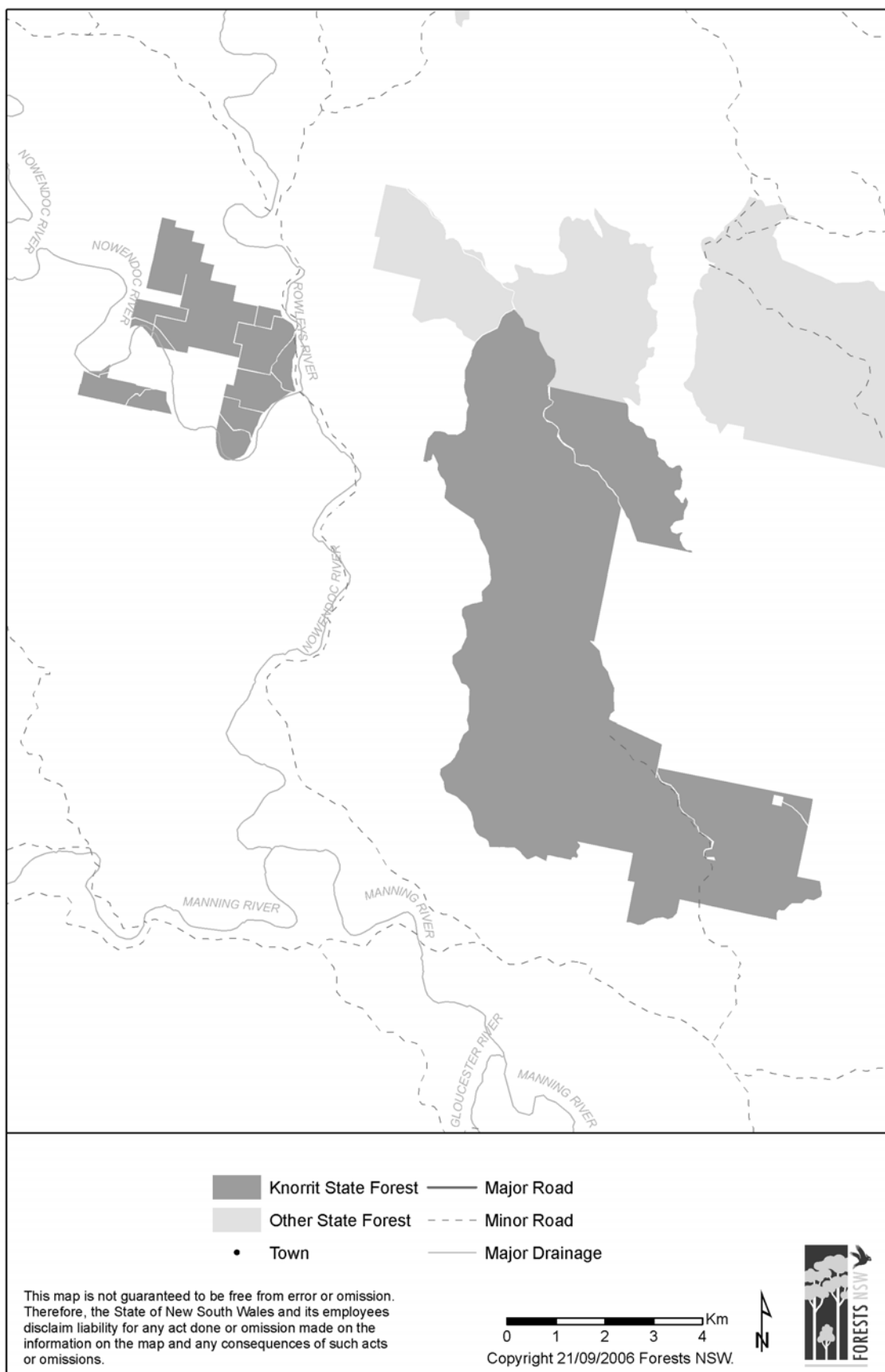
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 22**  
**Leard State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 1 December 2006.

**2. The land declared is limited to Leard State Forest**

Leard State Forest is located approximately 15 km east of the township of Boggabri. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Leard State Forest area: 7458 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

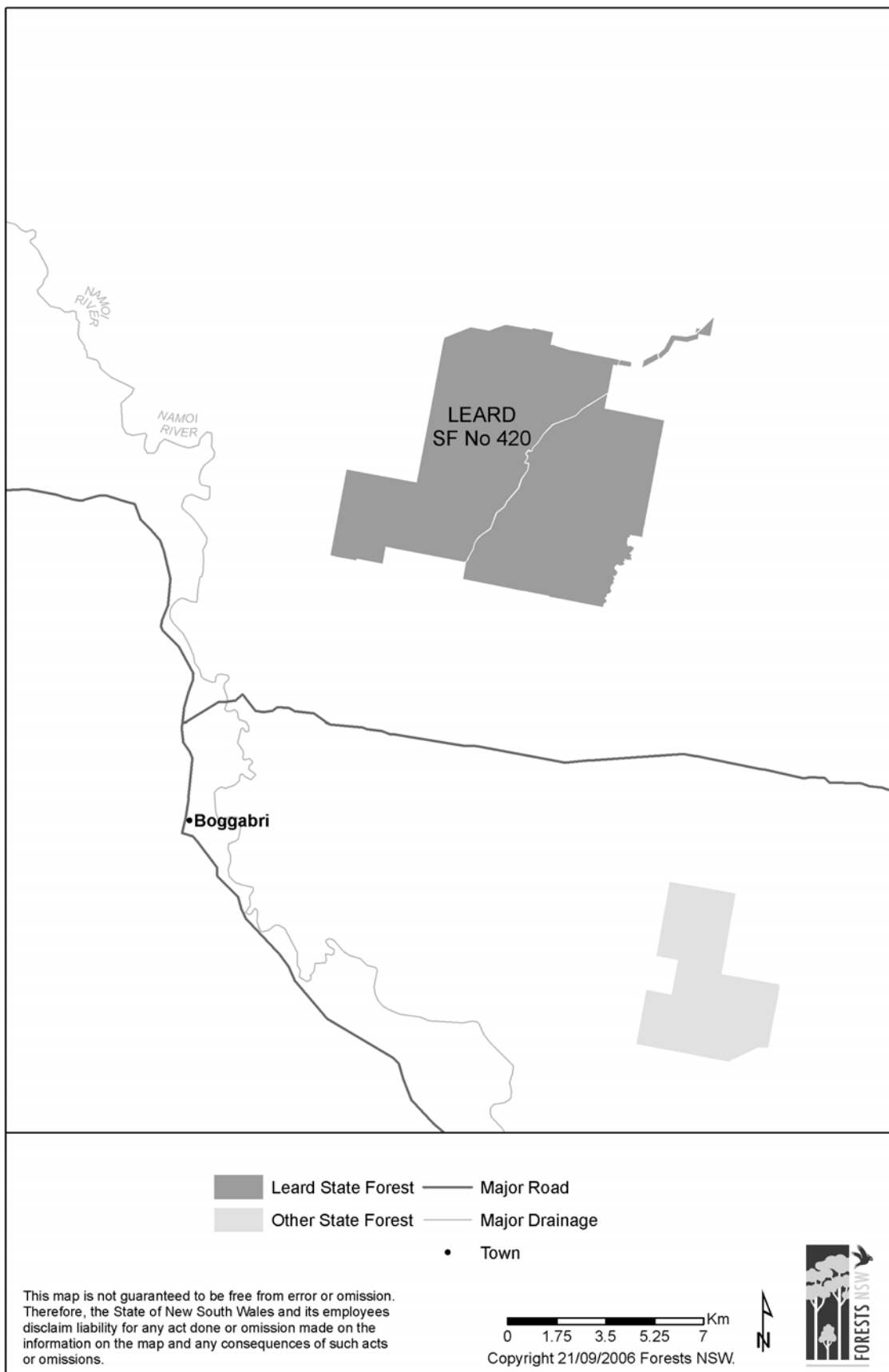
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

A person who hunts on the lands declared must:

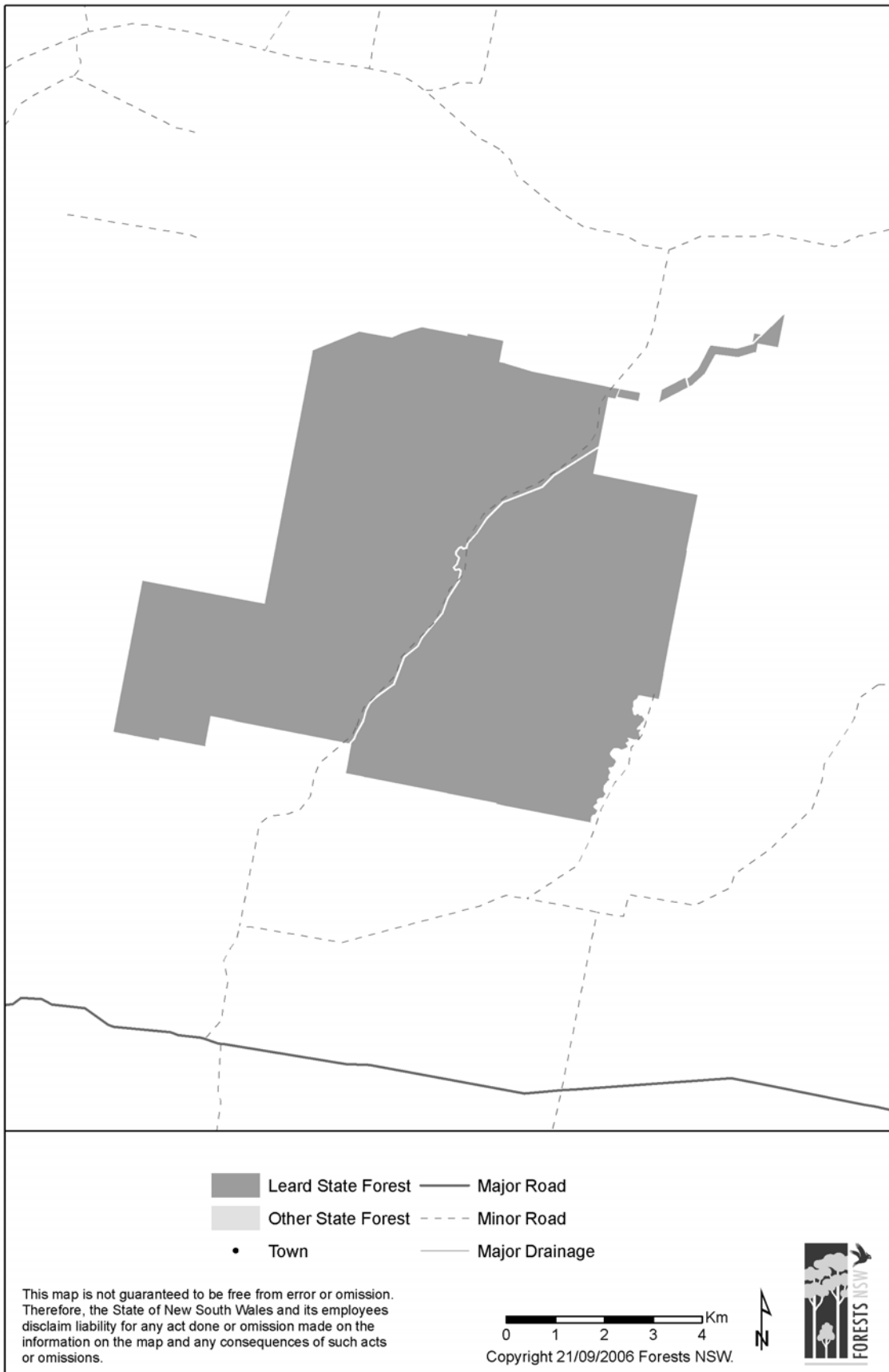
- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map





APPENDIX 'B' – Location Map



**Schedule 23**  
**Lower Bucca State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 1 December 2006.

**2. The land declared is limited to Lower Bucca State Forest**

Lower Bucca State Forest is located approximately 6 km north-east of the township of Coramba. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'. Lower Bucca State Forest area: 2820 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

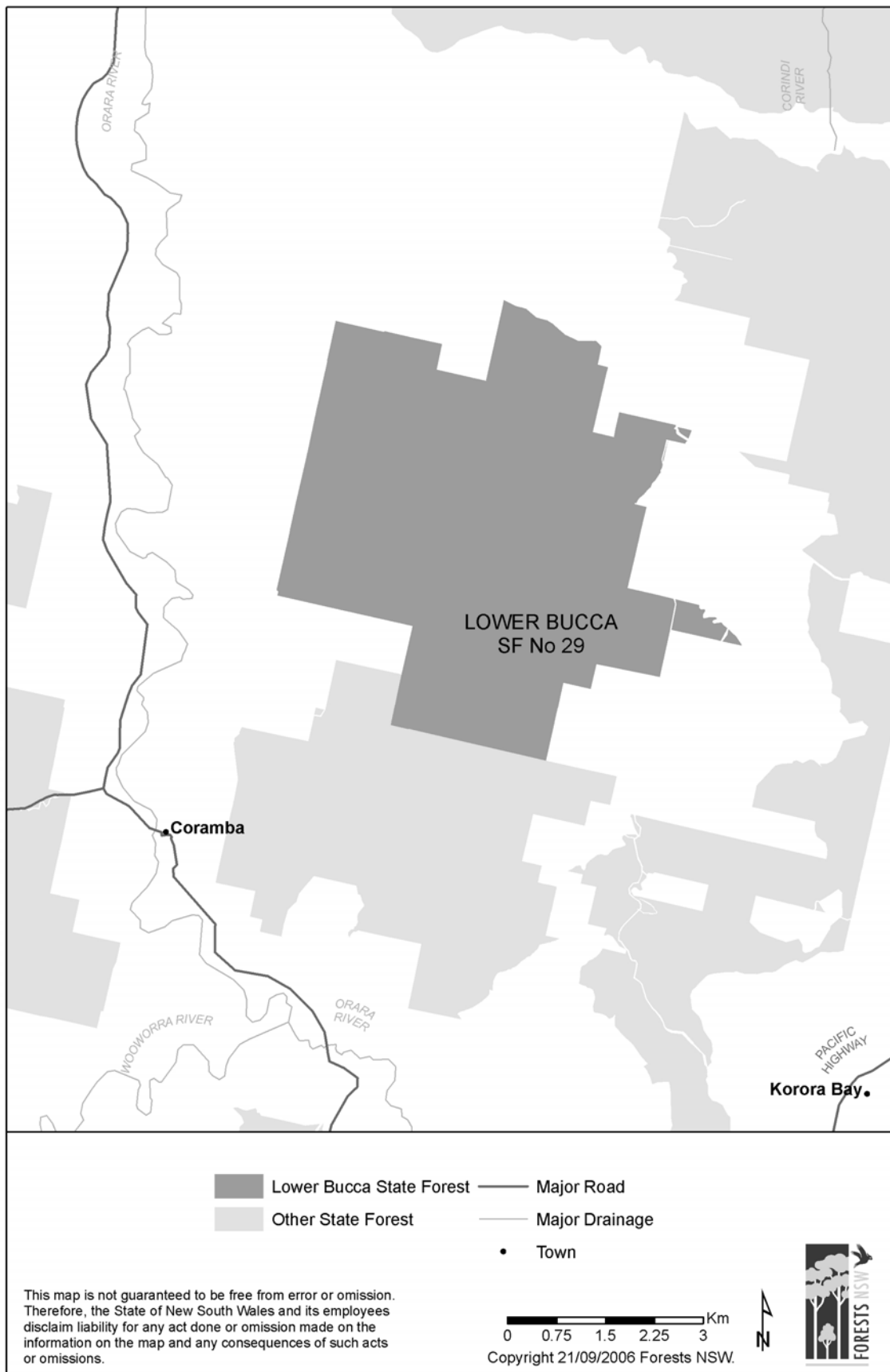
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

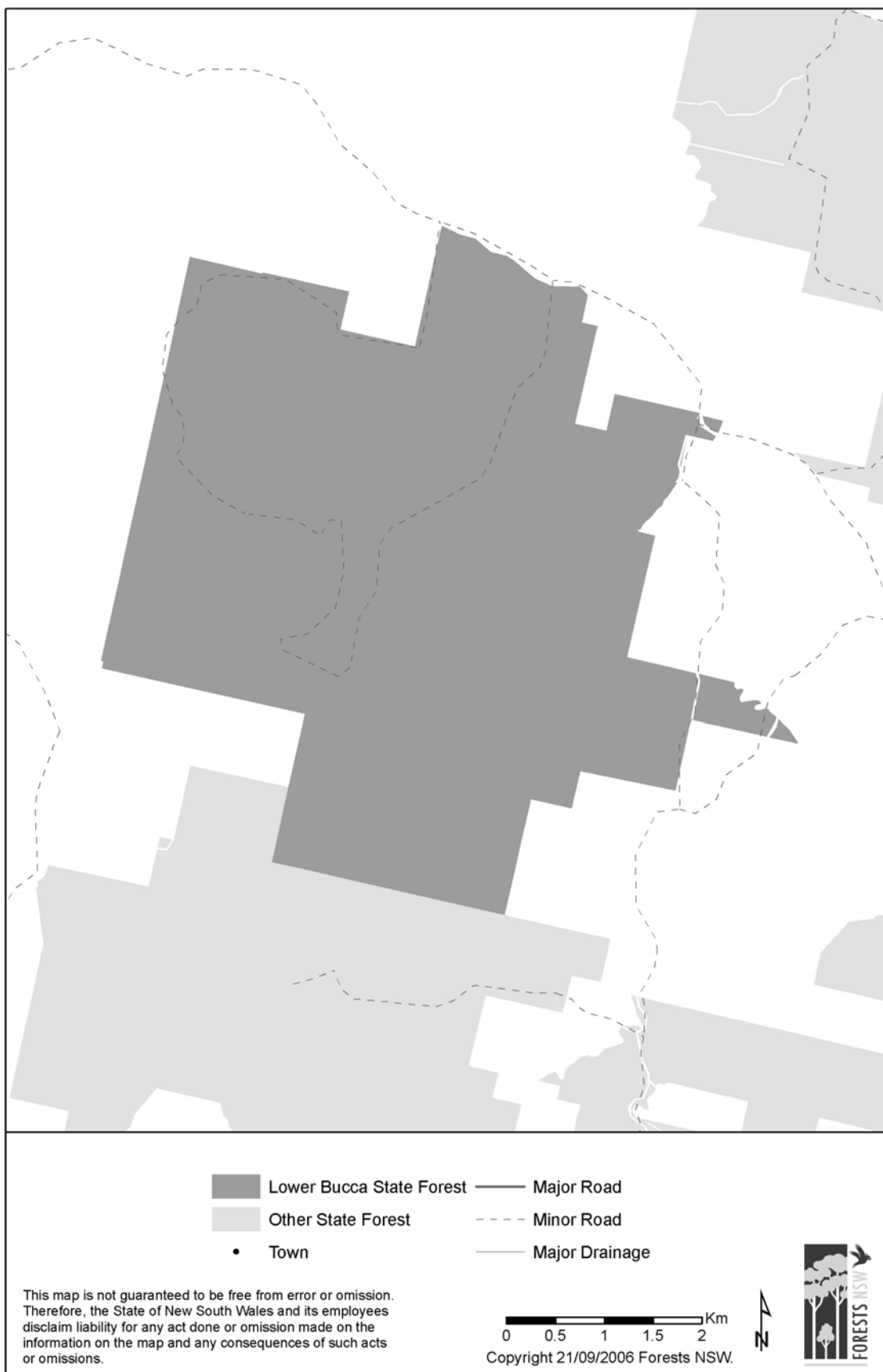
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 24**  
**Maria River State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 1 December 2006.

**2. The land declared is limited to Maria River State Forest**

Maria River State Forest is located approximately 6 km south of the township of Kempsey. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.

Maria River State Forest area: 2126 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

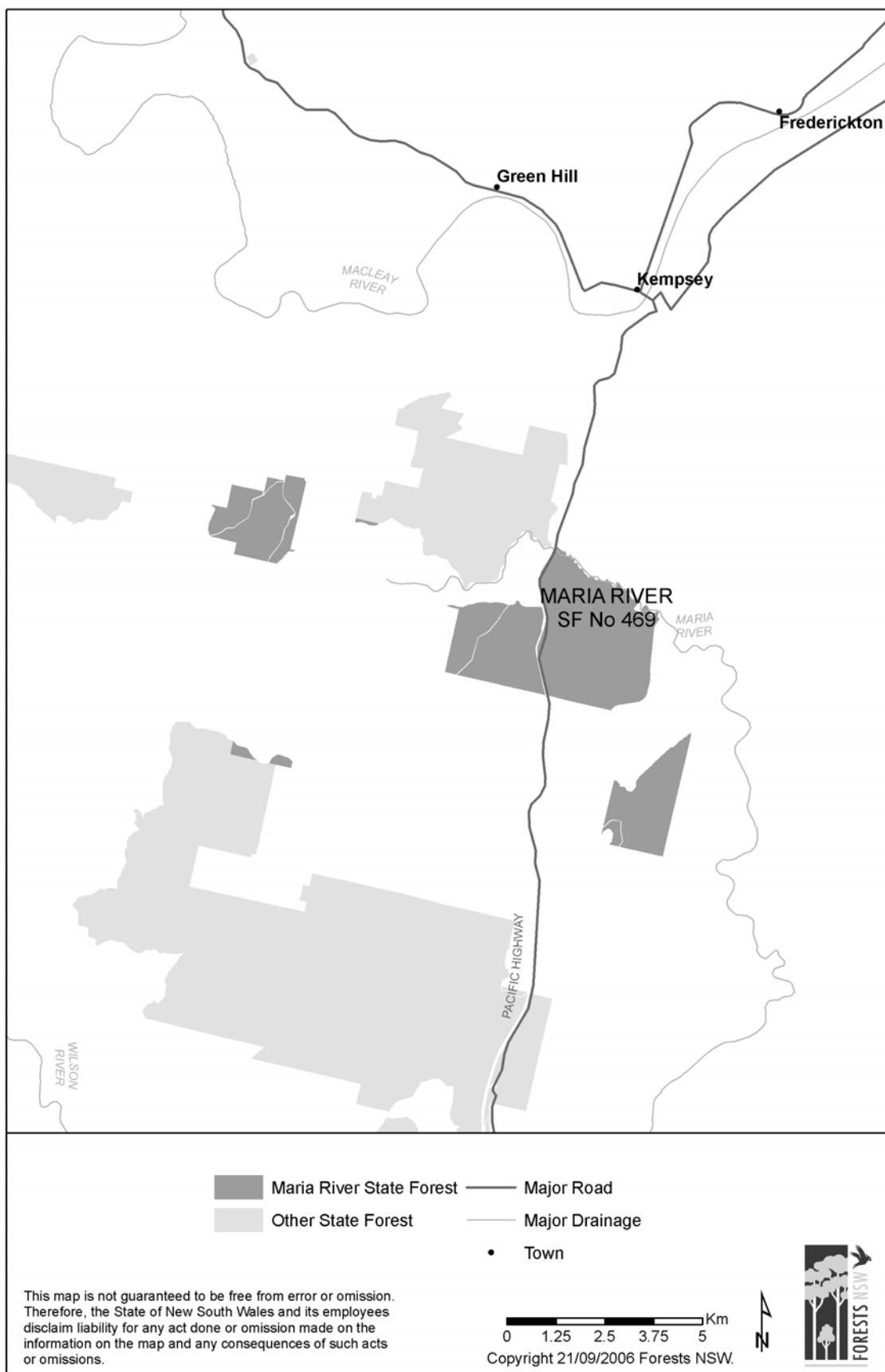
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

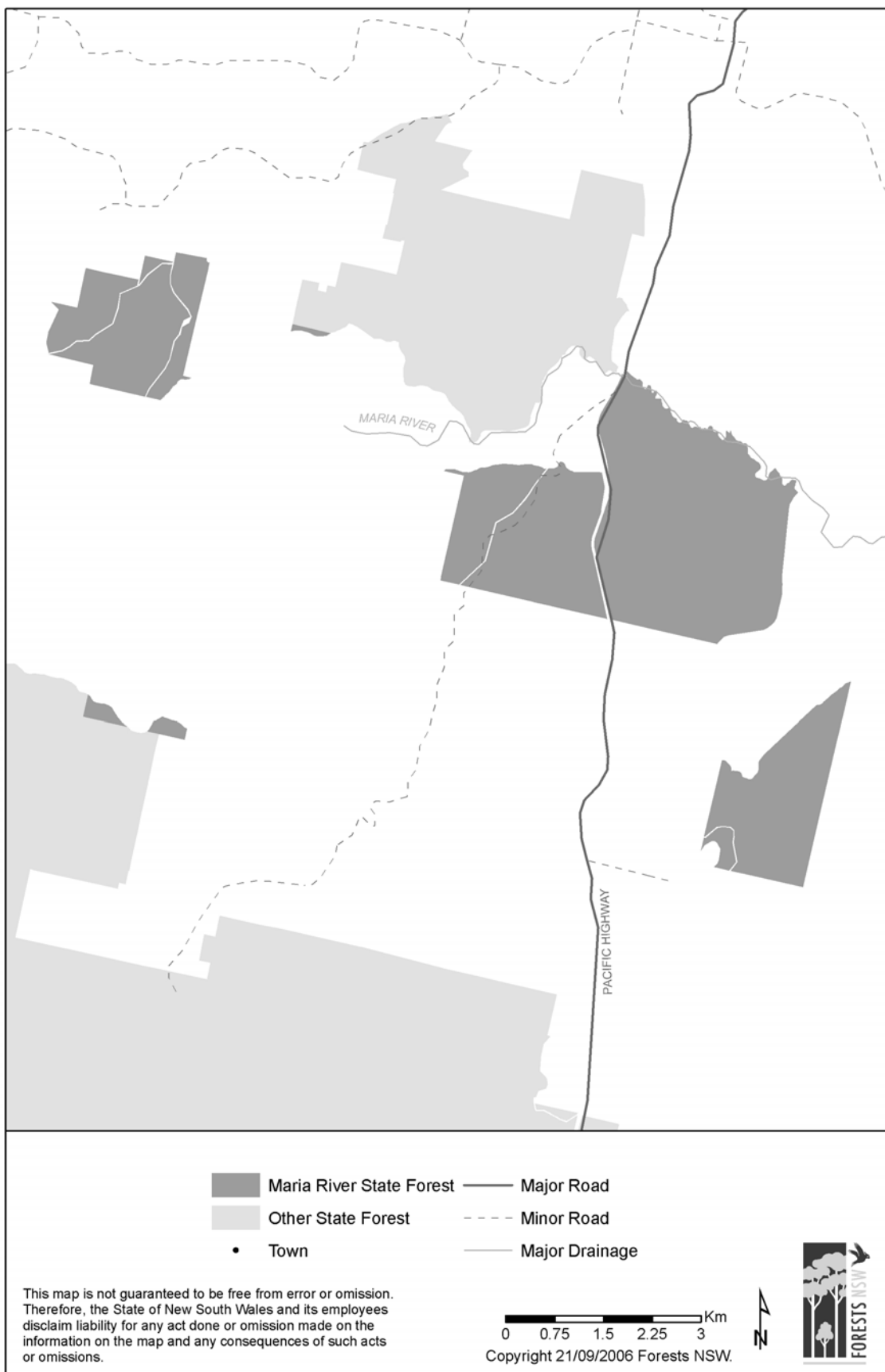
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 25  
Mistake State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 1 December 2006.

**2. The land declared is limited to Mistake State Forest**

Mistake State Forest is located approximately 10 km west of the township of Bowraville. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Mistake State Forest area: 5638 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

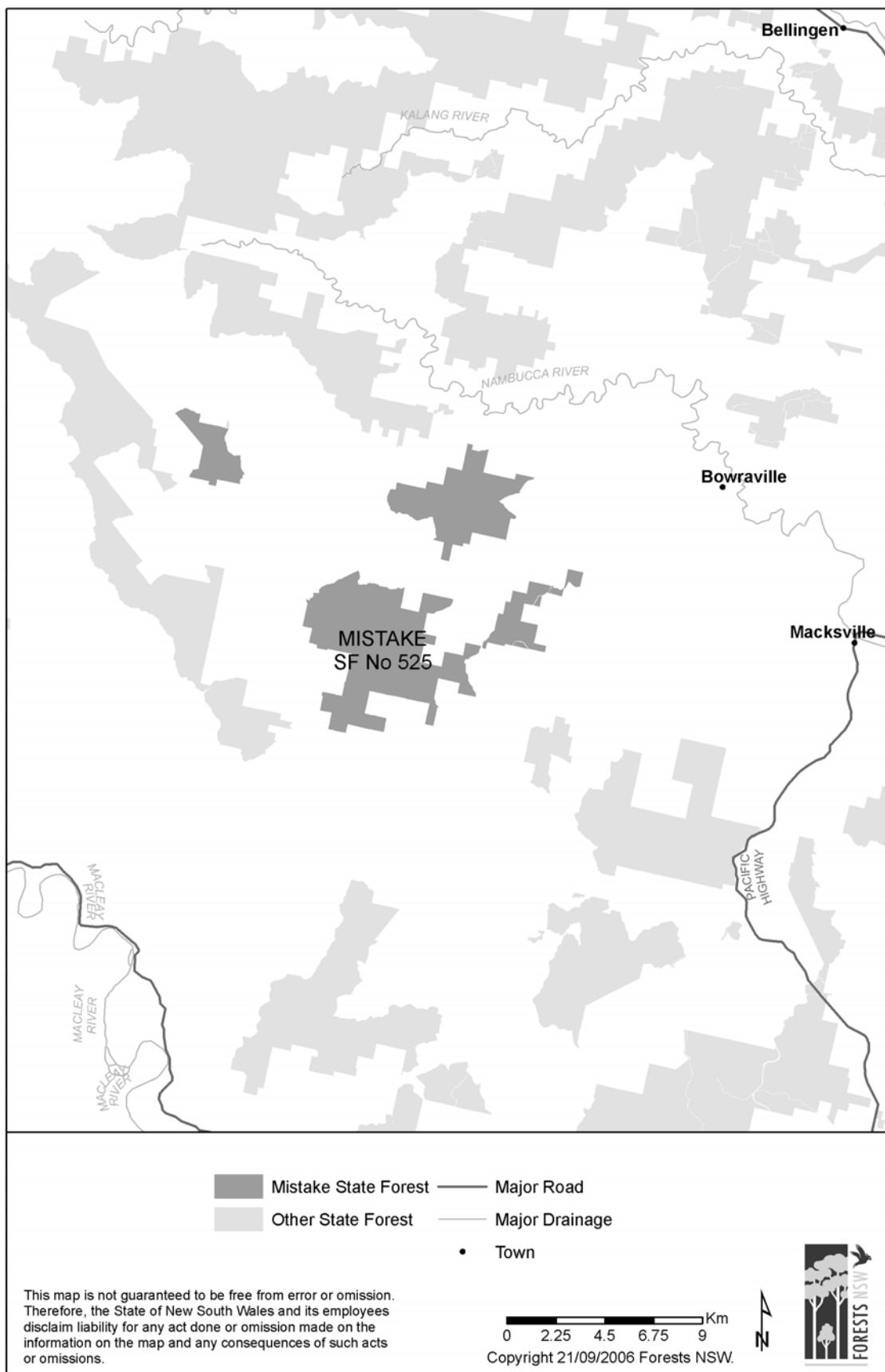
**6. Requirements of the declaration**

A person who hunts on the lands declared must:

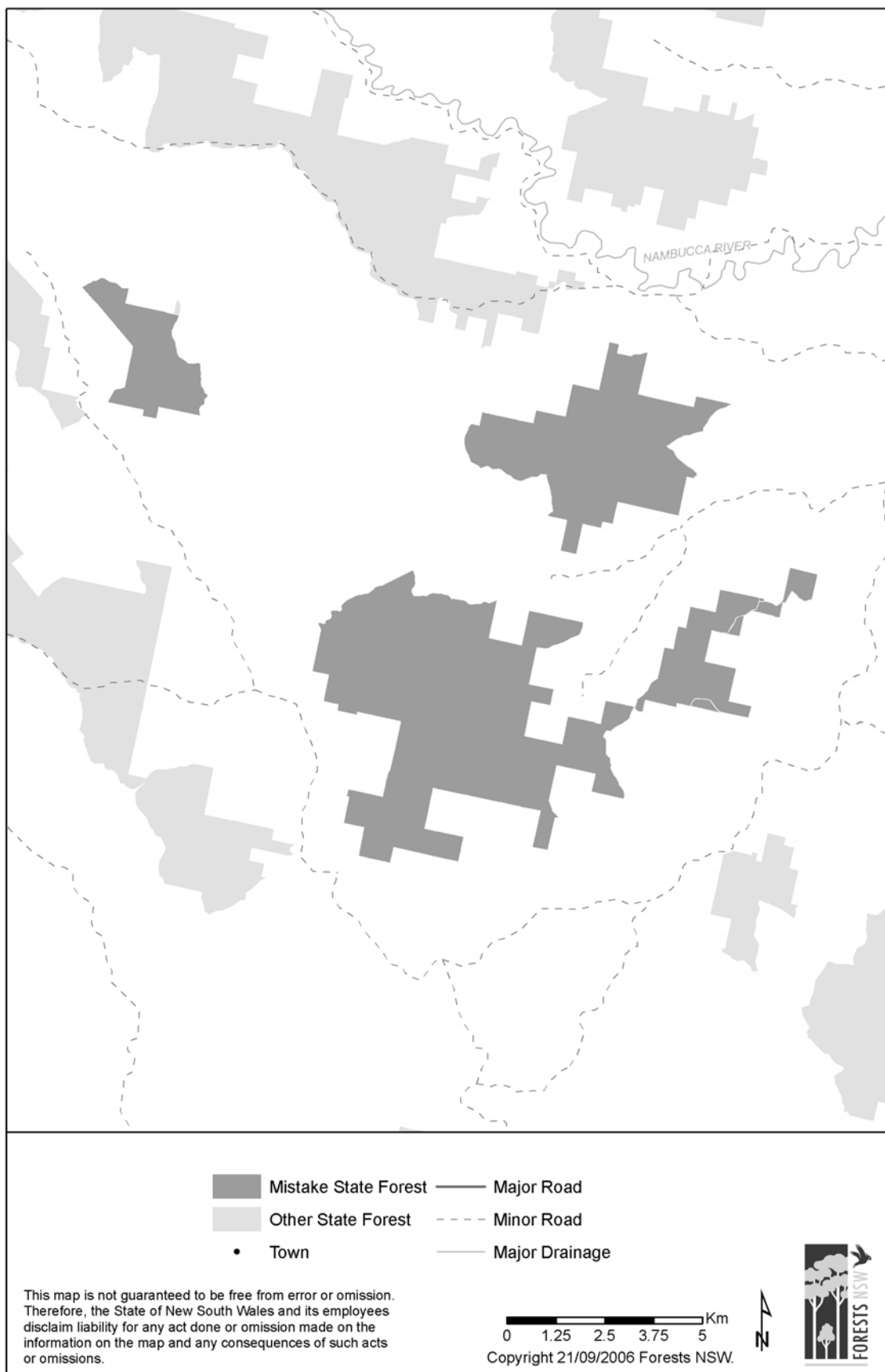
- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.



APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 26**  
**Nangerybone State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 1 December 2006.

**2. The land declared is limited to Nangerybone State Forest**

Nangerybone State Forest is located approximately 28 km south-east of the township of Nymagee. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'. Nangerybone State Forest area: 5958 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

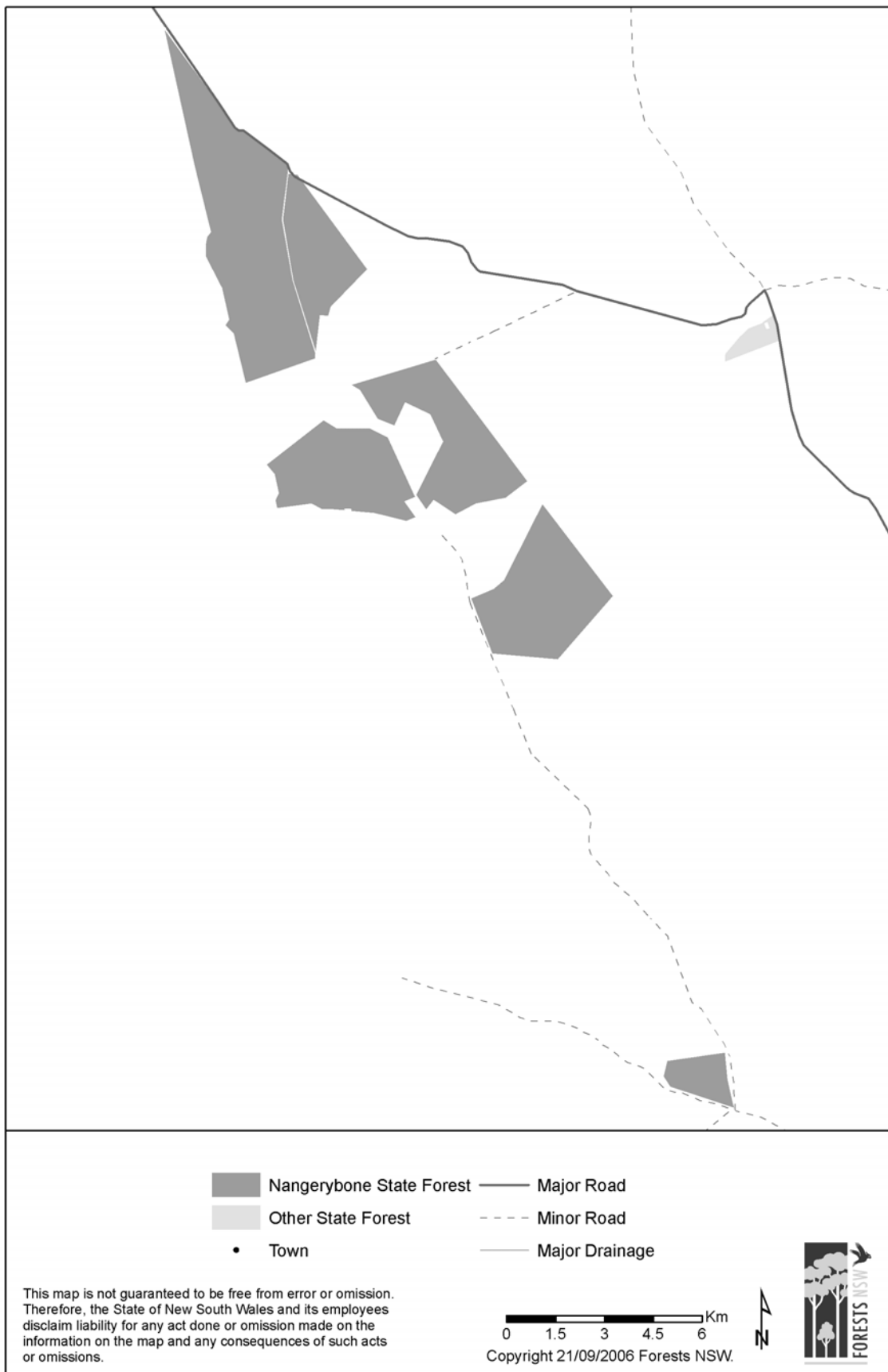
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 27**  
**Newry State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 1 December 2006.

**2. The land declared is limited to Newry State Forest**

Newry State Forest is located approximately 4 km south-west of the township of Urunga. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Newry State Forest area: 3994 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

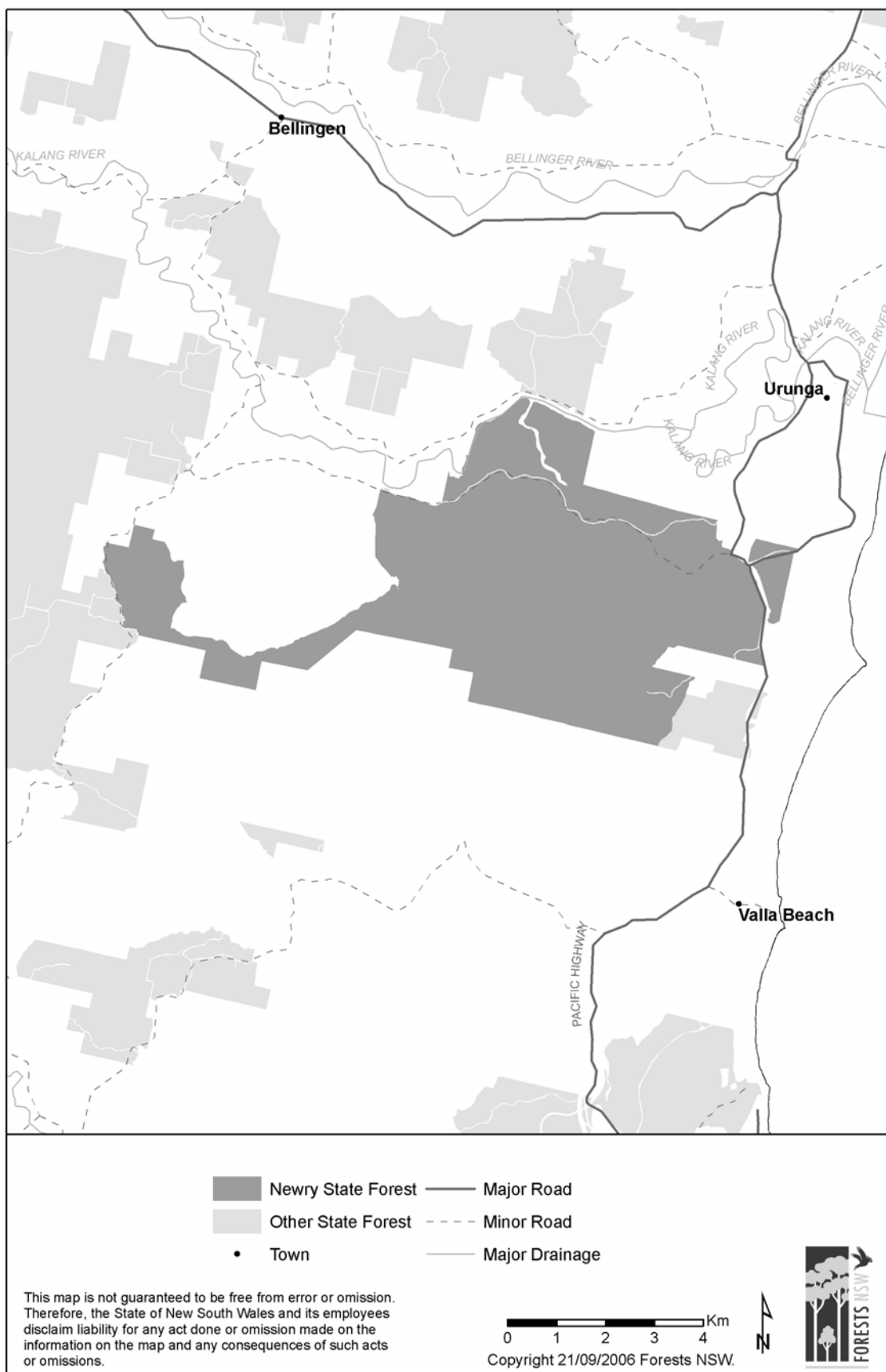
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



This map is not guaranteed to be free from error or omission. Therefore, the State of New South Wales and its employees disclaim liability for any act done or omission made on the information on the map and any consequences of such acts or omissions.



**Schedule 28**  
**Pappinbarra State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 1 December 2006.

**2. The land declared is limited to Pappinbarra State Forest**

Pappinbarra State Forest is located approximately 12 km north-west of the township of Wauchope. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'. Pappinbarra State Forest area: 1186 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

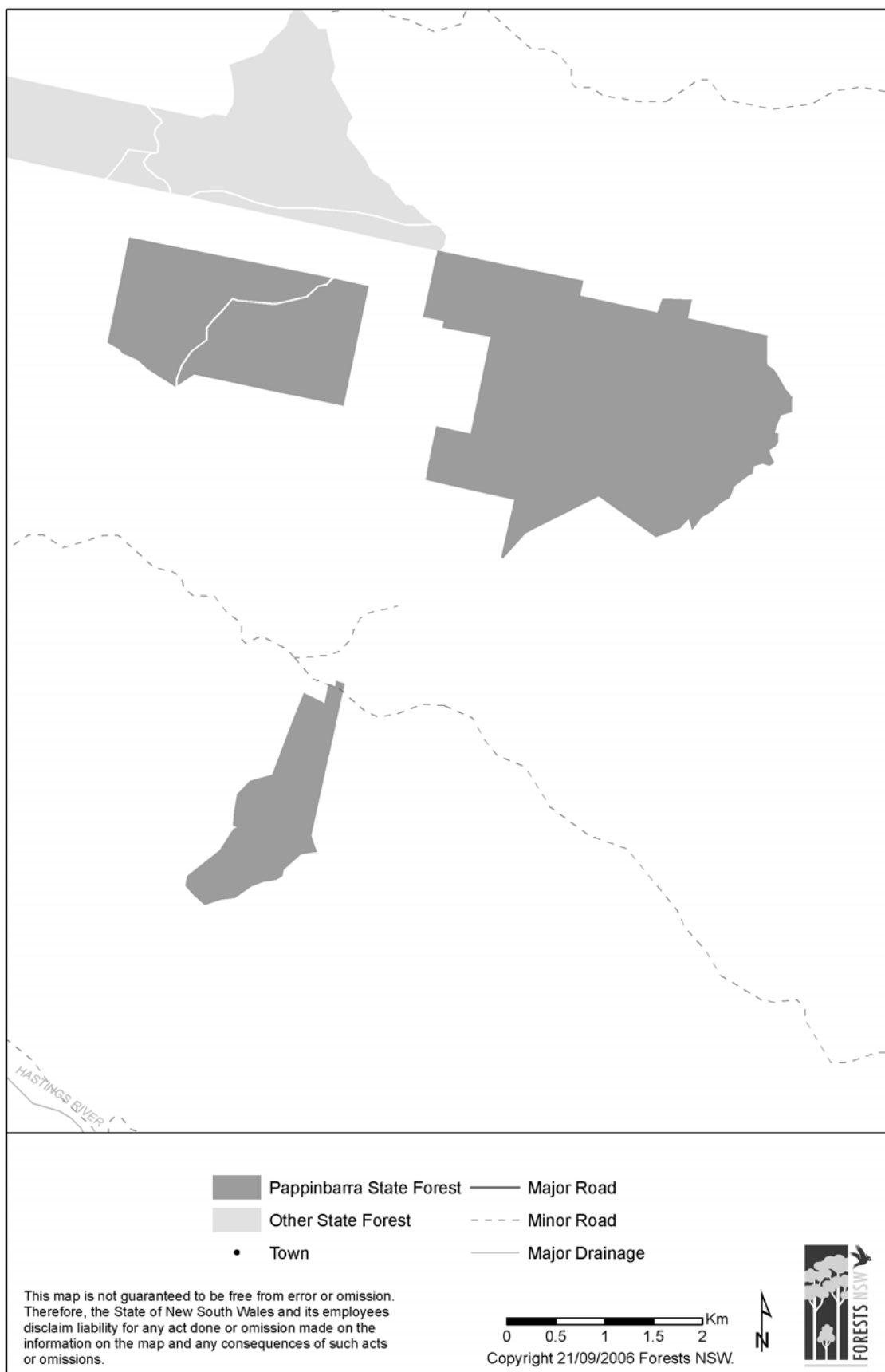
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 29  
Pilliga East State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 1 December 2006.

**2. The land declared is limited to Pilliga East State Forest**

Pilliga East State Forest is located approximately 30 km south of the township of Narrabri. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Pilliga East State Forest area: 132,201 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

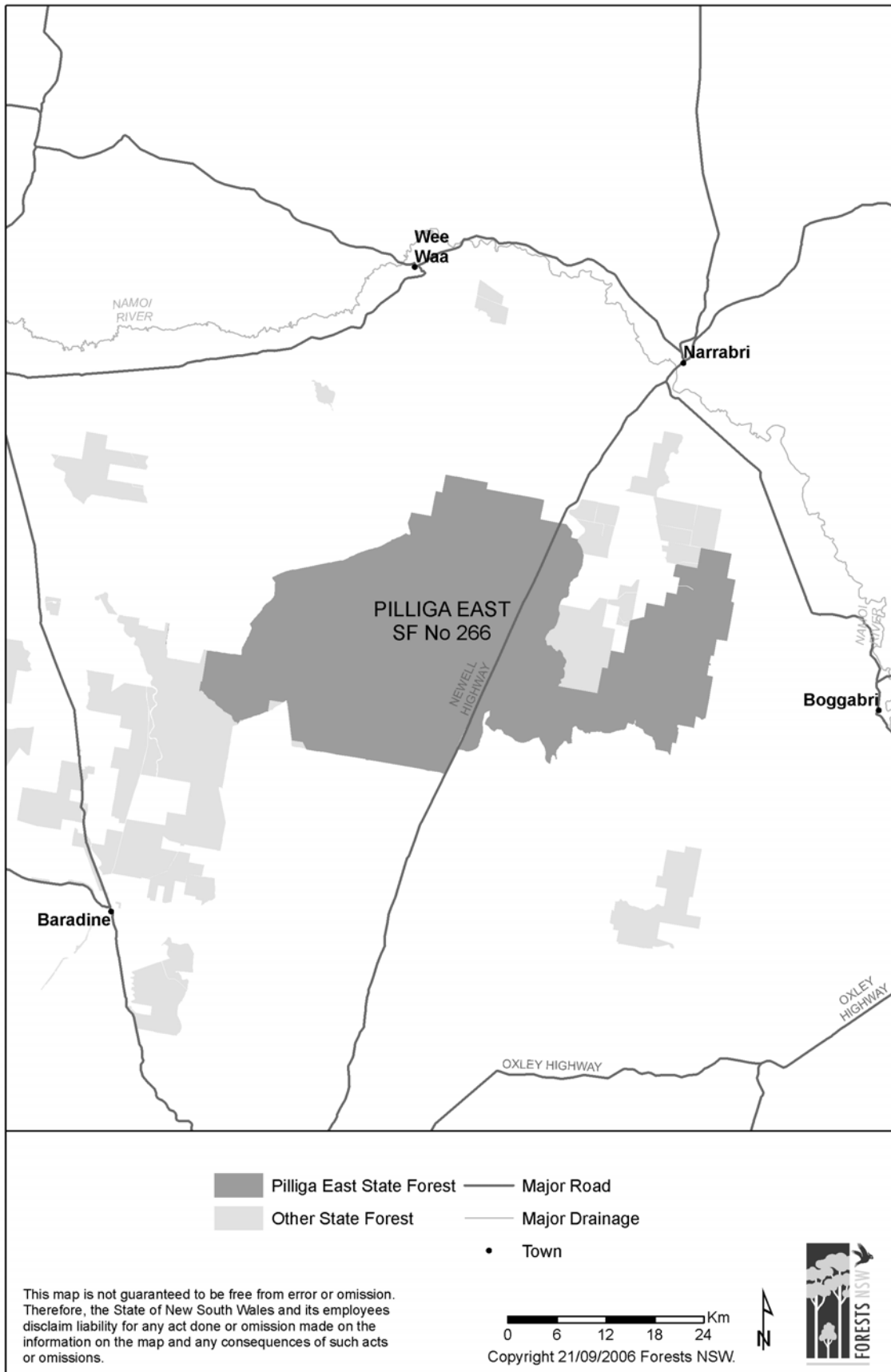
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

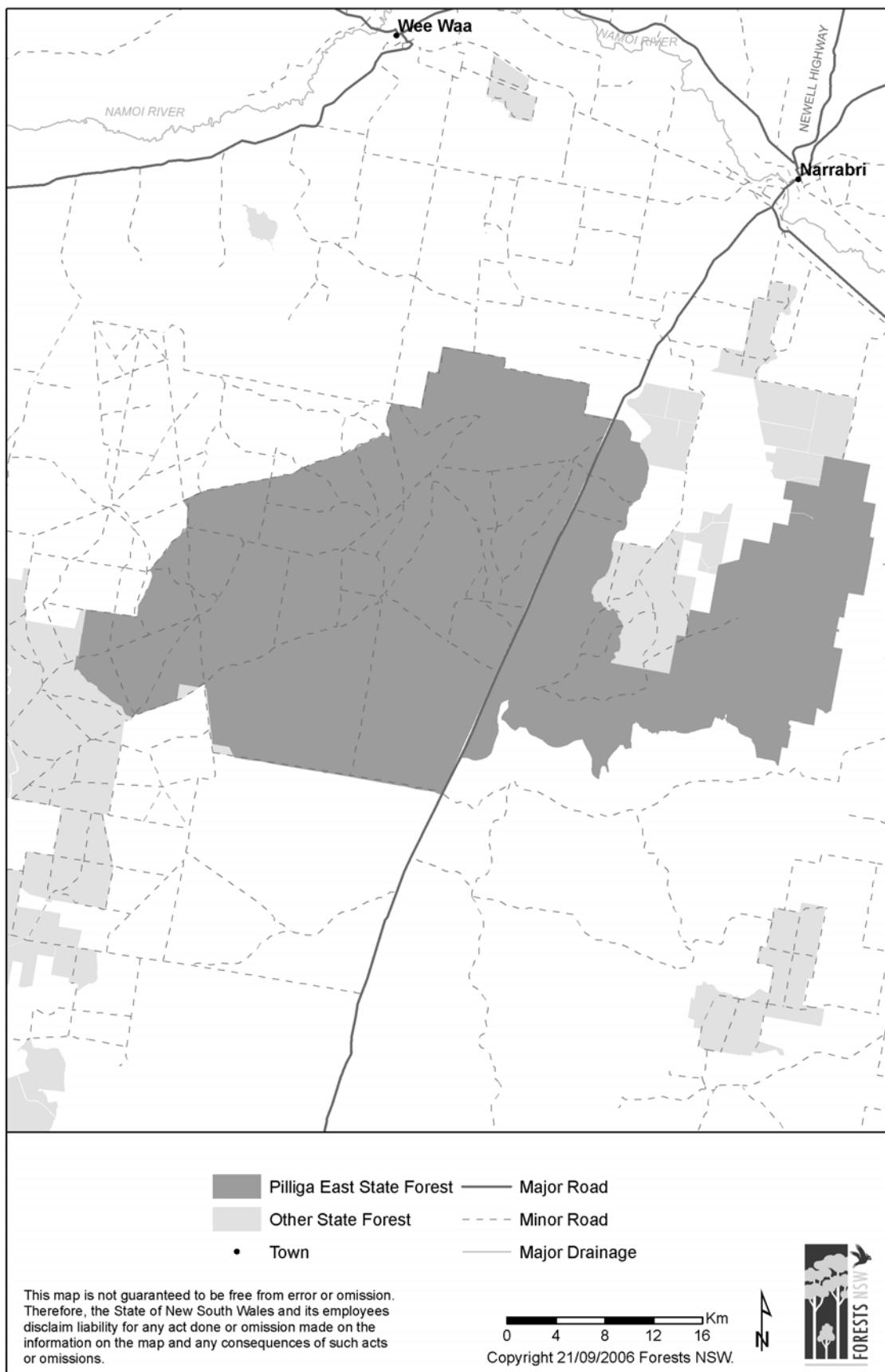
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 30  
Pilliga West State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 1 December 2006.

**2. The land declared is limited to Pilliga West State Forest**

Pilliga West State Forest is located approximately 35 km north-west of the township of Baradine. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'. Pilliga West State Forest area: 31,838 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

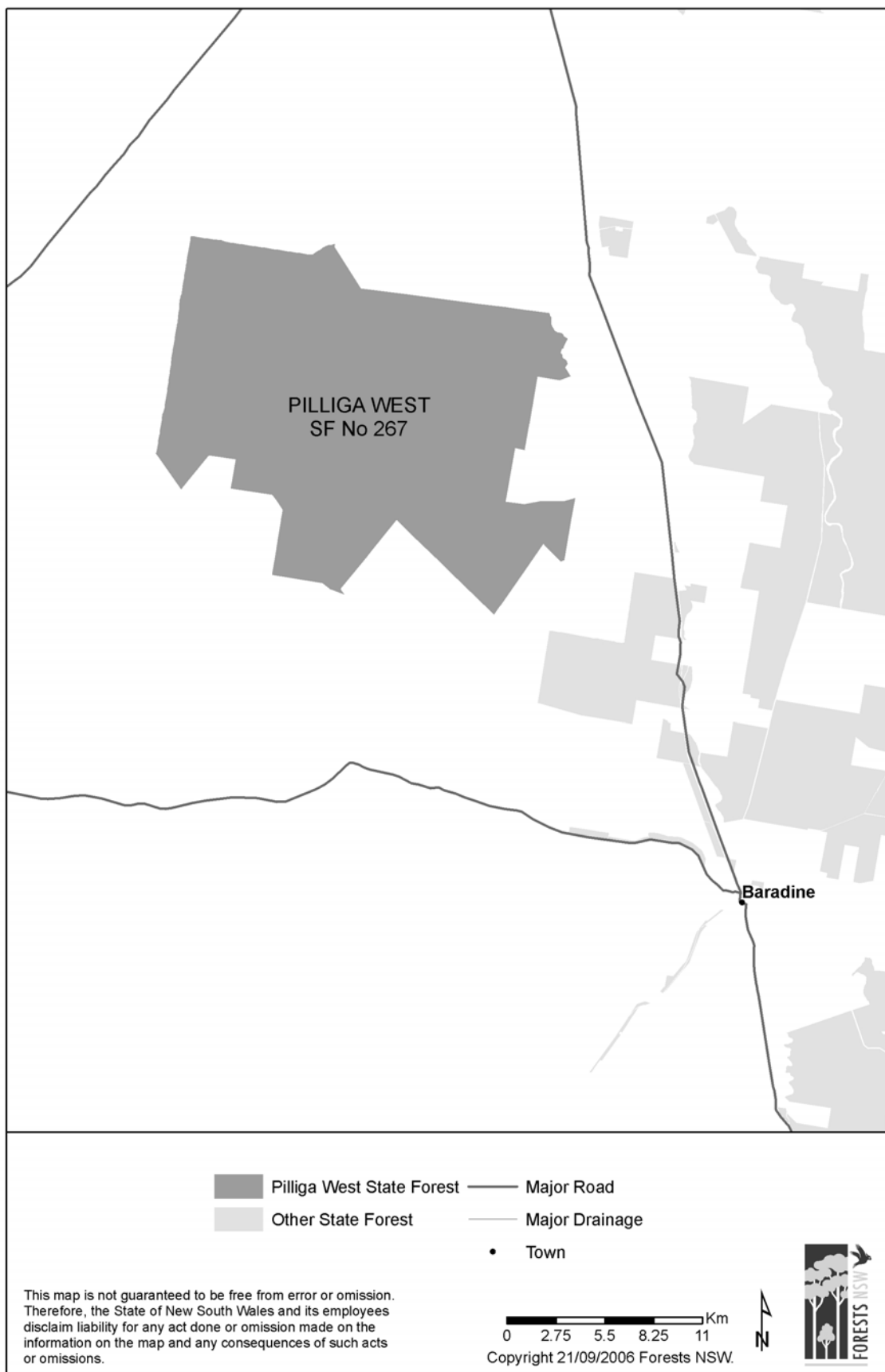
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

A person who hunts on the lands declared must:

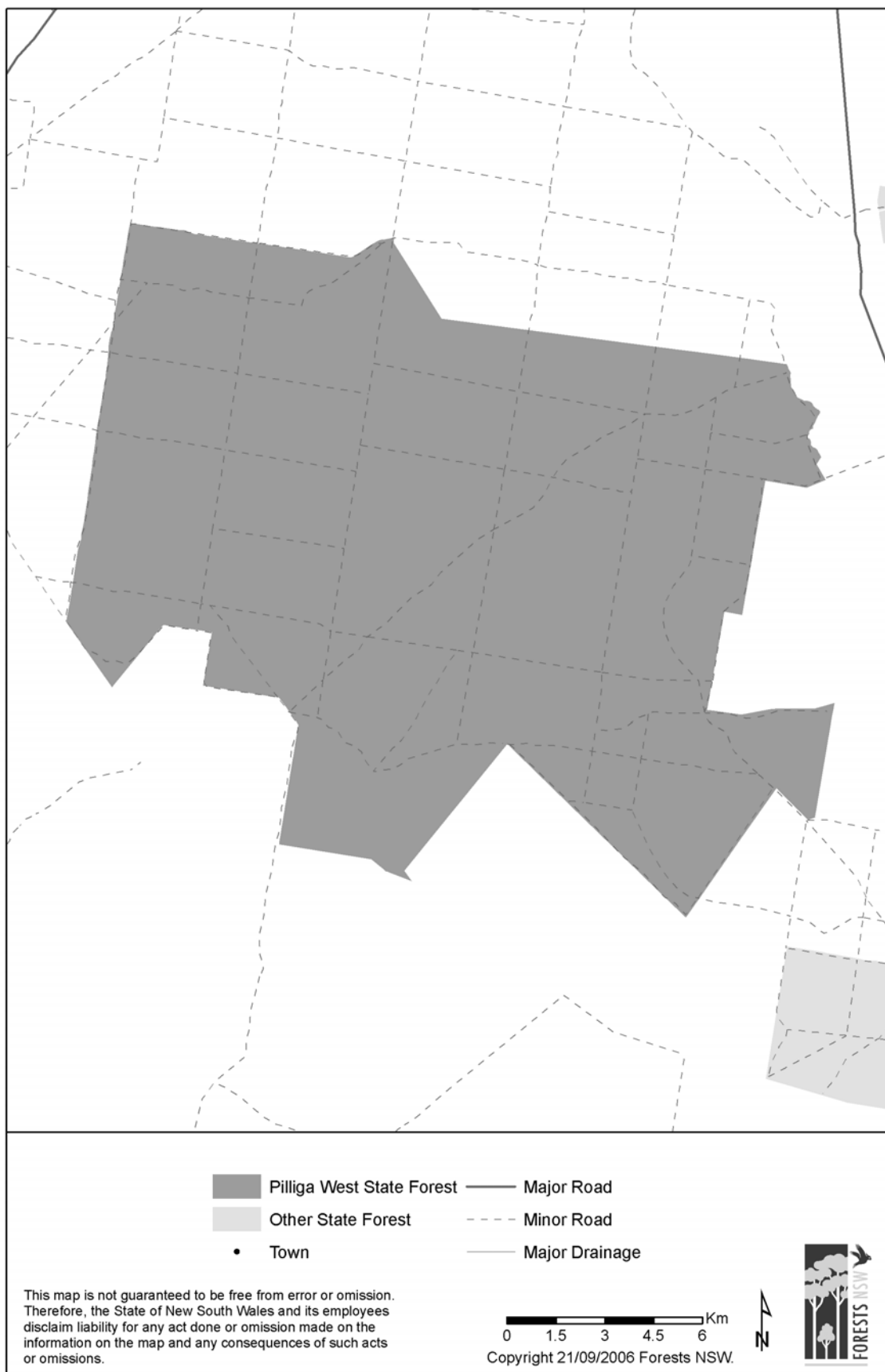
- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map





APPENDIX 'B' – Location Map



**Schedule 31  
Towamba State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 1 December 2006.

**2. The land declared is limited to Towamba State Forest**

Towamba State Forest is located approximately 22 km west of the township of Eden. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Towamba State Forest area: 5485 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

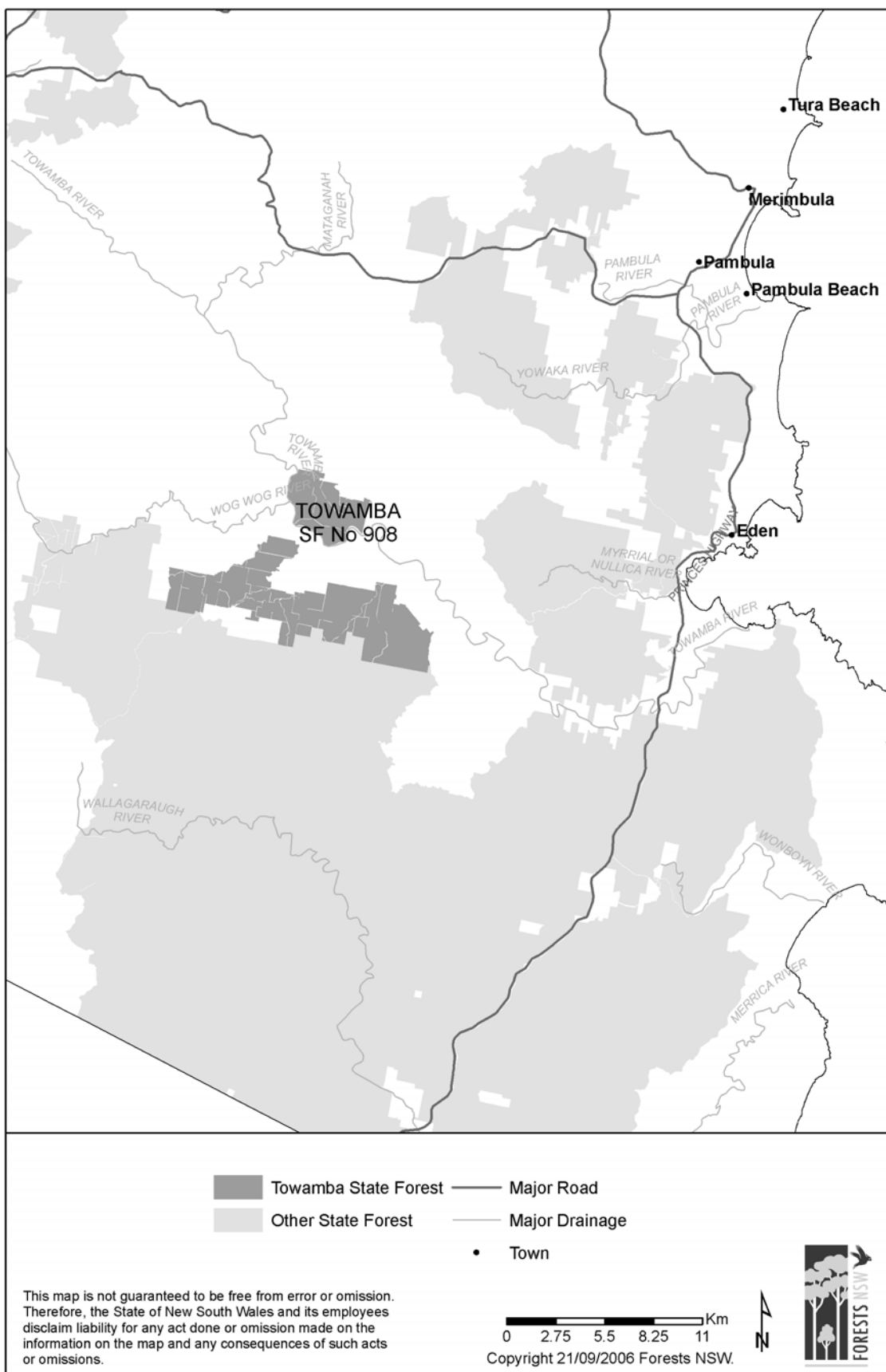
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

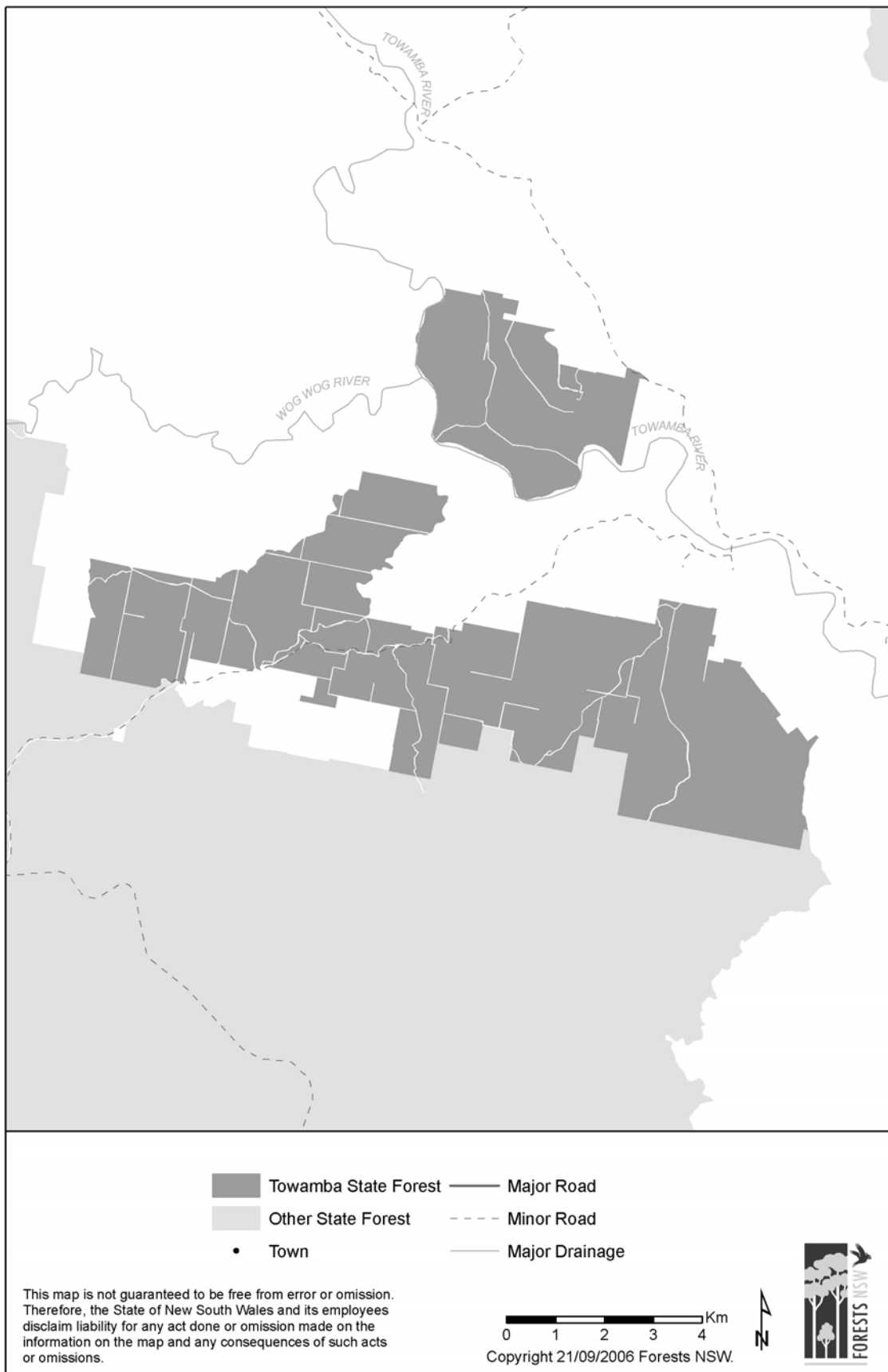
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 32  
Tuckers Nob State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 1 December 2006.

**2. The land declared is limited to Tuckers Nob State Forest**

Tuckers Nob State Forest is located approximately 5 km north of the township of Bellingen. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Tuckers Nob State Forest area: 4465 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

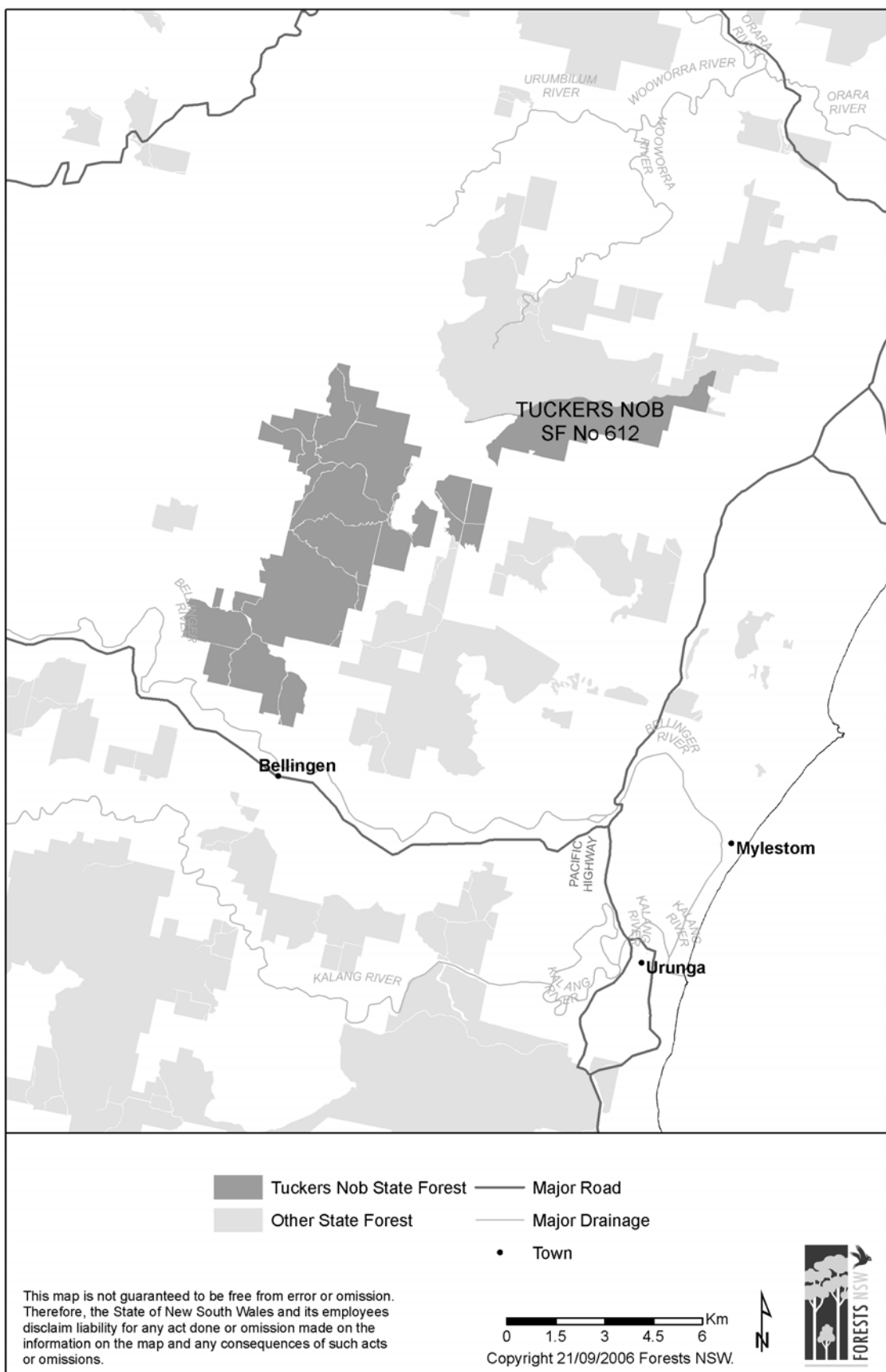
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

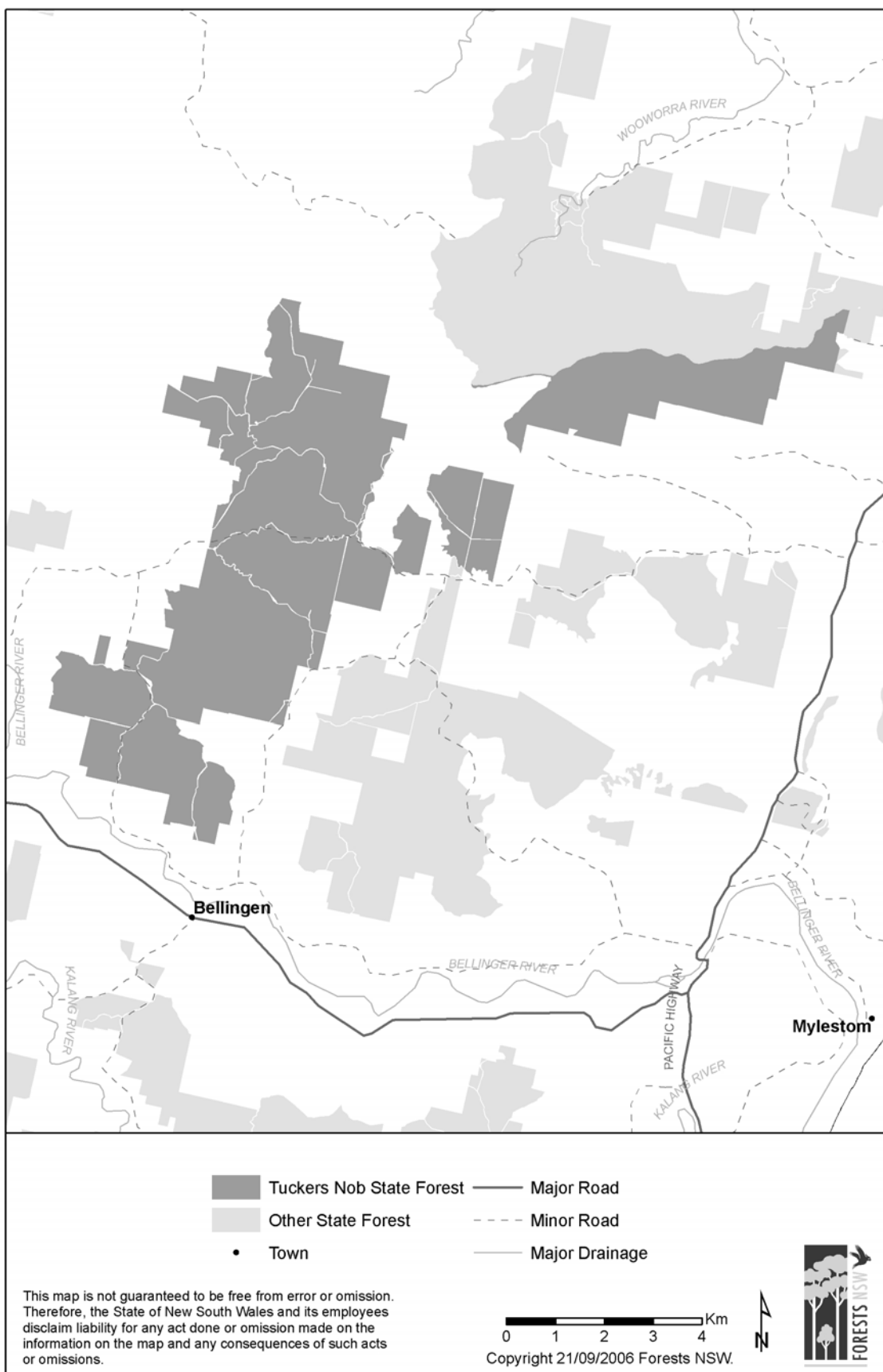
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 33  
Turon State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 1 December 2006.

**2. The land declared is limited to Turon State Forest**

Turon State Forest is located approximately 27 km north of the township of Bathurst. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Turon State Forest area: 2020 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

A person who hunts on the lands declared must:

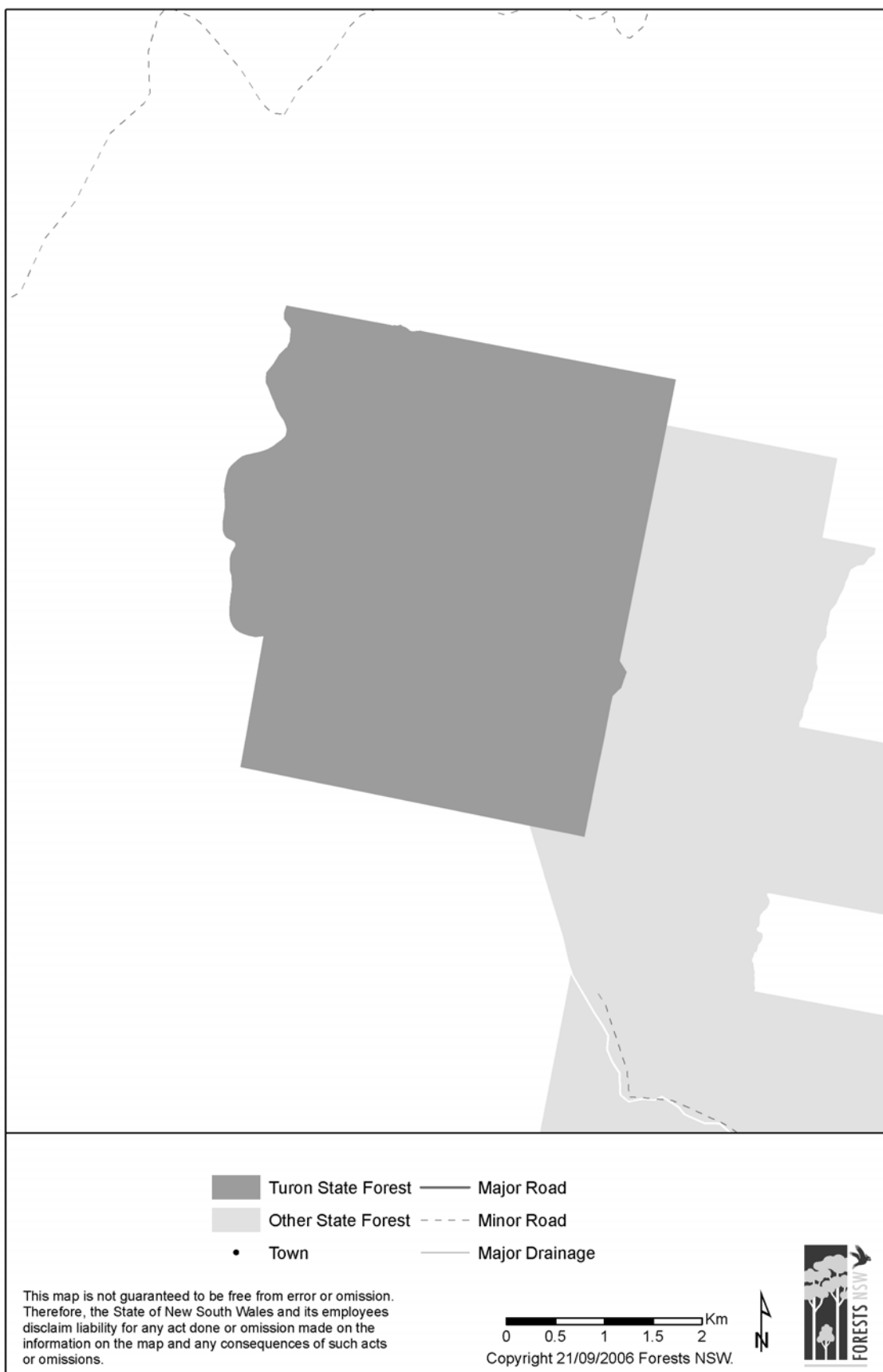
- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.



APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 34  
Viewmont State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 1 December 2006.

**2. The land declared is limited to Viewmont State Forest**

Viewmont State Forest is located approximately 4 km north-east of the township of Bowraville. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'. Viewmont State Forest area: 919 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

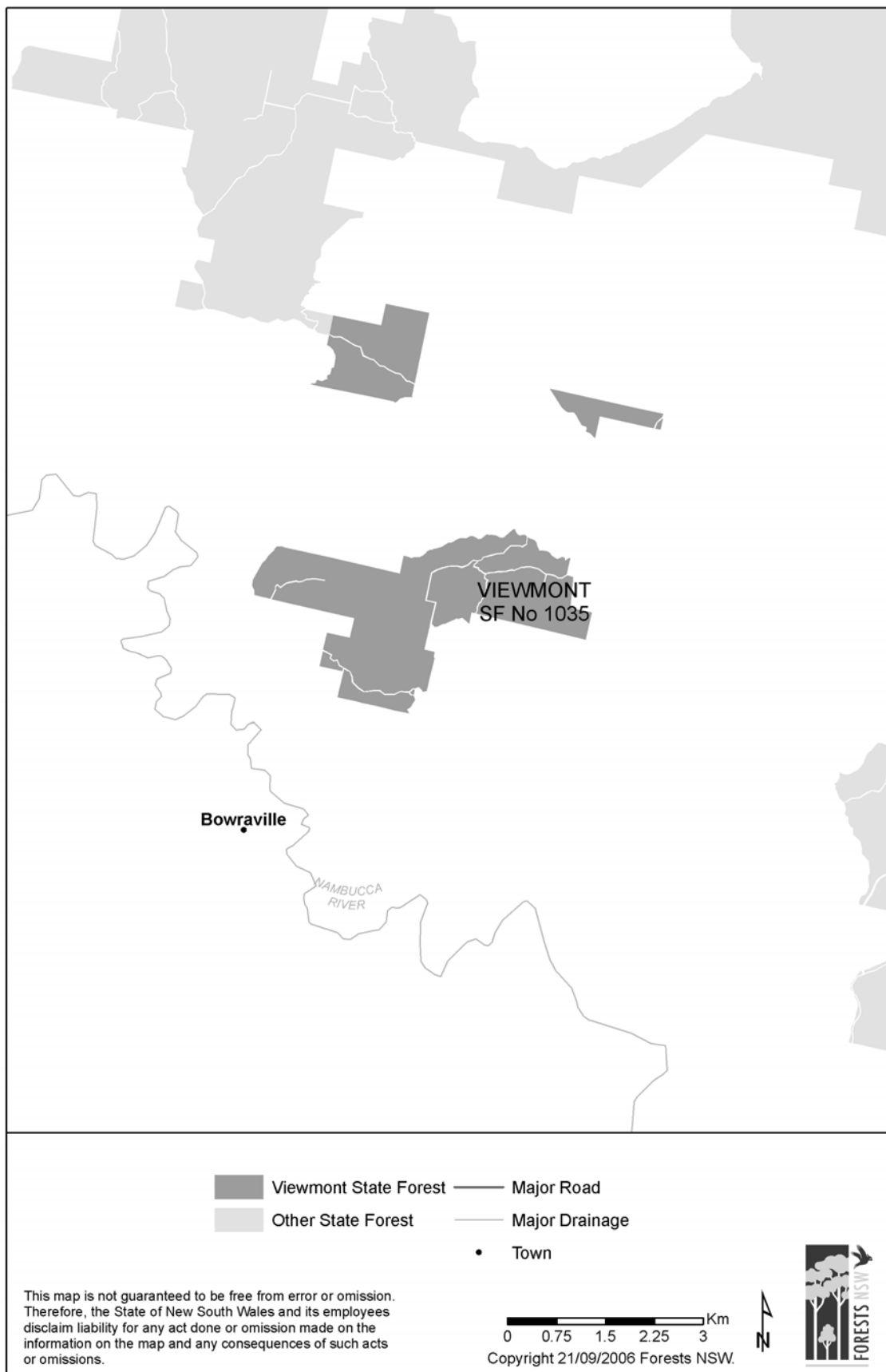
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

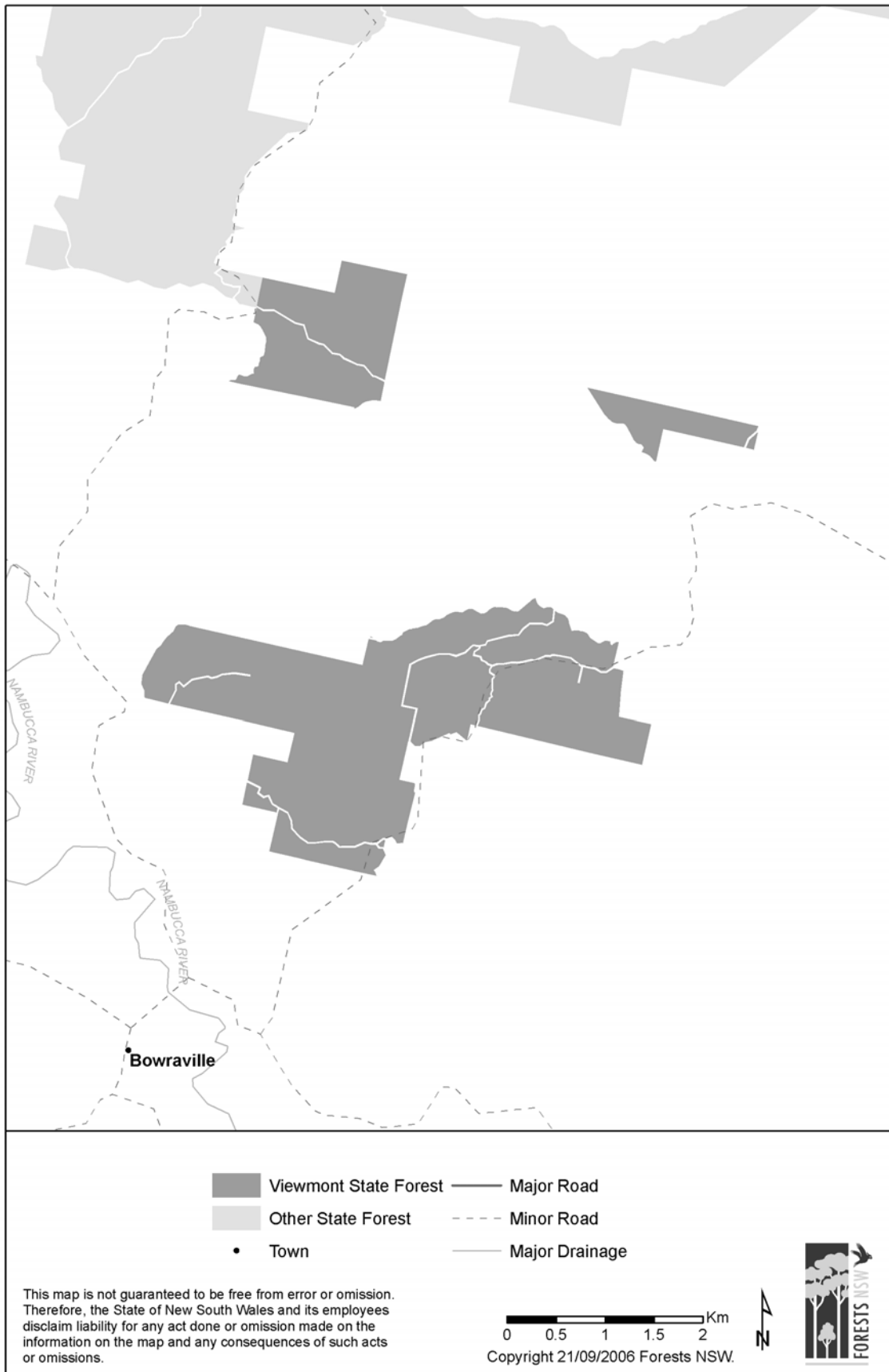
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 35  
Way Way State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 1 December 2006.

**2. The land declared is limited to Way Way State Forest**

Way Way State Forest is located approximately 7 km south of the township of Macksville. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'. Way Way State Forest area: 953 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map





**Schedule 36**  
**Wedding Bells River State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 1 December 2006.

**2. The land declared is limited to Wedding Bells State Forest**

Wedding Bells State Forest is located approximately 3 km west of the township of Woolgoolga. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'. Wedding Bells State Forest area: 5069 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

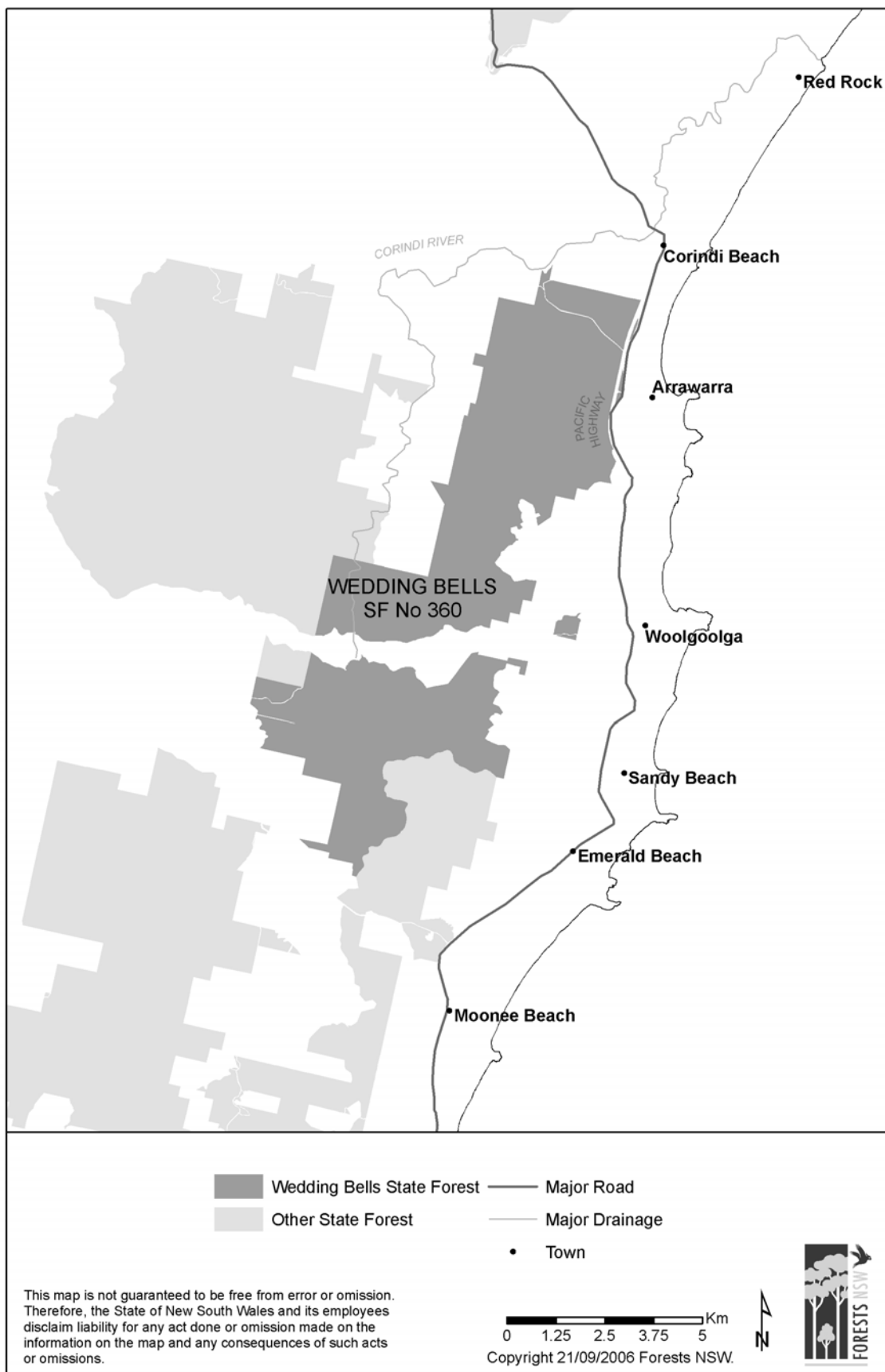
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

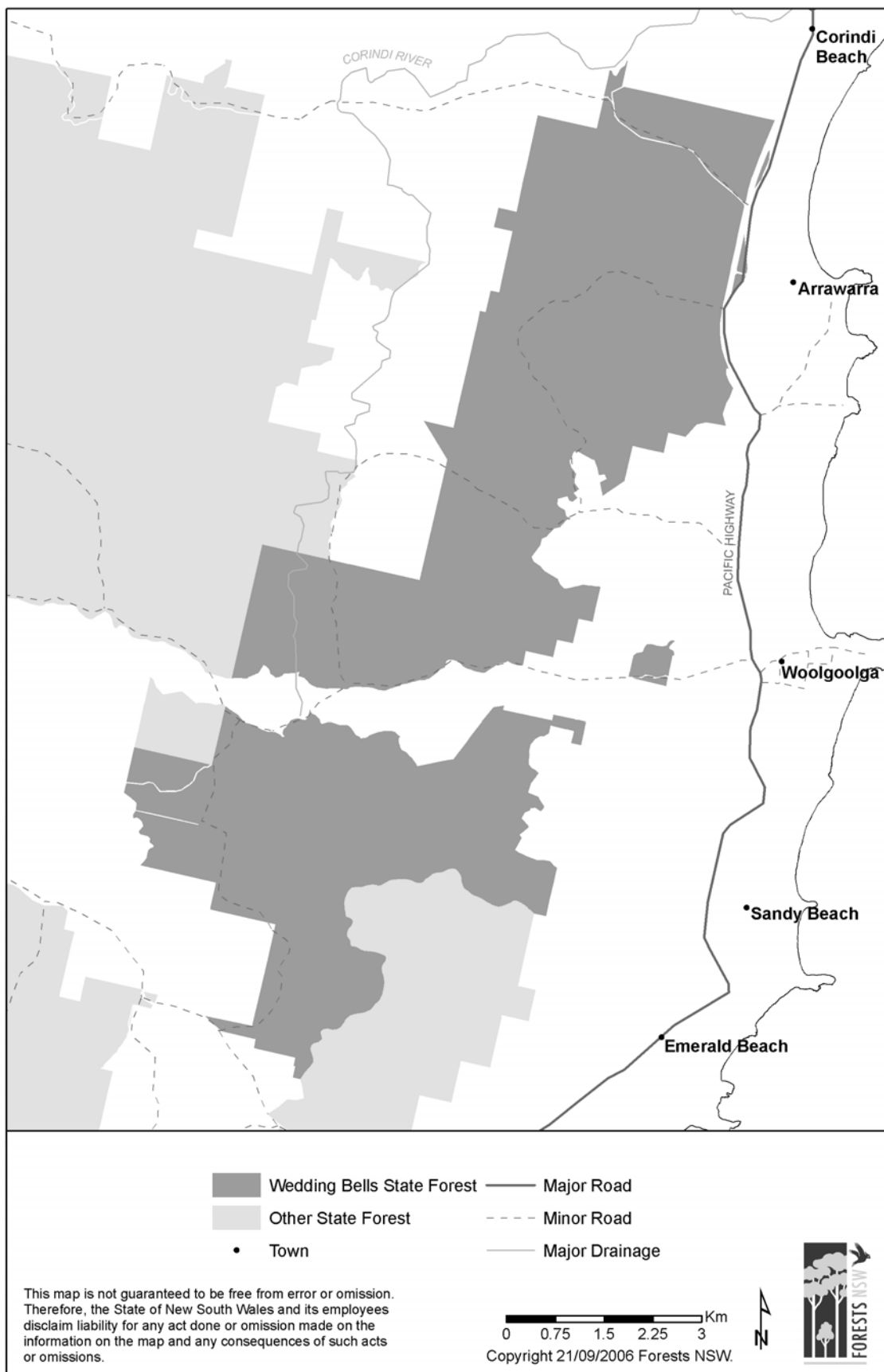
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 37**  
**Wittenbra State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 1 December 2006.

**2. The land declared is limited to Wittenbra State Forest**

Wittenbra State Forest is located approximately 12 km south-east of the township of Baradine. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'. Wittenbra State Forest area: 5547 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

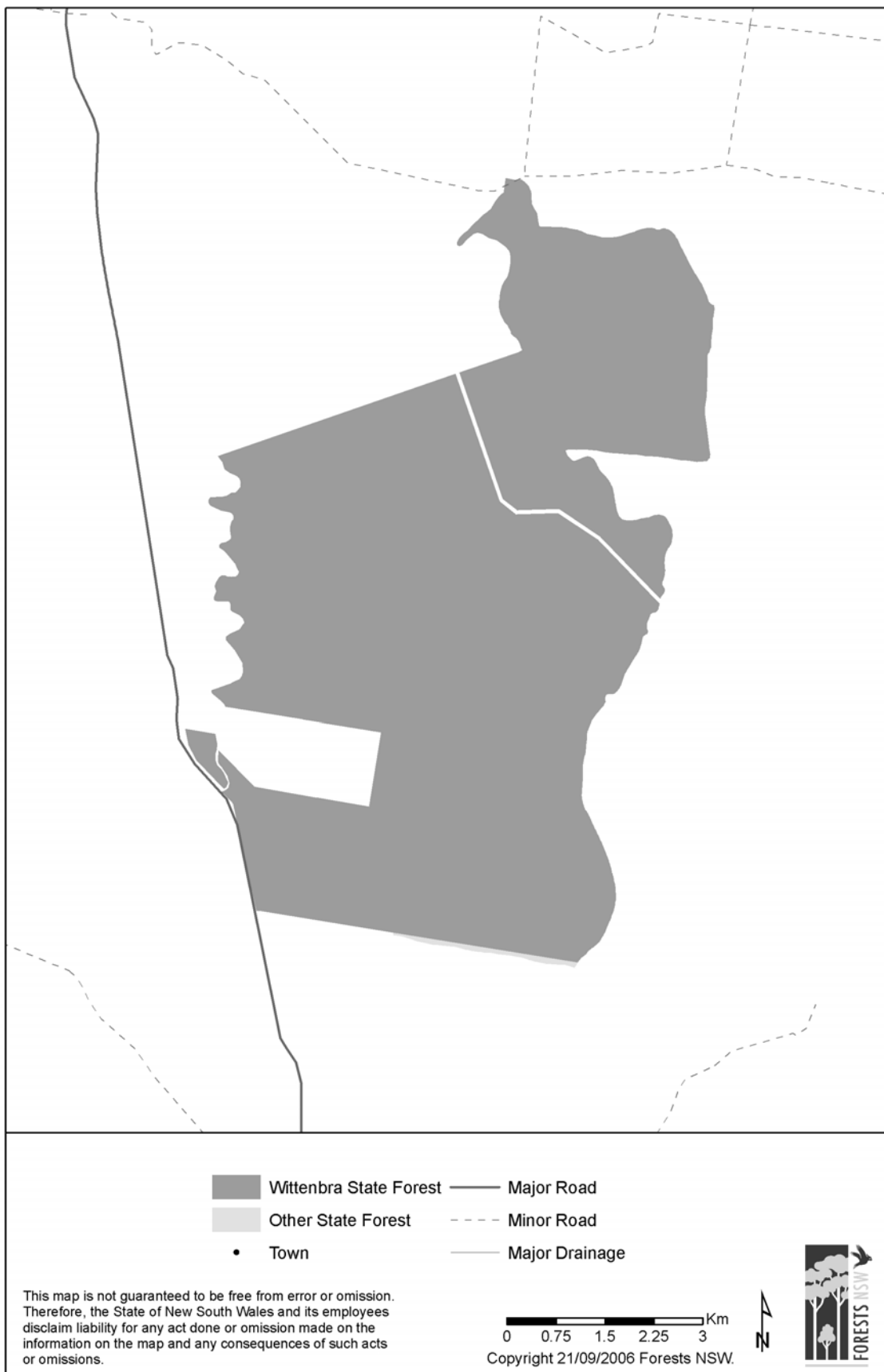
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



**Schedule 38  
Yerriyong State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 1 December 2006.

**2. The land declared is limited to Yerriyong State Forest**

Yerriyong State Forest is located approximately 16 km north-west of the township of Sussex Inlet. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'. Yerriyong State Forest area: 6599 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

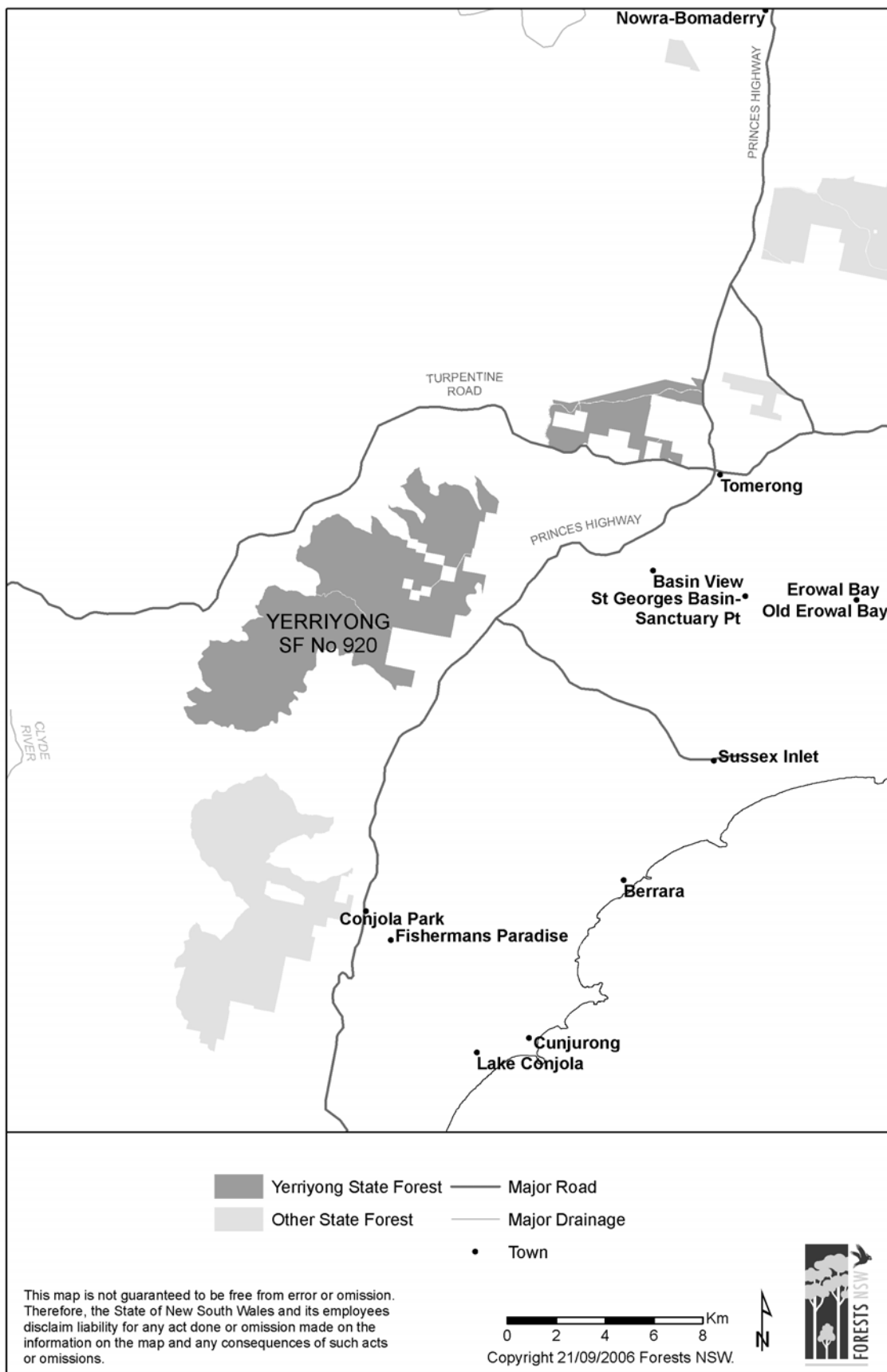
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

A person who hunts on the lands declared must:

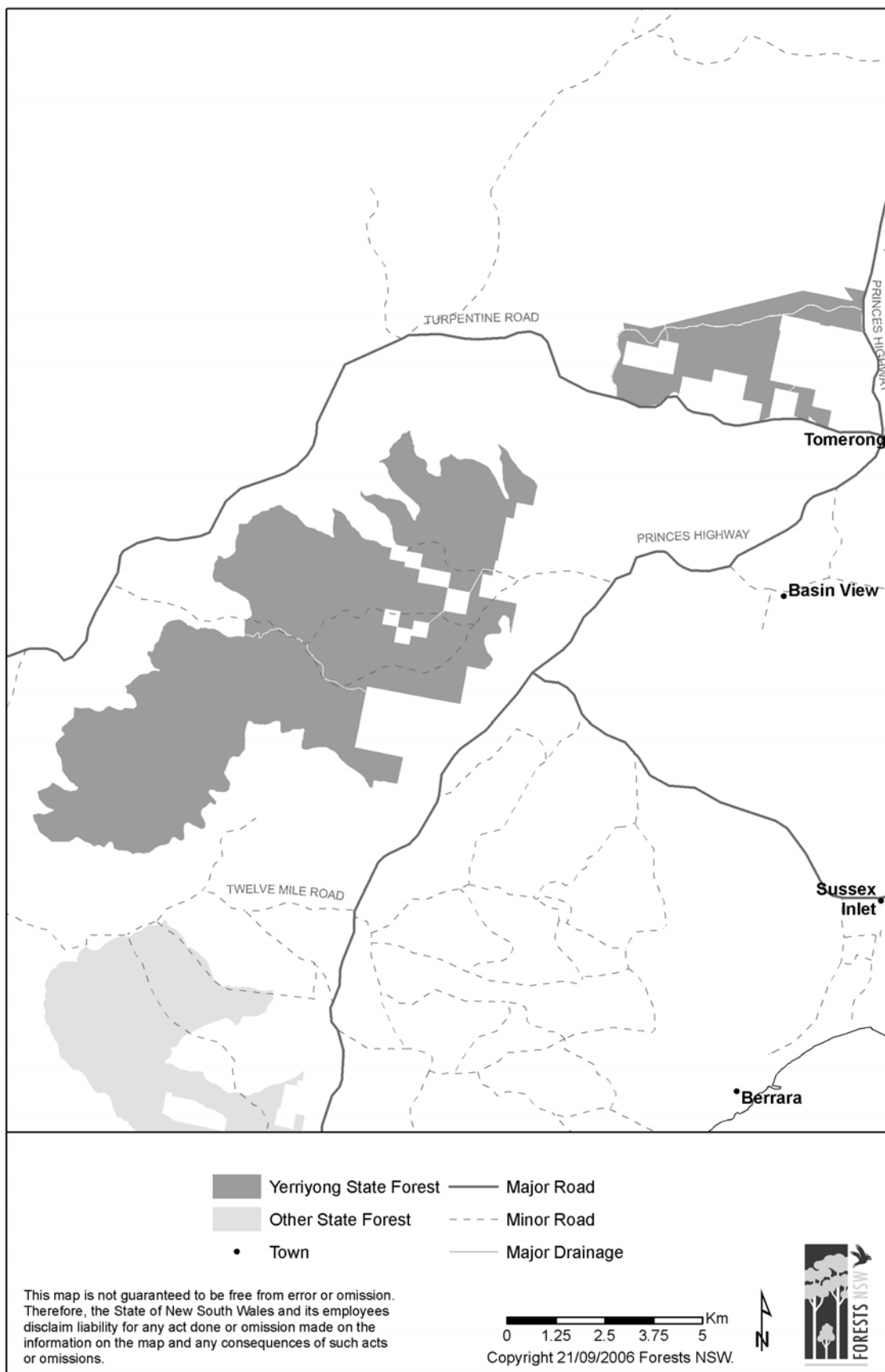
- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map





APPENDIX 'B' – Location Map



**Schedule 39  
Yessabah State Forest**

**Terms**

**1. Duration of the declaration**

This declaration shall remain in force for a period of five (5) years from 1 December 2006.

**2. The land declared is limited to Yessabah State Forest**

Yessabah State Forest is located approximately 15 km west of the township of Kempsey. A locality map is attached at Appendix 'A' and a location map is attached at Appendix 'B'.  
Yessabah State Forest area: 2101 hectares.

**3. Authority of this declaration**

This declaration does not confer authority to do anything that is inconsistent with the requirements of any other Act or law.

**4. Variation or revocation of the declaration**

The Minister may vary or revoke this declaration under section 20(11) of the *Game and Feral Animal Control Act 2002*.

**5. Written permission to access the declared area**

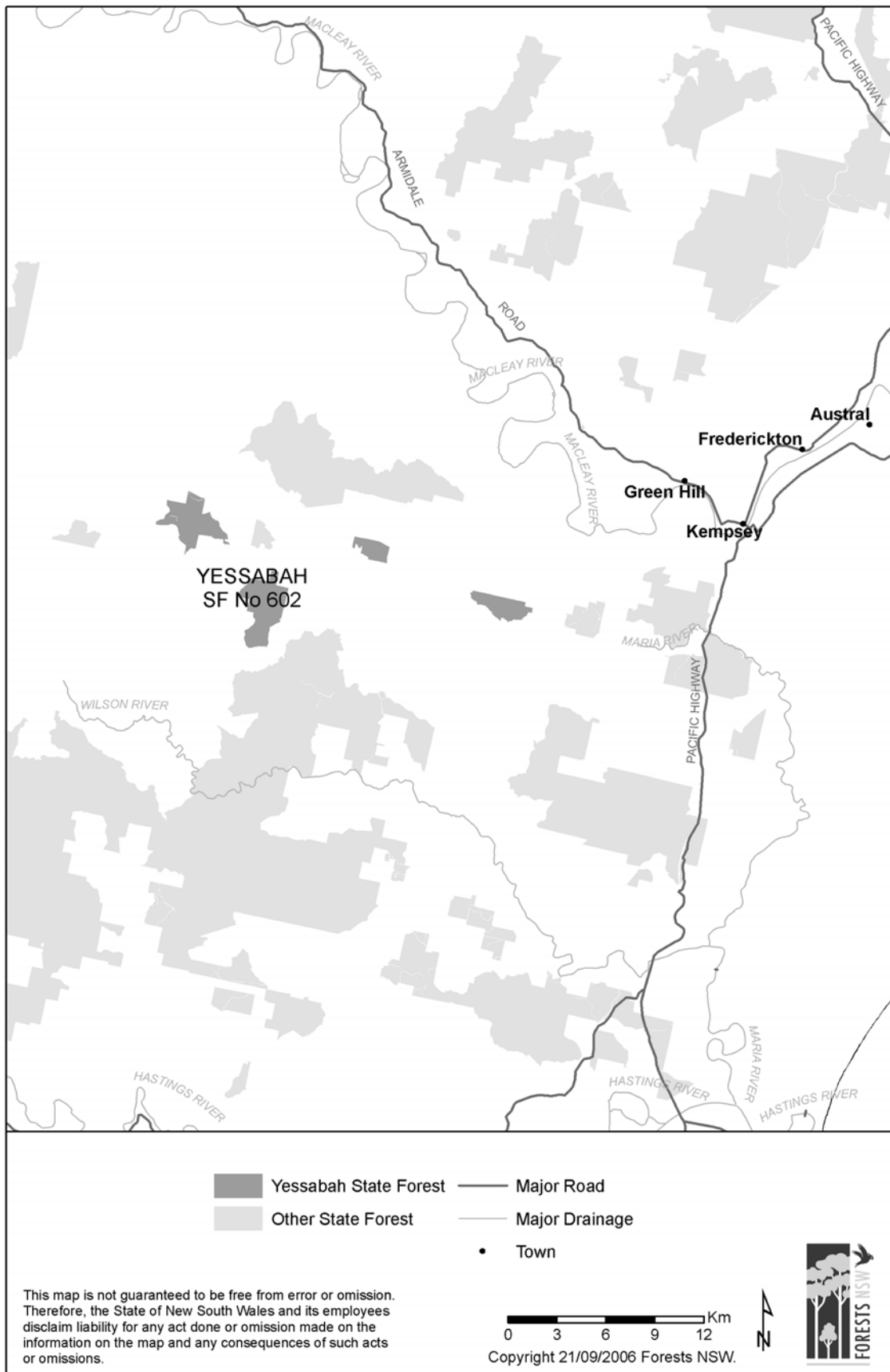
Written permission from Forests NSW or the Game Council is required to access the declared area for the purposes of hunting, subject to the *Game and Feral Animal Control Act 2002*. The written permission may vary access to the declared area from time to time. The written permission may also vary other conditions that apply to the declared area from time to time.

**6. Requirements of the declaration**

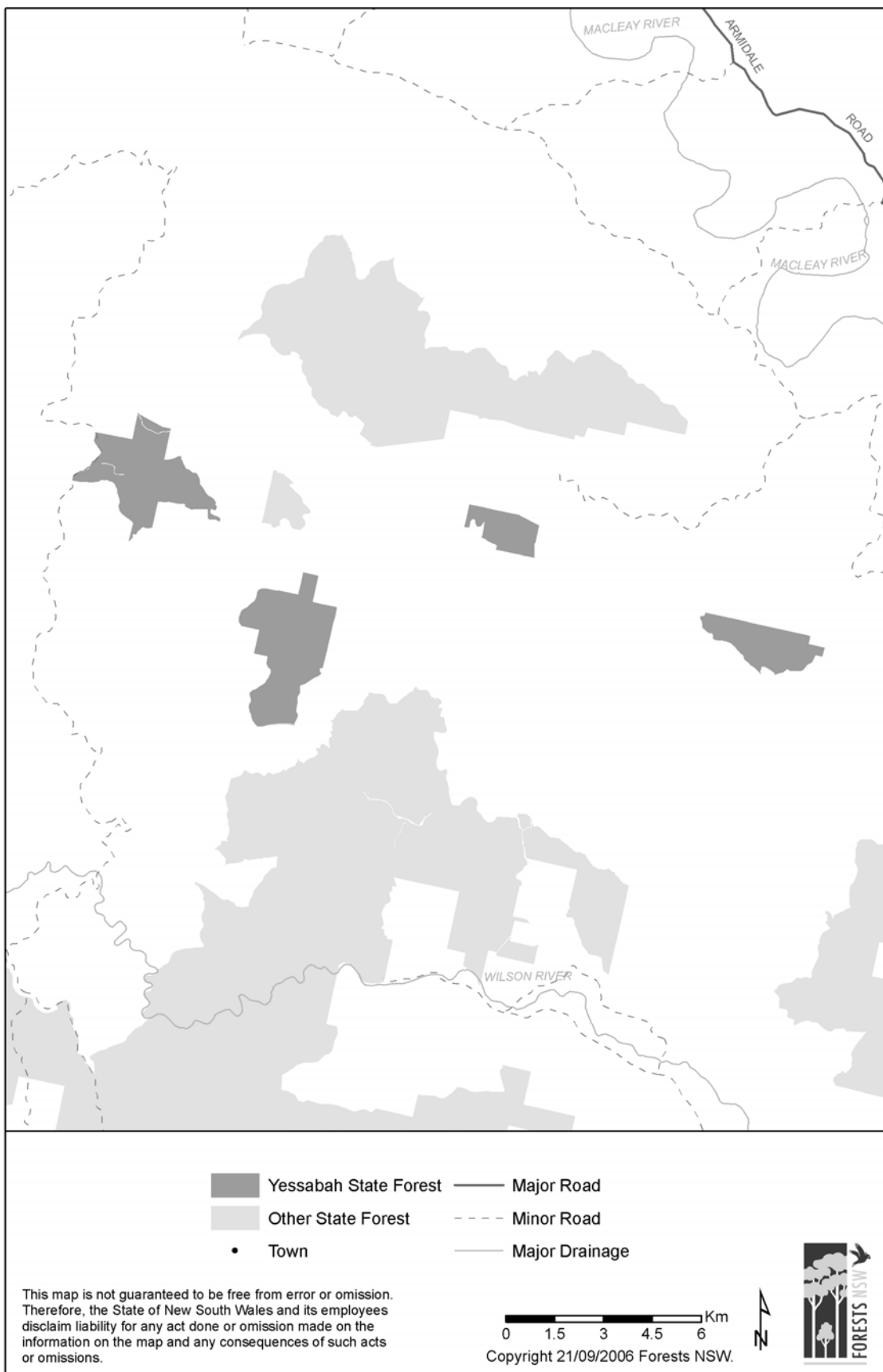
A person who hunts on the lands declared must:

- (a) Gain written permission from Forests NSW or the Game Council on behalf of Forests NSW;
- (b) Comply with all conditions in the written permission; and
- (c) Comply with any sign erected by Forests NSW or any sign approved by Forests NSW and erected by the Game Council.

APPENDIX 'A' – Locality Map



APPENDIX 'B' – Location Map



# Roads and Traffic Authority

## ROAD TRANSPORT (GENERAL) ACT 2005

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

I, Les Wielinga, Chief Executive of the Roads and Traffic Authority, in pursuance of the Road Transport (Mass, Loading, Access) Regulation 2005, makes the amendment in the Schedule to the routes and areas previously specified on or in which B-Double vehicles may be used.

LES WIELINGA,  
Chief Executive,  
Roads and Traffic Authority

### SCHEDULE

#### 1. Citation

This Notice may be cited as the Roads and Traffic Authority B-Double Notice No. 7/2006

#### 2. Commencement

This Notice takes effect on the date of gazettal.

#### 3. Effect

This notice remains in force until 1 September 2010 unless it is amended or repealed earlier

#### 4. Application

This Notice applies to those B-Double vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 1998.

#### 5. Routes

(i) Omit the following route from Part 2, B-Double routes in New South Wales (excluding the Sydney Region) of Appendix 2 – B-Double routes in NSW

Type	Road No.	Road Name	Start Point	Finish Point	Conditions
25	6006	F6 Southern Freeway	Princes Highway (SH1) Waterfall	Princes Highway (SH1) Bulli Tops	Route continues short distance along Princes Highway, Bulli Tops to Mt Ousley Road thence to continuation of F6 at Mt Ousley.

(ii) Insert the following routes in Part 2, B-Double routes in New South Wales (excluding the Sydney Region) of Appendix 2 – B-Double routes in NSW

Type	Road No.	Road Name	Start Point	Finish Point	Conditions
25	6006	F6 Southern Freeway	Princes Highway (SH1) Waterfall	Princes Highway (SH1) Bulli Tops	
25	1	HW1 Princes Highway	F6 Freeway, Bulli Tops	MR513 Mount Ousley Road, Bulli Tops	

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

I, Les Wielinga, Chief Executive of the Roads and Traffic Authority, in pursuance of the Road Transport (Mass, Loading, Access) Regulation 2005, makes the amendment in the Schedule to the routes and areas previously specified on or in which B-Double vehicles may be used.

LES WIELINGA,  
Chief Executive,  
Roads and Traffic Authority

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

This Notice may be cited as the Roads and Traffic Authority B-Double Notice No. 8/2006

**2. Commencement**

This Notice takes effect on the date of gazettal.

**3. Effect**

This notice remains in force until 1 September 2010 unless it is amended or repealed earlier

**4. Application**

This Notice applies to those B-Double vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 1998.

**5. Routes**

(iii) Insert the following route in Part 2, B-Double routes in New South Wales (excluding the Sydney Region) of Appendix 2 – B-Double routes in NSW

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Start Point</i>	<i>Finish Point</i>
25		Rayners Road	MR91 Mt Darragh Road	Entire length

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

I, Les Wielinga, Chief Executive of the Roads and Traffic Authority, in pursuance of the Road Transport (Mass, Loading, Access) Regulation 2005, makes the amendment in the Schedule to the routes and areas previously specified on or in which B-Double vehicles may be used.

LES WIELINGA,  
Chief Executive,  
Roads and Traffic Authority

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

This Notice may be cited as the Roads and Traffic Authority B-Double Notice No. 9/2006

**2. Commencement**

This Notice takes effect on the date of gazettal.

**3. Effect**

This notice remains in force until 1 September 2010 unless it is amended or repealed earlier

**4. Application**

This Notice applies to those B-Double vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 1998.

**5. Routes**

(iv) Omit the following route from Part 2, B-Double routes in New South Wales (excluding the Sydney Region) of Appendix 2 – B-Double routes in NSW

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Start Point</i>	<i>Finish Point</i>
25		Coolangubra Forest Way, Bombala State Forest	Mt Darragh Road (MR91)	Southern Access Road

(v) Insert the following route in Part 2, B-Double routes in New South Wales (excluding the Sydney Region) of Appendix 2 – B-Double routes in NSW

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Start Point</i>	<i>Finish Point</i>	<i>Conditions</i>
25		Coolangubra Forest Way, Bombala State Forest	Mt Darragh Road (MR91)	Imlay Road	Extension of existing route

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

I, Les Wielinga, Chief Executive of the Roads and Traffic Authority, in pursuance of the Road Transport (Mass, Loading, Access) Regulation 2005, makes the amendment in the Schedule to the routes and areas previously specified on or in which B-Double vehicles may be used.

LES WIELINGA,  
Chief Executive,  
Roads and Traffic Authority

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

This Notice may be cited as the Roads and Traffic Authority B-Double Notice No. 10/2006

**2. Commencement**

This Notice takes effect on the date of gazettal.

**3. Effect**

This notice remains in force until 1 September 2010 unless it is amended or repealed earlier

**4. Application**

This Notice applies to those B-Double vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 1998.

**5. Routes**

(vi) Insert the following route in Part 2, B-Double routes in New South Wales (excluding the Sydney Region) of Appendix 2 – B-Double routes in NSW

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Start Point</i>	<i>Finish Point</i>
25		Buldah Road	Mila Road	Cairnlea Road

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

I, Les Wielinga, Chief Executive of the Roads and Traffic Authority, in pursuance of the Road Transport (Mass, Loading, Access) Regulation 2005, makes the amendment in the Schedule to the routes and areas previously specified on or in which B-Double vehicles may be used.

LES WIELINGA,  
Chief Executive,  
Roads and Traffic Authority

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

This Notice may be cited as the Roads and Traffic Authority B-Double Notice No. 11/2006.

**2. Commencement**

This Notice takes effect on the date of gazettal.

**3. Effect**

This notice remains in force until 1 September 2010 unless it is amended or repealed earlier

**4. Application**

This Notice applies to those B-Double vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 1998.

**5. Routes**

(vii) Omit the following route from Part 2, B-Double routes in New South Wales (excluding the Sydney Region) of Appendix 2 – B-Double routes in NSW

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Start Point</i>	<i>Finish Point</i>
25	1	Princes Highway	F6 Freeway, Yallah	South Nowra Brickworks (600m south of Central Avenue)

(viii) Insert the following route in Part 2, B-Double routes in New South Wales (excluding the Sydney Region) of Appendix 2 – B-Double routes in NSW

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Start Point</i>	<i>Finish Point</i>
25	1	HW1 Princes Highway	F6 Freeway, Yallah	BTU Road, South Nowra

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

I, Les Wielinga, Chief Executive of the Roads and Traffic Authority, in pursuance of the Road Transport (Mass, Loading, Access) Regulation 2005, makes the amendment in the Schedule to the routes and areas previously specified on or in which 4.6m High Vehicles may be used.

LES WIELINGA,  
Chief Executive,  
Roads and Traffic Authority

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

This Notice may be cited as the Roads and Traffic Authority 4.6m High Vehicle Route Notice No. 2/2006

**2. Commencement**

This Notice takes effect on the date of gazettal.

**3. Effect**

This notice remains in force until 31 December 2007 unless it is amended or repealed earlier

**4. Application**

This Notice applies to the vehicle classes specified in Part 2 of this Schedule.

**5. Limitations**

The conditions or requirements set out in clauses 3.3 and 3.4 of Part 3 ('Vehicle Access'), Part 4 ('General Requirements') and Part 5 ('Special Requirements') of the Schedule to the '4.6 Metre High Vehicle Route Notice 1999' published in *NSW Government Gazette* No. 22 of 19 February, 1999, as amended by the Notice published in *NSW Government Gazette* No. 32 of 3 March, 2000, must be duly complied with.

**PART 2 – VEHICLE CLASSES****2.1 Class 1 vehicles**

- a special purpose vehicle that exceeds 4.3 metres, but does not exceed 4.6 metres, in height;
- a vehicle or combination (including a low loader or load platform combination) that is specially designed for the carriage of a large indivisible item, or is carrying a large indivisible item, that together with any load, exceeds 4.3 metres but does not exceed 4.6 metres in height;

**2.2 Class 2 vehicles**

- a combination carrying vehicles on more than one deck that together with any load, exceeds 4.3 metres but does not exceed 4.6 metres in height;
- a single motor vehicle, or a combination, that exceeds 4.3 metres but does not exceed 4.6 metres in height and is built to carry cattle, sheep, pigs or horses.

**2.3 Class 3 vehicles**

- a single motor vehicle, or a combination, that, together with its load exceeds 4.3 metres but does not exceed 4.6 metres in height and is carrying wool, hay bales or other primary produce;
- a single motor vehicle carrying vehicles on more than one deck that, together with its load exceeds 4.3 metres but does not exceed 4.6 metres in height.
- a single motor vehicle, or a combination, that is constructed to exceed 4.3 metres in height, but does not exceed 4.6 metres in height and is carrying freight, other than cattle, sheep, pigs, horses, wool, hay bales, or other primary produce.
- a single motor vehicle or combination carrying a freight container that together with its load exceeds 4.3 metres in height, but does not exceed 4.6 metres in height

- (i) Omit the following route from Part 2, 4.6m High Vehicle routes in New South Wales (excluding the Sydney Region) of Appendix 2 – 4.6m High Vehicle routes in NSW

Type	Road No.	Road Name	Start Point	Finish Point
4.6m	54	Goulburn-Crookwell-Bathurst Road	Trunkey	Goulburn



(ii) Insert the following route in Part 2, 4.6m High Vehicle routes in New South Wales (excluding the Sydney Region) of Appendix 2 – 4.6m High Vehicle routes in NSW

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Start Point</i>	<i>Finish Point</i>
4.6m	676	MR676 Old Hume Highway, Goulburn	HW2 Hume Highway, Goulburn North	MR256 Union Street
4.6m		Union Street	MR676 Old Hume Highway	Reynolds Street
4.6m		Reynolds Street	Union Street	Grafton Street
4.6m		Grafton Street	Reynolds Street	Sloane Street
4.6m		Sloane Street	Grafton Street	MR79 Clinton Street
4.6m	676	Clinton Street	MR676 Auburn Street	MR676 Cowper Street
4.6m		Clinton Street	MR676 Cowper Street	Deccan Street
4.6m		Deccan Street	Clinton Street	MR54 Goulburn to Crookwell Road
4.6m	676	Cowper Street	MR676 Clinton Street	MR676 Hume Street
4.6m	676	Hume Street	MR676 Cowper Street	HW2 Hume Highway
4.6m	54	Goulburn-Crookwell-Bathurst Road	Trunkey	Deccan Street, Goulburn

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

I, Les Wielinga, Chief Executive of the Roads and Traffic Authority, in pursuance of the Road Transport (Mass, Loading, Access) Regulation 2005, makes the amendment in the Schedule to the routes and areas previously specified on or in which 4.6m High Vehicles may be used.

LES WIELINGA,  
Chief Executive,  
Roads and Traffic Authority

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SCHEDULE

**1. Citation**

This Notice may be cited as the Roads and Traffic Authority 4.6m High Vehicle Route Notice No. 3/2006

**2. Commencement**

This Notice takes effect on the date of gazettal.

**3. Effect**

This notice remains in force until 31 December 2007 unless it is amended or repealed earlier

**4. Application**

This Notice applies to the vehicle classes specified in Part 2 of this Schedule.

**5. Limitations**

The conditions or requirements set out in clauses 3.3 and 3.4 of Part 3 ('Vehicle Access'), Part 4 ('General Requirements') and Part 5 ('Special Requirements') of the Schedule to the '4.6 Metre High Vehicle Route Notice 1999' published in *NSW Government Gazette* No. 22 of 19 February, 1999, as amended by the Notice published in *NSW Government Gazette* No. 32 of 3 March, 2000, must be duly complied with.

## PART 2 – VEHICLE CLASSES

**2.1 Class 1 vehicles**

- a special purpose vehicle that exceeds 4.3 metres, but does not exceed 4.6 metres, in height;
- a vehicle or combination (including a low loader or load platform combination) that is specially designed for the carriage of a large indivisible item, or is carrying a large indivisible item, that together with any load, exceeds 4.3 metres but does not exceed 4.6 metres in height;

**2.2 Class 2 vehicles**

- a combination carrying vehicles on more than one deck that together with any load, exceeds 4.3 metres but does not exceed 4.6 metres in height;
- a single motor vehicle, or a combination, that exceeds 4.3 metres but does not exceed 4.6 metres in height and is built to carry cattle, sheep, pigs or horses.

**2.3 Class 3 vehicles**

- a single motor vehicle, or a combination, that, together with its load exceeds 4.3 metres but does not exceed 4.6 metres in height and is carrying wool, hay bales or other primary produce;
- a single motor vehicle carrying vehicles on more than one deck that, together with its load exceeds 4.3 metres but does not exceed 4.6 metres in height.
- a single motor vehicle, or a combination, that is constructed to exceed 4.3 metres in height, but does not exceed 4.6 metres in height and is carrying freight, other than cattle, sheep, pigs, horses, wool, hay bales, or other primary produce.
- a single motor vehicle or combination carrying a freight container that together with its load exceeds 4.3 metres in height, but does not exceed 4.6 metres in height

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Start Point</i>	<i>Finish Point</i>
4.6m	612	MR612 Picton Road	HW2 Hume Highway, Wilton	MR620 Remembrance Drive, Picton

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

I, Les Wielinga, Chief Executive of the Roads and Traffic Authority, in pursuance of the Road Transport (Mass, Loading, Access) Regulation 2005, makes the amendment in the Schedule to the routes and areas previously specified on or in which 4.6m High Vehicles may be used.

LES WIELINGA,  
Chief Executive,  
Roads and Traffic Authority

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

This Notice may be cited as the Roads and Traffic Authority 4.6m High Vehicle Route Notice No. 4/2006

**2. Commencement**

This Notice takes effect on the date of gazettal.

**3. Effect**

This notice remains in force until 31 December 2007 unless it is amended or repealed earlier

**4. Application**

This Notice applies to the vehicle classes specified in Part 2 of this Schedule.

**5. Limitations**

The conditions or requirements set out in clauses 3.3 and 3.4 of Part 3 ('Vehicle Access'), Part 4 ('General Requirements') and Part 5 ('Special Requirements') of the Schedule to the '4.6 Metre High Vehicle Route Notice 1999' published in *NSW Government Gazette* No. 22 of 19 February, 1999, as amended by the Notice published in *NSW Government Gazette* No. 32 of 3 March, 2000, must be duly complied with.

**PART 2 – VEHICLE CLASSES****2.1 Class 1 vehicles**

- a special purpose vehicle that exceeds 4.3 metres, but does not exceed 4.6 metres, in height;
- a vehicle or combination (including a low loader or load platform combination) that is specially designed for the carriage of a large indivisible item, or is carrying a large indivisible item, that together with any load, exceeds 4.3 metres but does not exceed 4.6 metres in height;

**2.2 Class 2 vehicles**

- a combination carrying vehicles on more than one deck that together with any load, exceeds 4.3 metres but does not exceed 4.6 metres in height;
- a single motor vehicle, or a combination, that exceeds 4.3 metres but does not exceed 4.6 metres in height and is built to carry cattle, sheep, pigs or horses.

**2.3 Class 3 vehicles**

- a single motor vehicle, or a combination, that, together with its load exceeds 4.3 metres but does not exceed 4.6 metres in height and is carrying wool, hay bales or other primary produce;
- a single motor vehicle carrying vehicles on more than one deck that, together with its load exceeds 4.3 metres but does not exceed 4.6 metres in height.
- a single motor vehicle, or a combination, that is constructed to exceed 4.3 metres in height, but does not exceed 4.6 metres in height and is carrying freight, other than cattle, sheep, pigs, horses, wool, hay bales, or other primary produce.
- a single motor vehicle or combination carrying a freight container that together with its load exceeds 4.3 metres in height, but does not exceed 4.6 metres in height

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Start Point</i>	<i>Finish Point</i>
4.6m	626	MR626 Northern Distributor	F6 Southern Freeway, Gwynneville	HW1 Princes Highway, North Wollongong

**ROADS ACT 1993**

Notice of Dedication of Land as Public Road at Vineyard  
in the Blacktown City Council area

THE Roads and Traffic Authority of New South Wales, by its delegate, dedicates the land described in the schedule below as public road under section 10 of the Roads Act 1993.

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

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SCHEDULE

ALL those pieces or parcels of land situated in the Blacktown City Council area, Parish of St Matthew and County of Cumberland, shown as:

Lot 10 Deposited Plan 446461;  
Lot 66 Deposited Plan 1070588;  
Lots 3 and 4 Deposited Plan 1042658;  
Lot 2 Deposited Plan 1035625;  
Lots 3 and 4 Deposited Plan 1035457;  
Lots 7 and 8 Deposited Plan 1035459;  
Lots 11 and 12 Deposited Plan 1035461;  
Lots 3 and 4 Deposited Plan 1035600;  
Lots 3 and 4 Deposited Plan 1035603;  
Lots 3 and 4 Deposited Plan 1035604;  
Lots 3 and 4 Deposited Plan 1035464;  
Lots 3 and 4 Deposited Plan 1035467;  
Lots 3 and 4 Deposited Plan 1035471;  
Lots 3 and 4 Deposited Plan 1035476;  
Lots 3 and 4 Deposited Plan 1035482;  
Lots 3 and 4 Deposited Plan 1035484;  
Lots 3 and 4 Deposited Plan 1035619;  
Lots 3 and 4 Deposited Plan 1035622;  
Lot 121 Deposited Plan 844865; and  
Lots 1 to 6 inclusive Deposited Plan 243803.

(RTA Papers: FPP 31.1156; RO 40.1162)

**ROADS ACT 1993**

Order - Sections 46, 49, 54 and 67

Tenterfield Shire Council area

Dedication of Land as Public Road and Declaration as a  
Controlled Access Road of part of the New England  
Highway at Bungulla

I, the Minister for Roads, pursuant to Sections 46, 49, 54 and 67 of the Roads Act, 1993, by this order -

1. dedicate as public road the land described in Schedule 1 under;
2. declare to be a main road the said public road described in Schedule 1 and the public road described in Schedule 2 under;
3. declare to be a controlled access road the said main road described in Schedules 1 and 2; and
4. declare that access to the said controlled access road is restricted.

**HON ERIC ROOZENDAAL MLC  
MINISTER FOR ROADS**

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SCHEDULE 1

ALL those pieces or parcels of land situated in the Tenterfield Shire Council area, Parishes of Strathearn and Bluff Land and County of Clive shown as:

Lots 7, 8 and 9 Deposited Plan 777041;  
Lots 9 to 14 inclusive Deposited Plan 777042;  
Portion Broad Arrow, parish of Bluff Land, as shown on sheet 2 of Deposited Plan 777042; and  
Lot 33 Deposited Plan 252237.  
The Lots listed above are all shown on RTA Plan 0009 430 AC 4001.

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SCHEDULE 2

ALL those pieces or parcels of public road situated in the Tenterfield Shire Council area, Parishes of Strathearn and Bluff Land and County of Clive shown as Lots 1, 2 and 3 in RTA Plan 0009 430 AC 4001.

(RTA Papers: FPP 9/430.1409; RO 9/430.1409)

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

Notice of Compulsory Acquisition of Land at Batemans  
Bay in the Eurobodalla Shire Council area

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

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

**SCHEDULE**

ALL that piece or parcel of Crown land situated in the Eurobodalla Shire Council area, Parish of Bateman and County of St Vincent, shown as Lot 6 Deposited Plan 1099467, being part of the land in Reserve No 1011448 for the Public Purpose of Future Public Requirements notified in Government Gazette No 40 of 31 March 2006 on page 1624.

(RTA Papers: FPP 6M657; RO 1/145.1769)

**ROADS ACT 1993****Order - Section 31**

Fixing or Varying of Levels of part of the Pacific Highway  
north of Taree in the Kempsey Shire Council area

The Roads and Traffic Authority of New South Wales, by this Order under section 31 of the Roads Act 1993, fixes or varies the levels of part of Highway No 10 – Pacific Highway between 112.68 km to 113.46 km north of Taree, as shown on Roads and Traffic Authority Plan No 0010.235MW6380.

Steve Mitchelhill  
A/Project Services Manager  
Roads and Traffic Authority of New South Wales  
31 Victoria Street  
Grafton NSW 2460

(RTA Papers FPP 235.5357; RO PM A/00510.11/10)

**ROADS ACT 1993**

Notice of Dedication of Land as Public Road at Barooga  
in the Berrigan Shire Council area

THE Roads and Traffic Authority of New South Wales, by its delegate, dedicates the land described in the schedule below as public road under section 10 of the Roads Act 1993.

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

**SCHEDULE**

ALL that piece or parcel of land situated in the Berrigan Shire Council area, Parish of Barooga and County of Denison, shown as Lot 1 Deposited Plan 1062732.

(RTA Papers: FPP 6M4202; RO 34.1151)

## Other Notices

### ANTI-DISCRIMINATION ACT 1977

#### Exemption Order

UNDER the provisions of section 126 of the Anti-Discrimination Act 1977 and on the recommendation of the Anti-Discrimination Board, an exemption is given from the provisions of sections 8 and 51 of the Anti-Discrimination Act 1977, to Byron Shire Council to designate, advertise and recruit a position as a Bush Regenerator for a person of Aboriginal or Torres Strait Islander descent.

This exemption will remain in force for a period of five (5) years from the date given.

Dated this 24th day of November 2006.

BOB DEBUS, M.P.,  
Attorney General

### 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 geographical name listed hereunder. GNB 5157.

Assigned Name:	Stan Robinson Park.
Designation:	Reserve.
L.G.A.:	Byron Shire Council.
Parish:	Brunswick.
County:	Rous.
L.P.I. Map:	Brunswick Heads.
1:100,000 Map:	Ballina 9640.

The position and the 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 Web Site at [www.gnb.nsw.gov.au](http://www.gnb.nsw.gov.au).

WARWICK WATKINS,  
Chairperson

Geographical Names Board,  
PO Box 143, Bathurst NSW 2795.

### GEOGRAPHICAL NAMES ACT 1966

#### Notice of Discontinuance of a Geographical Name

PURSUANT to the provisions of section 14 of the Geographical Names Act 1966, the Geographical Names Board hereby notifies that it has this day discontinued the name below:

Discontinued Name:	Bungonia Canyon
Assigned Name:	The Slot Canyon
Designation:	Canyon
L.G.A.:	Goulburn Mulwaree Council
Parish:	Marulan
County:	Argyle
L.P.I. Map:	Caoura
1:100,000 Map:	Moss Vale 8928
Reference:	GNB 5121

WARWICK WATKINS,  
Chairperson

Geographical Names Board,  
PO Box 143, Bathurst NSW 2795.

### HEALTH ADMINISTRATION ACT 1982

#### Order Declaring Removal of Status as an Approved Quality Assurance Committee

I, JOHN HATZISTERGOS, M.L.C., Minister for Health, pursuant to section 20E(1) of the Health Administration Act 1982, do, by this my Order, hereby declare that the "Point of Care Clinical Systems Committee" of the Central Sydney Area Health Service, previously declared by an Order under section 20E published in the *New South Wales Government Gazette* No. 42 on 20 February 2004, shall no longer have the status of an approved quality assurance committee for the purposes of Part 2, Division 6B of the Health Administration Act 1982.

This order shall not however be taken to have affected any right, obligation or claim arising as a result of the application of Part 2, Division 6B to the activities or individuals involved in the conduct of the above specified committee during the period from the date of the original gazettal of the declaration of that committee until the date of gazettal of this order.

Signed this 15th day of November 2006.

JOHN HATZISTERGOS, M.L.C.,  
Minister for Health

### LOCAL GOVERNMENT ACT 1993

Kempsey Water Supply – Emergency Work  
Vesting of Land and Easements in Kempsey Shire Council

THE Minister for Water Utilities of the State of New South Wales, declares that the land and easements described in the Schedule hereto, which were acquired for the purpose of the Kempsey Water Supply – Emergency Work Scheme are vested in Kempsey Shire Council.

DAVID CAMPBELL, M.P.,  
Minister for Water Utilities

#### SCHEDULE LAND

Lot 1 in Deposited Plan 872794

#### INTEREST IN LAND

Easements created by Dealings numbered 5498244,  
AC396336 and AC396337  
DoC Reference 325

### NATIONAL PARKS AND WILDLIFE ACT 1974

#### Dorrigo Plateau Group of Reserves Draft Plan of Management

A draft plan of management for Bagul Waajaarr, Deer Vale and Muldiva Nature Reserves has been prepared and is available free of charge from the Dorrigo Rainforest Centre, Dome Road, Dorrigo (telephone: 6657 2309) and the NPWS North Coast Region Office, Level 3, 49 Victoria Street, Grafton (telephone: 6641 1500). The plan is also on the NPWS website at [www.nationalparks.nsw.gov.au](http://www.nationalparks.nsw.gov.au).

Written submissions on the plan must be received by NPWS, PO Box 170, Dorrigo NSW 2453, by 12 March 2007.



All submissions received by NPWS are a matter of public record and are available for public inspection upon request. Your comments on these draft plans may contain information that is defined as "personal information" under the NSW Privacy and Personal Information Protection Act 1998. The submission of personal information with your comments is voluntary.

Department of Health, New South Wales  
Sydney, 24 November 2006

### POISONS AND THERAPEUTIC GOODS ACT 1966

#### Restoration of Drug Authority

IN accordance with the provisions of clause 171 (1) of the Poisons and Therapeutic Goods Regulation 2002, a direction has been issued that the order prohibiting Ms Christine UDY of 5/11 Victoria Avenue, Penshurst NSW 2222, as a nurse from having possession of and supplying drugs of addiction as authorised by clauses 101 and 103 of the Regulation shall cease to operate from 29 November 2006.

ROBYN KRUK,  
Director-General

### PROTECTION OF THE ENVIRONMENT OPERATIONS (WASTE) REGULATION 2005

Notice of exemption granted under clause 51  
in relation to waste tracking

Number 2006-E-4

Non-hazardous waste hydrocarbon oil destined for reuse

BY this notice the Environment Protection Authority (EPA) grants the following general exemption.

The notice exempts the persons or classes of persons described herein from certain requirements in relation to the transportation and tracking of waste for the purpose of facilitating the beneficial reuse of the specified waste.

The terms used in this notice have the same meaning as in the Protection of the Environment Operations Act 1997 (the Act) and the Protection of the Environment Operations (Waste) Regulation 2005 (the Regulation).

1. This exemption has effect from the date of publication and remains in force until revoked or amended by a notice published in the *Government Gazette*.

Waste to which this exemption applies

2. This exemption applies to non-hazardous waste hydrocarbon oil.
3. This notice exempts:
  - (a) a consignor;
  - (b) a transporter; and
  - (c) a receiver

of waste to which this exemption applies from Part 3 of the Regulation, but only in so far as Part 3 applies by virtue of clause 18 (1) of the Regulation.

4. An exemption under this notice has effect only if the waste is to be transported for the purpose of recycling, reprocessing or reusing the waste and to a place that can lawfully be used as a waste facility for that waste.

Conditions relating to the exemption of transporters

5. A transporter is exempt under this notice only if the transporter complies with the following conditions:
  - (a) for each load of waste transported, the transporter must make a record of the following:
    - (i) the name and address of the transporter,
    - (ii) the transporter's environment protection licence number- if the transporter is required to be licensed under the Act,
    - (iii) the registration number of the vehicle used to transport the waste,
    - (iv) the type and quantity of the waste transported,
    - (v) the date on which the waste is delivered to the receiver,
    - (vi) the name and address of the receiver,
    - (vii) the date on which the record was made.
  - (b) the transporter must:
    - (i) retain the record for a period of not less than 3 years after the date on which the record was made, and
    - (ii) make the record available for inspection by an authorised officer on request, and
    - (iii) give a copy of the record to the receiver.

Conditions relating to the exemption of receivers

6. A receiver is exempt under this notice only if the receiver complies with the following conditions. The receiver must:
  - (a) retain the copy of the record referred to in paragraph 5 for a period of not less than 4 years after the time the record was made, and
  - (b) make a copy of the record available for inspection by an authorised officer on request.

Interstate movement of waste to which Part 3 applies

7. This notice does not exempt any person or class of person from Part 3 of the Regulation in so far as Part 3 applies by virtue of clause 18(2) of the Regulation.

Dangerous Goods requirements

8. This notice does not exempt any person or class of person from any requirement under the Road and Rail Transport (Dangerous Goods) Act 1997 or the Regulations made under that Act.

MARK GORTA,  
Manager, Waste Management,  
Environment Protection Authority  
(by delegation)

Date: 28 November 2006

### PROTECTION OF THE ENVIRONMENT OPERATIONS (WASTE) REGULATION 2005

Notice of exemption granted under clause 51  
in relation to waste tracking

Number 2006-E-3

Spent pickle liquor destined for reuse

BY this notice the Environment Protection Authority (EPA) grants the following general exemption.

The notice exempts the persons or classes of persons described herein from certain requirements in relation to

the transportation and tracking of waste for the purpose of facilitating the beneficial reuse of the specified waste.

The terms used in this notice have the same meaning as in the Protection of the Environment Operations Act 1997 (the Act) and the Protection of the Environment Operations (Waste) Regulation 2005 (the Regulation).

1. This exemption has effect from the date of publication and remains in force until revoked or amended by a notice published in the Government Gazette.

Waste to which this exemption applies

2. This exemption applies to spent pickle liquor.

3. This notice exempts:
  - (a) a consignor;
  - (b) a transporter; and
  - (c) a receiver

of waste to which this exemption applies from Part 3 of the Regulation but only in so far as Part 3 applies to the transport of that waste by virtue of clause 18 (1) of the Regulation.

4. An exemption under this notice has effect only if:
  - (a) the waste is to be transported for the purpose of treating sewage and to a place that can lawfully be used as a sewage treatment system; or
  - (b) the waste is to be transported for the purpose of treating liquid food waste and to a waste facility that can lawfully treat liquid food waste; or
  - (c) the waste is to be transported for the purpose of recycling, reprocessing or reusing the waste and to a place that can lawfully be used as a waste facility for that waste.

Interstate movement of waste to which Part 3 applies

5. This notice does not exempt any person or class of person from Part 3 of the Regulation in so far as Part 3 applies by virtue of clause 18 (2) of the Regulation.

Dangerous Goods requirements

This notice does not exempt any person or class of person from any requirement under the Road and Rail Transport (Dangerous Goods) Act 1997 or the Regulations made under that Act.

MARK GORTA,  
Manager, Waste Management,  
Environment Protection Authority  
(by delegation)

Date: 28 November 2006

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**PROTECTION OF THE ENVIRONMENT  
OPERATIONS (WASTE) REGULATION 2005**

Notice of exemption granted under clause 51  
in relation to waste tracking

Number 2006-E-1

Zinc wastes destined for reuse

BY this notice the Environment Protection Authority (EPA) grants the following general exemption.

The notice exempts the persons or classes of persons described herein from certain requirements in relation to the transportation and tracking of waste for the purpose of

facilitating the beneficial reuse of specified wastes containing economically recoverable concentration of zinc.

The terms used in this notice have the same meaning as in the Protection of the Environment Operations Act 1997 (the Act) and the Protection of the Environment Operations (Waste) Regulation 2005 (the Regulation).

1. This exemption has effect from the date of publication and remains in force until revoked or amended by a notice published in the Government Gazette.

Waste to which this exemption applies

2. This exemption applies to the following types of zinc waste:

- (a) zinc ashes, including mixtures of zinc oxide and metallic zinc, baghouse dust, and galvanizer's ash;
- (b) zinc drosses, including metal alloys from galvanizing baths, and zinc skimmings;
- (c) zinc skulls, including solid mixtures of metallic zinc and fused flux;
- (d) zinc fluxes, including solid mixtures of metallic zinc, zinc oxides and oxychlorides;
- (e) metallic zinc materials, including furnace bottoms, zinc scrap, and swarf;
- (f) zinc metal dust, with low zinc oxide content including fumes, blowings and fines;
- (g) zinc solutions, including zinc ammonium chloride solution, and spent pickle liquors.

3. This notice exempts:

- (a) a consignor;
- (b) a transporter; and
- (c) a receiver

of waste to which this exemption applies from Part 3 of the Regulation, but only in so far as Part 3 applies by virtue of clause 18 (1) of the Regulation.

4. An exemption under this notice has effect only if the waste is to be transported for the purpose of recycling, reprocessing and to a place that can lawfully be used as a waste facility for that waste.

Interstate movement of waste to which Part 3 applies

5. This notice does not exempt any person or class of person from Part 3 of the Regulation in so far as Part 3 applies by virtue of clause 18 (2) of the Regulation.

Dangerous Goods requirements

This notice does not exempt any person or class of person from any requirement under the Road and Rail Transport (Dangerous Goods) Act 1997 or the Regulations made under that Act.

MARK GORTA,  
Manager, Waste Management,  
Environment Protection Authority  
(by delegation)

Date: 28 November 2006



**PROTECTION OF THE ENVIRONMENT  
OPERATIONS (WASTE) REGULATION 2005**

Notice of exemption granted under clause 51  
in relation to waste tracking

Number 2006-E-2

Waste batteries (that are classified as hazardous or  
industrial waste) destined for reuse

BY this notice the Environment Protection Authority (EPA)  
grants the following general exemption.

The notice exempts the persons or classes of persons  
described herein from certain requirements in relation to  
the transportation and tracking of waste for the purpose of  
facilitating the beneficial reuse of the specified waste.

The terms used in this notice have the same meaning as  
in the Protection of the Environment Operations Act 1997  
(the Act) and the Protection of the Environment Operations  
(Waste) Regulation 2005 (the Regulation).

1. This exemption has effect from the date of publication  
and remains in force until revoked or amended by a notice  
published in the *Government Gazette*.

Waste to which this exemption applies

2. This exemption applies to waste batteries.
3. This notice exempts:
  - (a) a consignor;
  - (b) a transporter; and
  - (c) a receiver

of waste to which this exemption applies from Part 3 of  
the Regulation, but only in so far as Part 3 applies by  
virtue of clause 18 (1) of the Regulation.

4. An exemption under this notice has effect only if the  
waste is to be transported for the purpose of recycling,  
reprocessing or reusing the waste and to a place that can  
lawfully be used as a waste facility for that waste.

Interstate movement of waste to which Part 3 applies

5. This notice does not exempt any person or class of person  
from Part 3 of the Regulation in so far as Part 3 applies  
by virtue of clause 18 (2) of the Regulation.

Dangerous Goods requirements

6. This notice does not exempt any person or class of person  
from any requirement under the Road and Rail Transport  
(Dangerous Goods) Act 1997 or the Regulations made  
under that Act.

MARK GORTA,  
Manager, Waste Management,  
Environment Protection Authority  
(by delegation)

Date: 28 November 2006

**PROTECTION OF THE ENVIRONMENT  
OPERATIONS (WASTE) REGULATION 2005**

General Exemption Under Part 6

The lime and gypsum residues from  
plasterboard exemption 2006

Name

1. This exemption is to be known as 'The lime and gypsum  
residues from plasterboard exemption 2006'.

Commencement

2. This exemption commences on 1 December 2006.  
'The lime and gypsum residues from plasterboard  
exemption 2005' is revoked from 1 December 2006.

Duration

3. This exemption is valid until revoked by the Environment  
Protection Authority by notice published in the *Government  
Gazette*.

Background

4. The Protection of the Environment Operations (Waste)  
Regulation 2005 (the Regulation) prohibits the land  
application of a number of wastes and waste-derived  
substances for the purposes of growing vegetation. These  
substances are primarily industrial residues and have been  
prohibited due to their potential to contain undesirable  
contaminants such as heavy metals and persistent organic  
compounds. The land application of lime and gypsum  
residues from any industrial or manufacturing process is  
prohibited under the Regulation.

The conditions of this exemption outline the requirements  
that must be met for this prohibition to no longer apply.  
Lime and gypsum residues from plasterboard may only  
be applied to land where the conditions of this exemption  
are met.

Authority

5. This exemption is made under Clause 51, Part 6 of the  
Regulation. This exemption is a general exemption  
and is given in respect of consumers, processors and  
suppliers.

Definitions

6. In this exemption:

Consumer means a person who applies, or causes or  
permits the application of, lime and gypsum residues  
from plasterboard to land. The consumer will generally  
be the landholder responsible for the land to which  
the lime and gypsum residues from plasterboard is  
applied.

Lime and gypsum residues from plasterboard are the  
residues from plasterboard from manufacturing,  
construction or fit-outs which comprises > 80%  
calcium sulphate dihydrate, < 10% paper, < 10%  
natural clays, < 10% paraffin waxes, < 10% mica, <  
2% crystalline silica, with minor quantities (< 5%) of  
starch and fibrous glass.

In-plasterboard means the lime and gypsum residues from  
plasterboard prior to blending, mixing or otherwise  
processing.

Processor means a person who mixes, blends or otherwise  
incorporates lime and gypsum residues from plasterboard  
into a commercial land application material.

Supplier means a person who supplies, or causes or  
permits the supply of, lime and gypsum residues from  
plasterboard to a party processing these substances or  
applying these substances to land. The supplier will  
generally be the generator of the lime and gypsum  
residues from plasterboard.

For further information on the terms used in this document,  
refer to Appendix 1 – Guidance.

Who this exemption applies to

7. The responsible person identified in Column 1 of Table 1  
is exempt from the provisions identified in Column 2 of

Table 1 where that person complies with the conditions identified in section 8.

Column 1	Column 2
<i>Responsible person</i>	<i>Provisions from which the responsible person is exempt</i>
Supplier	clause 45 of the Regulation [Residue waste not to be applied to certain land]
Processor	clause 45 of the Regulation [Residue waste not to be applied to certain land]
Consumer	section 48 of the Act [Licensing requirement—scheduled activities (premises based)] section 88 of the Act [Contributions by licensee of waste facilities] clause 45 of the Regulation [Residue waste must not be applied to certain land]

#### Conditions of this exemption

8. The operation of this exemption is subject to the following conditions:
- 8.1 This exemption applies only to lime and gypsum residues from plasterboard.
- 8.2 The supplier, processor and/or consumer must not cause or permit the land application of lime and gypsum residues from plasterboard where the in-plasterboard contaminant identified in section 9 and listed in Column 1 of Table 2 exceeds the concentrations listed in Column 2 of Table 2.
- 8.3 The supplier must comply with all requirements specified in section 11, 'Supplier responsibilities'.
- 8.4 The processor must comply with all requirements specified in section 12, 'Processor responsibilities'.
- 8.5 The consumer must comply with all requirements specified in section 13, 'Consumer responsibilities'.

#### Maximum contaminant concentrations

9. The in-plasterboard contaminant listed in Column 1 of Table 2 must not exceed the concentrations listed in Column 2 of Table 2.

Column 1	Column 2
<i>Contaminant</i>	<i>Maximum concentration</i>
Lead (mg/kg)	100

#### Test methods

- 10.1 Test methods for measuring lead concentrations in lime and gypsum residues from plasterboard require:
- 10.1.1 Sample preparation by digesting plasterboard using USEPA 3051 or equivalent.
- 10.1.2 Analysis using USEPA 6010B (or equivalent analytical method with a 'detection limit' < 10% of stated total concentration in General Exemption).
- 10.1.3 Reporting as mg/Kg dry weight.

#### Supplier responsibilities

11. The following conditions must be met by the supplier for this exemption to apply:

##### 11.1 Chemical characterisation

- 11.1.1 Suppliers of lime and gypsum residues from plasterboard must initially fully chemically characterise their lime and gypsum residues from plasterboard.
- 11.1.2 Suppliers must repeat the full chemical characterisation of their lime and gypsum residues from plasterboard at least every three years.
- 11.1.3 Where there is a change in inputs that is likely to affect the contaminants in the lime and gypsum residues from plasterboard, initial characterisation of the lime and gypsum residues from plasterboard must be repeated.
- 11.1.4 The contaminant specified in Table 2 must be measured in accordance with the test methods specified in 10.1.
- 11.1.5 A Material Safety Data Sheet (MSDS) must be prepared in accordance with the National Occupational Health and Safety Commission, National Code of Practice for the Preparation of Material Safety Data Sheets, published in 2003, by the AGPS, Canberra.

##### 11.2 Maximum allowable contaminant concentrations

- 11.2.1 The in-plasterboard contaminants specified in Column 1, Table 2 must be measured prior to blending, mixing or otherwise incorporating them with another substance and must not exceed the maximum contaminant concentration specified in Column 2, Table 2.

##### 11.3 Information to be provided to processor

- 11.3.1 Suppliers who provide lime and gypsum residues from plasterboard to a processor must provide a written statement of compliance to the processor with each transaction of lime and gypsum residues from plasterboard, certifying that the lime and gypsum residues from plasterboard comply with the relevant conditions of this exemption.
- 11.3.2 Suppliers who provide lime and gypsum residues from plasterboard to processors must provide the processor with a copy of this exemption and the MSDS.

##### 11.4 Information to be provided to consumer

- 11.4.1 Suppliers who cause or permit the provision of lime and gypsum residues from plasterboard to consumers for direct land application must provide a written statement of compliance to the consumer with each transaction of the lime and gypsum residues from plasterboard, certifying that the lime and gypsum residues from plasterboard comply with the relevant conditions of this exemption. The statement of compliance must be provided prior to the land application of lime and gypsum residues from plasterboard.

11.4.2 Suppliers who cause or permit the direct provision of lime and gypsum residues from plasterboard to consumers must provide a copy of this exemption and the MSDS to the consumer.

#### 11.5 Monitoring and record keeping

11.5.1 Suppliers of lime and gypsum residues from plasterboard shall undertake routine testing of representative samples to ensure that the quality of the supplier's lime and gypsum residues is consistently maintained.

11.5.2 At a minimum, suppliers of lime and gypsum residues from plasterboard must test the lime and gypsum residues from plasterboard three times a year where less than 1000 tonnes of lime and gypsum residues from plasterboard are provided to processors and/or consumers in total. Where more than 1000 tonnes of lime and gypsum residues from plasterboard are provided to processors and/or consumers in total, suppliers must test at least three times a year plus once every 1000 tonnes.

11.5.3 All testing must be undertaken by analytical laboratories accredited by the National Association of Testing Authorities to perform particular tests.

11.5.4 Results shall be kept for a minimum of three years.

#### Processor responsibilities

12. The following conditions only apply where the lime and gypsum residues from plasterboard are mixed, blended or otherwise incorporated into a commercial land application material prior to land application. For requirements relating to the direct land application of lime and gypsum residues from plasterboard, refer to section 13, 'Consumer responsibilities'.

##### 12.1 Maximum allowable contaminant concentrations

12.1.1 Prior to mixing, blending or otherwise incorporating into a commercial land application material, the processor must ensure that the in-plasterboard contaminants specified in Column 1 of Table 2 do not exceed the maximum contaminant concentrations specified in Column 2 of Table 2.

##### 12.2 Information to be provided to the consumer

12.2.1 Where lime and gypsum residues from plasterboard are mixed or blended with, or otherwise incorporated into a commercial land application material, the processor must provide recommendations on the appropriate use, including recommendations regarding appropriate application rates, of that commercial land application material to the consumer.

##### 12.3 Monitoring and record keeping requirements

12.3.1 Processors must obtain and keep a written statement with each transaction of lime and gypsum residues from plasterboard certifying that the lime and gypsum residues from plasterboard comply with the relevant conditions of this exemption.

12.3.2 Records of the quantity of lime and gypsum residues from plasterboard received, the supplier's name and the period over which the lime and gypsum residues from plasterboard was received must be kept for a period of three years.

#### Consumer responsibilities

13. The following conditions only apply where lime and gypsum residues from plasterboard are directly applied to the land. These conditions do not apply to lime and gypsum residues from plasterboard that is mixed, blended or otherwise incorporated into a commercial land application material. The following conditions must be met by the consumer for this exemption to apply.

##### 13.1 Soil application

13.1.1 The soil to which the lime and gypsum residues from plasterboard will be applied must be characterised prior to the initial application of the lime and gypsum residues from plasterboard to determine appropriate application rates.

13.1.2 Application rates must be equal to or less than the agronomic rate for the most limiting factor.

13.1.3 The lime and gypsum residues from plasterboard must be incorporated into the topsoil.

##### 13.2 Monitoring and record keeping requirements

13.2.1 Consumers applying lime and gypsum residues from plasterboard must obtain and keep a written statement with each transaction, certifying that the lime and gypsum residues from plasterboard comply with the relevant conditions of this exemption.

13.2.2 Records of the supplier's name and the date the lime and gypsum residues from plasterboard were received must be kept for a period of three years.

#### Exemption Granted

MARK GORTA,  
Manager, Waste Management Section,  
Environment Protection Authority

#### Notes

The EPA may amend or revoke this exemption at any time or if any condition attached to this exemption is contravened or as required where additional information is received.

The maximum penalty for failing to comply with this exemption is 400 penalty units for a corporation and 200 penalty units for an individual.

Operating without appropriate permission or in contravention of the conditions set out in this exemption could lead to prosecution under environment protection legislation and the imposition of substantial penalties.

The conditions set out in this exemption are designed to minimise the risk of potential harm to the environment, human health or agriculture, however neither this exemption nor these conditions guarantee that the environment will not be harmed. The liability for any harm rests with the person who causes or permits the application of the substance to land.

In monitoring the quality of the exempted material, suppliers should be alert to any changes in the process or the raw materials used and any consequent changes to the types and concentrations of the listed or other contaminants in the exempted material and take action to prevent any harmful effects of any such changes on the environment, human health or agriculture.

In gazetting this general exemption, the EPA is not endorsing the use of this substance or guaranteeing that the substance will benefit plant growth.

Limits are specified as maximums only. Plants may display symptoms of toxicity, and/or reductions in yield may occur at values below the maximum concentration limits specified in this exemption. Application rates may need to be lower depending on local circumstances and should be determined as appropriate to those circumstances prior to application.

Substances mixed with more than one residue waste must meet the conditions of all relevant exemptions. All other regulations applying to the waste or blended substances must also be met.

All records required to be kept under this exemption must be made available to authorised officers of the EPA upon request.

#### Appendix 1 – Guidance

Where the supplier and consumer are the same person

Records required to be kept by the supplier, as specified in section 11, 'Supplier responsibilities', that relate to 11.1 'Chemical characterisation' of the lime and gypsum residues and that show compliance with 11.2 'Maximum allowable contaminant concentrations' are deemed to be appropriate documents for the purposes of complying with the conditions of this exemption.

What is a 'transaction'?

For the purposes of arrangements between a supplier and a processor or a supplier and a consumer, a 'transaction' is taken to mean the contractual agreement between the two parties which specifies the exchange of lime and gypsum residues from one party to another. This arrangement should be in written form and be made available to an authorised officer of the EPA on request.

Information to be Included in a statement of compliance

The supplier may determine a convenient format for the statement of compliance, however, it must be in writing and be provided to the processor or consumer with each transaction. It is recommended that the following information be provided in the statement of compliance:

- The name of the relevant exemption.
- The name of the supplier.
- The date of the transaction.
- The quantity of material subject to the transaction.
- The date or dates of delivery.
- The address of the delivery site.
- A statement of compliance with the conditions of the exemption signed or otherwise authorised by the supplier.

## PROTECTION OF THE ENVIRONMENT OPERATIONS (WASTE) REGULATION 2005

General Exemption Under Part 6  
The ash from burning bagasse and  
cane trash exemption 2006

Name

1. This exemption is to be known as 'The ash from burning bagasse and cane trash exemption 2006'.

Commencement

2. This exemption commences on 1 December 2006.  
'The ash from burning bagasse and cane trash exemption 2005' is revoked from 1 December 2006.

Duration

3. This exemption is valid until revoked by the Environment Protection Authority by notice published in the *Government Gazette*.

Background

4. The Protection of the Environment Operations (Waste) Regulation 2005 (the Regulation) prohibits the land application of a number of wastes and waste derived substances for the purposes of growing vegetation. These substances are primarily industrial residues and have been prohibited due to their potential to contain undesirable contaminants such as heavy metals and persistent organic compounds. The land application of fly ash and bottom ash from any furnace is prohibited under the Regulation.

The conditions of this exemption outline the requirements that must be met for this prohibition to no longer apply. Ash from burning bagasse and cane trash may only be applied to land where the conditions of this exemption are met.

Authority

5. This exemption is made under Clause 51, Part 6 of the Regulation. This exemption is a general exemption and is given in respect of consumers and suppliers.

Definitions

6. In this exemption:
  - Consumer means a person who applies, or causes or permits the application of, ash from burning bagasse and cane trash to land. The consumer will generally be the landholder responsible for the land to which the ash from burning bagasse and cane trash is applied.
  - In-ash means the ash from burning bagasse and cane trash prior to blending, mixing or otherwise processing.
  - Processor means a person who mixes, blends or otherwise incorporates ash from burning bagasse and cane trash into a land application material.
  - Supplier means a person who supplies, or causes or permits the supply of, ash from burning bagasse and cane trash to a party processing these substances or applying these substances to land. The supplier will generally be the generator of the ash from burning bagasse and cane trash.

For further information on the terms used in this document, refer to Appendix 1 – Guidance.



## Who this exemption applies to

7. The responsible person identified in Column 1 of Table 1 is exempt from the provisions identified in Column 2 of Table 1 where that person complies with the conditions identified in section 8.

Table 1

<i>Column 1</i>	<i>Column 2</i>
<i>Responsible person</i>	<i>Provisions from which the responsible person is exempt</i>
Supplier	clause 45 of the Regulation [Residue waste not to be applied to certain land]
Processor	clause 45 of the Regulation [Residue waste not to be applied to certain land]
Consumer	section 48 of the Act [Licensing requirement—scheduled activities (premises-based)] section 88 of the Act [Contributions by licensee of waste facilities] clause 45 of the Regulation [Residue waste must not be applied to certain land]

## Conditions of this exemption

8. The operation of this exemption is subject to the following conditions:
- 8.1 This exemption applies only to ash from burning bagasse and cane trash.
- 8.2 The supplier, processor and/or consumer must not cause or permit the land application of ash from burning bagasse and cane trash where the in-ash contaminant identified in section 9 and listed in Column 1 of Table 2 exceeds the concentrations listed in Column 2 of Table 2.
- 8.3 The supplier must comply with all requirements specified in section 11, 'Supplier responsibilities'.
- 8.4 The Processor must comply with all requirements specified in section 12, 'Processor responsibilities'.
- 8.5 The consumer must comply with all requirements specified in section 13, 'Consumer responsibilities'.

## Maximum contaminant concentrations

9. The in-ash contaminant listed in Column 1 of Table 2 must not exceed the concentrations listed in Column 2 of Table 2.

Table 2

<i>Column 1</i>	<i>Column 2</i>
<i>Contaminant</i>	<i>Maximum concentration</i>
Boron (mg/kg)	60
Electrical conductivity EC <sub>se</sub> (dS/m)	4
Mercury (mg/kg)	1

## Test methods

- 10.1 Test methods for measuring boron concentrations in ash from bagasse and cane trash require:
- 10.1.1 Water soluble Boron using a Calcium chloride extractable method. Rayment, G.E. and

Higginson, F.R., pp 115–119, Methods 12C1 or 12C2, published in Australian laboratory handbook of soil and water chemical methods, Inkata Press, Australia (1992) (or equivalent analytical method with a 'detection limit' for hot water soluble Boron or Calcium Chloride extractable Boron < 10% of stated total concentration in General Exemption).

10.1.2 Report as mg/kg dry weight.

- 10.2 Test methods for measuring mercury concentrations in ash from bagasse and cane trash require:

10.2.1 Cold-vapour atomic absorption (sample preparation and analytical method) USEPA 7471A (or equivalent analytical method with a 'detection limit' < 10% of stated total concentration in General Exemption).

10.2.2 Report as mg/kg dry weight.

- 10.3 Test methods for measuring electrical conductivity concentrations in ash from burning bagasse and cane trash require:

10.3.1 Sample preparation by mixing 1 part ash with 5 parts distilled/deionised water.

10.3.2 Measurement technique—National Environment Protection Council, Method 104 'Electrical Conductivity', Schedule B (3): Guideline on Laboratory Analysis of Potentially Contaminated Soils, National Environment Protection (Assessment of Site Contamination) Measure 1999 available at: [www.ephc.gov.au/pdf/cs/cs\\_03\\_lab\\_analysis.pdf](http://www.ephc.gov.au/pdf/cs/cs_03_lab_analysis.pdf) (or equivalent analytical method with a 'detection limit' < 10% of stated 'electrical conductivity' limit in General Exemption).

10.3.3 Report as 'electrical conductivity' in deciSeimens per metre (dS/m).

## Supplier responsibilities

11. The following conditions must be met by the supplier for this exemption to apply:

## 11.1 Chemical characterisation

11.1.1 Suppliers of ash from burning bagasse and cane trash must initially fully chemically characterise their ash from burning bagasse and cane trash.

11.1.2 Suppliers must repeat the full chemical characterisation of their ash from burning bagasse and cane trash at least every three years.

11.1.3 Where there is a change in inputs that is likely to affect the contaminants in the ash from burning bagasse and cane trash, initial characterisation of the ash from burning bagasse and cane trash must be repeated.

11.1.4 The contaminants specified in Table 2 must be measured in accordance with the test methods specified in 10.1, 10.2 and 10.3.

11.1.5 A Material Safety Data Sheet (MSDS) must be prepared in accordance with the National Occupational Health and Safety Commission, National Code of Practice for the Preparation of Material Safety Data Sheets, published in 2003, by the AGPS, Canberra.

### 11.2 Maximum allowable contaminant concentrations

11.2.1 The in-ash contaminants specified in Column 1 of Table 2 must be measured prior to blending, mixing or otherwise incorporating with another substance and must not exceed the maximum contaminant concentrations specified in Column 2 of Table 2.

### 11.3 Information to be provided to processor

11.3.1 Suppliers who provide ash from burning bagasse and cane trash to a processor must provide a written statement of compliance to the processor with each transaction of ash from burning bagasse and cane trash, certifying that the ash from burning bagasse and cane trash complies with the relevant conditions of this exemption.

11.3.2 Suppliers who provide ash from burning bagasse and cane trash to processors must provide the processor with a copy of this exemption and the MSDS.

### 11.4 Information to be provided to consumer

11.4.1 Suppliers who cause or permit the provision of ash from burning bagasse and cane trash to consumers for direct land application must provide a written statement of compliance to the consumer with each transaction of the ash from burning bagasse and cane trash, certifying that the ash from burning bagasse and cane trash complies with the relevant conditions of this exemption. The statement of compliance must be provided prior to the land application of ash from burning bagasse and cane trash.

11.4.2 Suppliers who cause or permit the direct provision of ash from burning bagasse and cane trash to consumers must provide the consumer with a copy of this exemption and the MSDS.

### 11.5 Monitoring and record keeping

11.5.1 Suppliers of ash from burning bagasse and cane trash shall undertake routine testing of representative samples to ensure that the quality of the suppliers' ash from burning bagasse and cane trash quality is consistently maintained.

11.5.2 At a minimum, suppliers of ash from burning bagasse and cane trash must test the ash from burning bagasse and cane trash three times a year where less than 1000 tonnes of ash from burning bagasse and cane trash is provided to processors and/or consumers in total. Where more than 1000 tonnes of ash from burning bagasse and cane trash is provided to processors and/or consumers in total, suppliers must test at least three times a year plus once every 1000 tonnes.

11.5.3 All testing must be undertaken by analytical laboratories accredited by the National Association of Testing Authorities to perform particular tests.

11.5.4 Results shall be kept for a minimum of three years.

### Processor responsibilities

12. The following conditions only apply where the ash from burning bagasse and cane trash is mixed, blended or otherwise incorporated into a land application material prior to land application. For requirements relating to the direct land application of ash from burning bagasse and cane trash, refer to section 13, 'Consumer responsibilities'.

#### 12.1 Maximum allowable contaminant concentrations

12.1.1 Prior to mixing, blending or otherwise incorporating into a land application material, the processor must ensure that the in-ash contaminants specified in Column 1 of Table 2 do not exceed the maximum contaminant concentrations specified in Column 2 of Table 2.

#### 12.2 Information to be provided to the consumer

12.2.1 Where ash from burning bagasse and cane trash is mixed, blended or otherwise incorporated into a land application material, the processor must provide recommendations on the appropriate use, including recommendations regarding appropriate application rates, of that land application material to the consumer.

#### 12.3 Monitoring and record keeping requirements

12.3.1 Processors must obtain and keep a written statement with each transaction of ash from burning bagasse and cane trash certifying that the ash from burning bagasse and cane trash complies with the relevant conditions of this exemption.

12.3.2 Records of the quantity of ash from burning bagasse and cane trash received, the supplier's name and the period over which the ash from burning bagasse and cane trash was received must be kept for a period of three years.

### Consumer responsibilities

13. The following conditions only apply where ash from burning bagasse and cane trash is directly applied to the land. These conditions do not apply where the ash from burning bagasse and cane trash is mixed or blended with, or otherwise incorporated into, a land application material. The following conditions must be met by the consumer for this exemption to apply.

#### 13.1 Soil application

13.1.1 The ash from burning bagasse and cane trash must be incorporated into the topsoil.

#### 13.2 Monitoring and record keeping requirements

13.2.1 Consumers applying ash from burning bagasse and cane trash to land shall obtain and keep a written statement with each transaction of ash from burning bagasse and cane trash received, certifying that the ash from burning bagasse and cane trash complies with the relevant conditions of this exemption.

- 13.2.2 Records of the quantity of ash from burning bagasse and cane trash received, the supplier's name and the date the ash was received must be kept for a period of three years.

#### Exemption Granted

MARK GORTA,  
Manager, Waste Management Section,  
Environment Protection Authority

#### Notes

The EPA may amend or revoke this exemption at any time or if any condition attached to this exemption is contravened or as required where additional information is received.

The maximum penalty for failing to comply with this exemption is 400 penalty units for a corporation and 200 penalty units for an individual.

Operating without appropriate permission or in contravention of the conditions set out in this exemption could lead to prosecution under environment protection legislation and the imposition of substantial penalties.

The conditions set out in this exemption are designed to minimise the risk of potential harm to the environment, human health or agriculture, however, neither this exemption nor these conditions guarantee that the environment will not be harmed. The liability for any harm rests with the person who causes or permits the application of the substance to land.

In monitoring the quality of the exempted material, suppliers should be alert to any changes in the process or the raw materials used and any consequent changes to the types and concentrations of the listed or other contaminants in the exempted material, and take action to prevent any harmful effects of any such changes on the environment, human health or agriculture.

In gazetting this general exemption, the EPA is not endorsing the use of this substance or guaranteeing that the substance will benefit plant growth.

Limits are specified as maximums only. Plants may display symptoms of toxicity and/or reductions in yield may occur at values below the maximum concentration limits specified in this exemption. Application rates may need to be lower depending on local circumstances and should be determined as appropriate to those circumstances prior to application.

Substances mixed with more than one residue waste must meet the conditions of all relevant exemptions. All other regulations applying to the waste or blended substances must also be met.

All records required to be kept under this exemption must be made available to authorised officers of the EPA upon request.

#### Appendix 1 – Guidance

Where the supplier and consumer are the same person

Records required to be kept by the supplier, as specified in section 11, 'Supplier responsibilities', that relate to 11.1 'Chemical characterisation' of the ash from bagasse and cane trash and that show compliance with 11.2 'Maximum contaminant concentrations' are deemed to be appropriate documents for the purposes of complying with the conditions of this exemption.

What is a 'transaction'?

For the purposes of arrangements between a supplier and a processor or a supplier and a consumer, a 'transaction' is taken to mean the contractual agreement between the two parties which specifies the exchange of ash from bagasse and cane trash from one party to another. This arrangement should be in written form and be made available to an authorised officer of the EPA on request.

Information to be included in a statement of compliance

The supplier may determine a convenient format for the statement of compliance, however, it must be in writing and be provided to the processor or consumer with each transaction. It is recommended that the following information be provided in the statement of compliance:

- The name of the relevant exemption.
- The name of the supplier.
- The date of the transaction.
- The quantity of material subject to the transaction.
- The date or dates of delivery.
- The address of the delivery site.
- A statement of compliance with the conditions of the exemption signed or otherwise authorised by the supplier.

Environmentally appropriate land application of ash from bagasse and cane trash

The conditions outlined in this exemption are designed to minimise the risk of potential harm to the environment, human health or agriculture, however, neither this exemption nor these conditions guarantee that the environment will not be harmed.

The consumer of the ash from bagasse should consider whether the proposed application site is suitable for a land application program. EPA recommends that consideration be given to such factors as the soil type, slope, proximity to watercourses and potable water supplies, depth to groundwater and bedrock, suitability for plants etc. Any potential consequential implications for agricultural produce or future land use should also be considered.

While maximum contaminant concentration limits and application rates are specified in this document, lower application rates or no application may be appropriate for some soils. Application rates should be determined as appropriate to local conditions prior to application and should normally be no more than the agronomic rate for the most limiting factor.

As a guide, EPA recommends that the following in soil contaminant concentrations following application of ash from bagasse and cane trash to soil should not be exceeded. It should be noted that these limits are provided as a guide only, and plants may display symptoms of toxicity, and/or reductions in yield may occur at values below these limits.

<i>Contaminant</i>	<i>Maximum in soil</i>
Boron (extractable concentrations)	10 mg/kg
Electrical conductivity EC <sub>se</sub>	4 dS/m

**PROTECTION OF THE ENVIRONMENT  
OPERATIONS (WASTE) REGULATION 2005**

General Exemption Under Part 6

The ash from burning uncontaminated wood, timber, forestry residues or paper exemption 2006

Name

1. This exemption is to be known as 'The ash from burning uncontaminated wood, timber, forestry residues or paper exemption 2006'.

Commencement

2. This exemption commences on 1 December 2006.  
'The ash from burning uncontaminated wood, timber, forestry residues or paper exemption 2005' is revoked from 1 December 2006.

Duration

3. This exemption is valid until revoked by the Environment Protection Authority by notice published in the Government Gazette.

Background

4. The Protection of the Environment Operations (Waste) Regulation 2005 (the Regulation) prohibits the land application of a number of wastes and waste-derived substances for the purposes of growing vegetation. These substances are primarily industrial residues and have been prohibited due to their potential to contain undesirable contaminants such as heavy metals and persistent organic compounds. The land application of fly ash and bottom ash from any furnace is prohibited under the Regulation.

The conditions of this exemption outline the requirements that must be met for this prohibition to no longer apply. Ash from burning uncontaminated wood, timber, forestry residues or paper may only be applied to land where the conditions of this exemption are met.

Authority

5. This exemption is made under Clause 51, Part 6 of the Regulation. This exemption is a general exemption and is given in respect of consumers and suppliers.

Definitions

6. In this exemption:

Consumer means a person who applies, or causes or permits the application of, ash from burning uncontaminated wood, timber, forestry residues or paper to land. The consumer will generally be the landholder responsible for the land to which the ash is applied.

In-ash means the ash from burning uncontaminated wood, timber, forestry residues or paper prior to blending, mixing or otherwise processing.

Processor means a person who mixes, blends or otherwise incorporates the ash from uncontaminated wood, timber, forestry residues or paper into a commercial land application material.

Supplier means a person who supplies, or causes or permits the supply of, ash from uncontaminated wood, timber, forestry residues or paper to a party processing these substances or applying these substances to land. The supplier will generally be the generator of the ash from uncontaminated wood, timber, forestry residues or paper.

For further information on the terms used in this document, refer to Appendix 1 – Guidance.

Who this exemption applies to

7. The responsible person identified in Column 1 of Table 1 is exempt from the provisions identified in Column 2 of Table 1 where that person complies with the conditions identified in section 8.

Table 1

<i>Column 1</i>	<i>Column 2</i>
<i>Responsible person</i>	<i>Provisions from which the responsible person is exempt</i>
Supplier	clause 45 of the Regulation [Residue waste not to be applied to certain land]
Processor	clause 45 of the Regulation [Residue waste not to be applied to certain land]
Consumer	section 48 of the Act [Licensing requirement—scheduled activities (premises based)] section 88 of the Act [Contributions by licensee of waste facilities] clause 45 of the Regulation [Residue waste must not be applied to certain land]

Conditions of this exemption

8. The operation of this exemption is subject to the following conditions:
  - 8.1 This exemption applies only to ash from burning uncontaminated wood, timber, forestry residues or paper.
  - 8.2 The supplier, processor and/or consumer must not cause or permit the land application of ash from burning uncontaminated wood, timber, forestry residues or paper where the in-ash contaminant identified in section 9 and listed in Column 1 of Table 2 exceeds the concentrations listed in Column 2 of Table 2.
  - 8.3 The supplier must comply with all requirements specified in section 11, 'Supplier responsibilities'.
  - 8.4 The processor must comply with all requirements specified in section 12, 'Processor responsibilities'.
  - 8.5 The consumer must comply with all requirements specified in section 13, 'Consumer responsibilities'.

Maximum contaminant concentrations

9. The in-ash contaminant listed in Column 1 of Table 2 must not exceed the concentrations listed in Column 2 of Table 2.

Table 2

Column 1	Column 2
Contaminant	Maximum concentration
Boron (mg/kg)	60
Electrical conductivity EC <sub>se</sub> (dS/m)	4
Arsenic (mg/kg)	20
Copper (mg/kg)	100
Chromium(total) (mg/kg)	100
Lead (mg/kg)	100



## Test methods

- 10.1 Test methods for measuring boron concentrations in ash from burning uncontaminated wood, timber, forestry residues or paper require:
- 10.1.1 Water soluble Boron using a Calcium chloride extractable method. Rayment, G.E. and Higginson, F.R., pp 115–119, Methods 12C1 or 12C2, published in Australian laboratory handbook of soil and water chemical methods, Inkata Press, Australia (1992) (or equivalent analytical method with a ‘detection limit’ for hot water soluble Boron or Calcium Chloride extractable Boron < 10% of stated total concentration in General Exemption).
- 10.1.2 Report as mg/kg dry weight.
- 10.2 Test methods for measuring arsenic, chromium, copper and lead concentrations in ash from burning uncontaminated wood, timber, forestry residues or paper require:
- 10.2.1 Sample preparation by digesting ash using USEPA 3051 or equivalent.
- 10.2.2 Analyse using USEPA 6010B (or equivalent analytical method with a ‘detection limit’ < 10% of the stated total concentration in the general exemption).
- 10.2.3 Report as mg/kg dry weight.
- 10.3 Test methods for measuring electrical conductivity concentrations in ash from burning uncontaminated wood, timber, forestry residues or paper require:
- 10.3.1 Sample preparation by mixing 1 part ash with 5 parts distilled/deionised water.
- 10.3.2 Measurement technique—National Environment Protection Council, Method 104 ‘Electrical Conductivity’, Schedule B (3): Guideline on Laboratory Analysis of Potentially Contaminated Soils, National Environment Protection (Assessment of Site Contamination) Measure 1999 available at: [www.ephc.gov.au/pdf/cs/cs\\_03\\_lab\\_analysis.pdf](http://www.ephc.gov.au/pdf/cs/cs_03_lab_analysis.pdf) (or equivalent analytical method with a ‘detection limit’ < 10% of stated ‘electrical conductivity’ limit in General Exemption).
- 10.3.3 Report as ‘electrical conductivity’ in deciSeimens per metre (dS/m)

## Supplier responsibilities

11. The following conditions must be met by the supplier for this exemption to apply:
- 11.1 Chemical characterisation
- 11.1.1 Suppliers of ash from burning uncontaminated wood, timber, forestry residues or paper must initially fully chemically characterise their ash from burning uncontaminated wood, timber, forestry residues or paper.
- 11.1.2 Suppliers must repeat the full chemical characterisation of their ash from burning uncontaminated wood, timber, forestry residues or paper at least every three years.
- 11.1.3 Where there is a change in inputs that is likely to affect the contaminants in the

ash from burning uncontaminated wood, timber, forestry residues or paper, initial characterisation of the ash from burning uncontaminated wood, timber, forestry residues or paper must be repeated.

- 11.1.4 The contaminants specified in Table 2 must be measured in accordance with the test methods specified in 10.1, 10.2 and 10.3.
- 11.1.5 A Material Safety Data Sheet (MSDS) must be prepared in accordance with the National Occupational Health and Safety Commission, National Code of Practice for the Preparation of Material Safety Data Sheets, published in 2003, by the AGPS, Canberra.
- 11.2 Maximum allowable contaminant concentrations
- 11.2.1 The in-ash contaminants specified in Column 1 of Table 2 must be measured prior to blending, mixing or otherwise incorporating with another substance and must not exceed the maximum contaminant concentrations specified in Column 2 of Table 2.
- 11.3 Information to be provided to processor
- 11.3.1 Suppliers who provide ash from burning uncontaminated wood, timber, forestry residues or paper to a processor must provide a written statement of compliance to the processor with each transaction of ash from burning uncontaminated wood, timber, forestry residues or paper, certifying that the ash from burning uncontaminated wood, timber, forestry residues or paper complies with the relevant conditions of this exemption.
- 11.3.2 Suppliers who provide ash from burning uncontaminated wood, timber, forestry residues or paper to processors must provide the processor with a copy of this exemption and the MSDS.
- 11.4 Information to be provided to consumer
- 11.4.1 Suppliers who cause or permit the provision of ash from burning uncontaminated wood, timber, forestry residues or paper to consumers for direct land application must provide a written statement of compliance to the consumer with each transaction of the ash from burning uncontaminated wood, timber, forestry residues or paper, certifying that the ash from burning uncontaminated wood, timber, forestry residues or paper complies with the relevant conditions of this exemption. The statement of compliance must be provided prior to the land application of ash from burning uncontaminated wood, timber, forestry residues or paper.
- 11.4.2 Suppliers who cause or permit the provision of ash from burning uncontaminated wood, timber, forestry residues or paper to consumers for direct land application must provide the consumer with a copy of this exemption and the MSDS.

### 11.5 Monitoring and record keeping

- 11.5.1 Suppliers of ash from burning uncontaminated wood, timber, forestry residues or paper shall undertake routine testing of representative samples to ensure that the quality of the ash from burning uncontaminated wood, timber, forestry residues or paper quality is consistently maintained.
- 11.5.2 At a minimum, suppliers of ash from burning uncontaminated wood, timber, forestry residues or paper must test the ash from burning uncontaminated wood, timber, forestry residues or paper three times a year where less than 1000 tonnes of ash from burning uncontaminated wood, timber, forestry residues or paper is provided to processors and/or consumers in total. Where more than 1000 tonnes of ash from burning uncontaminated wood, timber, forestry residues or paper is provided to processors and/or consumers in total, suppliers must test at least three times a year plus once every 1000 tonnes.
- 11.5.3 All testing must be undertaken by analytical laboratories accredited by the National Association of Testing Authorities to perform particular tests.
- 11.5.4 Results shall be kept for a minimum of three years.

### Processor responsibilities

12. The following conditions only apply where the ash from burning uncontaminated wood, timber, forestry residues or paper is mixed, blended or otherwise incorporated into a commercial land application material prior to land application. For requirements relating to the direct land application of ash from burning uncontaminated wood, timber, forestry residues or paper, refer to section 13, 'Consumer responsibilities'.

#### 12.1 Maximum allowable contaminant concentrations

- 12.1.1 Prior to mixing, blending or otherwise incorporating into a commercial land application material, the processor must ensure that the in-ash contaminants specified in Column 1 of Table 2 do not exceed the maximum contaminant concentrations specified in Column 2 of Table 2.

#### 12.2 Information to be provided to the consumer

- 12.2.1 Where ash from burning uncontaminated wood, timber, forestry residues or paper is mixed, blended or otherwise incorporated into a commercial land application material, the processor must provide recommendations on the appropriate use, including recommendations regarding appropriate application rates, of that commercial land application material to the consumer.

#### 12.3 Monitoring and record keeping requirements

- 12.3.1 Processors must obtain and keep a written statement with each transaction of ash from burning uncontaminated wood, timber, forestry residues or paper, certifying that the ash from burning uncontaminated

wood, timber, forestry residues or paper complies with the relevant conditions of this exemption.

- 12.3.2 Records of the quantity of ash from burning uncontaminated wood, timber, forestry residues or paper received, the supplier's name and the period over which the ash from burning uncontaminated wood, timber, forestry residues or paper was received must be kept for a period of three years.

### Consumer responsibilities

13. The following conditions only apply where ash from burning uncontaminated wood, timber, forestry residues or paper is directly applied to the land. These conditions do not apply where ash from burning uncontaminated wood, timber, forestry residues or paper is mixed or blended with, or otherwise incorporated into, a commercial land application material. The following conditions must be met by the consumer for this exemption to apply.

#### 13.1 Soil application

- 13.1.1 The ash from burning uncontaminated wood, timber, forestry residues or paper must be incorporated into the topsoil.

#### 13.2 Monitoring and record keeping requirements

- 13.2.1 Consumers applying ash from burning uncontaminated wood, timber, forestry residues or paper to land shall obtain and keep a written statement with each transaction of ash received, certifying that the ash from burning uncontaminated wood, timber, forestry residues or paper complies with the relevant conditions of this exemption.
- 13.2.2 Records of the quantity of ash from burning uncontaminated wood, timber, forestry residues or paper received, the supplier's name and the date the ash from burning uncontaminated wood, timber, forestry residues or paper was received must be kept for a period of three years.

### Exemption Granted

MARK GORTA,  
Manager, Waste Management Section,  
Environment Protection Authority

### Notes

The EPA may amend or revoke this exemption at any time or if any condition attached to this exemption is contravened or as required where additional information is received.

The maximum penalty for failing to comply with this exemption is 400 penalty units for a corporation and 200 penalty units for an individual.

Operating without appropriate permission or in contravention of the conditions set out in this exemption could lead to prosecution under environment protection legislation and the imposition of substantial penalties.

The conditions set out in this exemption are designed to minimise the risk of potential harm to the environment, human health or agriculture, however, neither this exemption nor these conditions guarantee that the environment will not be harmed. The liability for any harm rests with the person who causes or permits the application of the substance to land.

In monitoring the quality of the exempted material, suppliers should be alert to any changes in the process or the raw materials used and any consequent changes to the types and concentrations of the listed or other contaminants in the exempted material, and take action to prevent any harmful effects of any such change on the environment, human health or agriculture.

In gazetting this general exemption, the EPA is not endorsing the use of this substance or guaranteeing that the substance will benefit plant growth.

Limits are specified as maximums only. Plants may display symptoms of toxicity and/or reductions in yield may occur at values below the maximum concentration limits specified in this exemption. Application rates may need to be lower depending on local circumstances and should be determined as appropriate to those circumstances prior to application.

Substances mixed with more than one residue waste must meet the conditions of all relevant exemptions. All other regulations applying to the waste or blended substances must also be met.

All records required to be kept under this exemption must be made available to authorised officers of the EPA upon request.

#### Appendix 1 – Guidance

Where the supplier and consumer are the same person

Records required to be kept by the supplier, as specified in section 11, ‘Supplier responsibilities’, that relate to 11.1 ‘Chemical characterisation’ of the ash from burning uncontaminated wood, timber, forestry residues or paper and that show compliance with 11.2 ‘Maximum contaminant concentrations’ are deemed to be appropriate documents for the purposes of complying with the conditions of this exemption.

What is a ‘transaction’?

For the purposes of arrangements between a supplier and a processor or a supplier and a consumer, a ‘transaction’ is taken to mean the contractual agreement between the two parties which specifies the exchange of ash from burning uncontaminated wood, timber, forestry residues or paper from one party to another. This arrangement should be in written form and be made available to an authorised officer of the EPA on request.

Information to be included in a statement of compliance

The supplier may determine a convenient format for the statement of compliance, however, it must be in writing and be provided to the processor or consumer with each transaction. It is recommended that the following information be provided in the statement of compliance:

- The name of the relevant exemption.
- The name of the supplier.
- The date of the transaction.
- The quantity of material subject to the transaction.
- The date or dates of delivery.
- The address of the delivery site.
- A statement of compliance with the conditions of the exemption signed or otherwise authorised by the supplier.

Environmentally appropriate land application of ash from burning uncontaminated wood, timber, forestry residues or paper

The conditions outlined in this exemption are designed to minimise the risk of potential harm to the environment, human health or agriculture, however, neither this exemption nor these conditions guarantee that the environment will not be harmed.

The consumer of the ash from burning uncontaminated wood, timber, forestry residues or paper should consider whether the proposed application site is suitable for a land application program. EPA recommends that consideration be given to such factors as the soil type, slope, proximity to watercourses and potable water supplies, depth to groundwater and bedrock, suitability for plants etc. Any potential consequential implications for agricultural produce or future land use should also be considered.

While maximum contaminant concentration limits and application rates are specified in this document, lower application rates or no application may be appropriate for some soils. Application rates should be determined as appropriate to local conditions prior to application and should normally be no more than the agronomic rate for the most limiting factor.

As a guide, EPA recommends that the following in soil contaminant concentrations following application of ash from burning uncontaminated wood, timber, forestry residues or paper to soil should not be exceeded. It should be noted that these limits are provided as a guide only and plants may display symptoms of toxicity, and/or reductions in yield may occur at values below these limits.

<i>Contaminant</i>	<i>Maximum in soil</i>
Boron (extractable concentrations)	10 mg/kg
Electrical conductivity EC <sub>se</sub>	4 dS/m

### PROTECTION OF THE ENVIRONMENT OPERATIONS (WASTE) REGULATION 2005

#### General Exemption Under Part 6

The lime and gypsum residues from drinking water treatment exemption 2006

Name

1. This exemption is to be known as ‘The lime and gypsum residues from drinking water treatment exemption 2006’.

Commencement

2. This exemption commences on 1 December 2006.  
‘The lime and gypsum residues from drinking water treatment exemption 2005’ is revoked from 1 December 2006.

Duration

3. This exemption is valid until revoked by the Environment Protection Authority by notice published in the *Government Gazette*.

Background

4. The Protection of the Environment Operations (Waste) Regulation 2005 (the Regulation) prohibits the land application of a number of wastes and waste-derived substances for the purposes of growing vegetation. These substances are primarily industrial residues and have been

prohibited due to their potential to contain undesirable contaminants such as heavy metals and persistent organic compounds. The land application of lime and gypsum residues from any industrial or manufacturing process is prohibited under the Regulation.

The conditions of this exemption outline the requirements that must be met for this prohibition to no longer apply. Lime and gypsum residues from drinking water treatment may only be applied to land where the conditions of this exemption are met.

#### Authority

5. This exemption is made under Clause 51, Part 6 of the Regulation. This exemption is a general exemption and is given in respect of consumers, processors and suppliers.

#### Definitions

6. In this exemption:

Consumer means a person who applies, or causes or permits the application of, lime and gypsum residues from drinking water treatment to land. The consumer will generally be the landholder responsible for the land to which the lime and gypsum residues are applied.

Lime and gypsum residues from drinking water treatment are the residues from water treated for human consumption or uses associated with human consumption using lime or gypsum. These residues may include calcium oxide, calcium hydroxide, calcium sulphate, calcium carbonate, magnesium hydroxide, magnesium sulphate, sodium sulphate, magnesium silicates and natural organic matter (NOM).

Processor means a person who mixes, blends or otherwise incorporates lime and gypsum residues from drinking water treatment into a commercial land application material.

Supplier means a person who supplies, or causes or permits the supply of, lime and gypsum residues from drinking water treatment to a party processing these substances or applying these substances to land. The supplier will generally be the generator of the lime and gypsum residues from drinking water treatment.

For further information on the terms used in this document, refer to Appendix 1 – Guidance.

#### Who this exemption applies to

7. The responsible person identified in Column 1 of Table 1 is exempt from the provisions identified in Column 2 of Table 1 where that person complies with the conditions identified in section 8.

Table 1

<i>Column 1</i>	<i>Column 2</i>
<i>Responsible person</i>	<i>Provisions from which the responsible person is exempt</i>
Supplier	clause 45 of the Regulation [Residue waste not to be applied to certain land]
Processor	clause 45 of the Regulation [Residue waste not to be applied to certain land]
Consumer	section 48 of the Act [Licensing requirement—scheduled activities (premises based)]

section 88 of the Act [Contributions by licensee of waste facilities]  
clause 45 of the Regulation  
[Residue waste must not be applied to certain land]

#### Conditions of this exemption

8. The operation of this exemption is subject to the following conditions:
- 8.1 This exemption applies only to lime and gypsum residues from drinking water treatment.
  - 8.2 The supplier must comply with all requirements specified in section 9, ‘Supplier responsibilities’.
  - 8.3 The processor must comply with all requirements specified in section 10, ‘Processor responsibilities’.
  - 8.4 The consumer must comply with all requirements specified in section 11, ‘Consumer responsibilities’.

#### Supplier responsibilities

9. The following conditions must be met by the supplier for this exemption to apply:

##### 9.1 Chemical characterisation

- 9.1.1 Suppliers of lime and gypsum residues from drinking water treatment must, initially, fully chemically characterise their lime and gypsum residues from drinking water treatment.
- 9.1.2 Suppliers must repeat the full chemical characterisation of their lime and gypsum residues from drinking water treatment at least every three years.
- 9.1.3 Where there is a change in inputs that is likely to affect the contaminants in the lime and gypsum residues from drinking water treatment, initial characterisation of the lime and gypsum residues from drinking water treatment must be repeated.
- 9.1.4 A Material Safety Data Sheet (MSDS) must be prepared in accordance with the National Occupational Health and Safety Commission, National Code of Practice for the Preparation of Material Safety Data Sheets, published in 2003, by the AGPS, Canberra.

##### 9.2 Information to be provided to processor

- 9.2.1 Suppliers who provide lime and gypsum residues from drinking water treatment to a processor must provide a written statement of compliance to the processor with each transaction of lime and gypsum residues from drinking water treatment, certifying that the lime and gypsum residues from drinking water treatment comply with the relevant conditions of this exemption. The statement of compliance must be provided prior to mixing, blending or otherwise incorporating the lime and gypsum residues from drinking water treatment with other materials.
- 9.2.2 Suppliers who provide lime and gypsum residues from drinking water treatment to



processors must provide the processor with a copy of this exemption and the MSDS.

- 9.3 Information to be provided to consumer
- 9.3.1 Suppliers who cause or permit the provision of lime and gypsum residues from drinking water treatment to consumers for direct land application must provide the consumer with a written statement of compliance, a copy of this exemption and the MSDS.
- 9.4 Monitoring and record keeping
- 9.4.1 Suppliers of lime and gypsum residues from drinking water treatment must undertake routine testing of representative samples to ensure that the quality of the lime and gypsum residues from drinking water treatment is consistently maintained.
- 9.4.2 All testing must be undertaken by analytical laboratories accredited by the National Association of Testing Authorities to perform particular tests.
- 9.4.3 Results shall be kept for a minimum of three years.
- 9.4.4 Records of the quantity of lime and gypsum residues from drinking water treatment supplied, the processor's or consumer's name and the period over which the lime and gypsum residues from drinking water treatment were received must be kept for a period of three years.

#### Processor responsibilities

10. The following conditions only apply where the lime and gypsum residues from drinking water treatment are mixed, blended or otherwise incorporated into a commercial land application material prior to land application. For requirements relating to the direct land application of lime and gypsum residues from drinking water treatment, refer to section 11, 'Consumer responsibilities'.

- 10.1 Information to be provided to the consumer
- 10.1.1 Where lime and gypsum residues from drinking water treatment are mixed, blended or otherwise incorporated into a commercial land application material, the processor must provide recommendations on the appropriate use, including recommendations regarding appropriate application rates, of that commercial land application material to the consumer.
- 10.2 Monitoring and record keeping requirements
- 10.2.1 Processors must obtain and keep a written statement with each transaction of lime and gypsum residues from drinking water treatment, certifying that the lime and gypsum residues from drinking water treatment comply with the relevant conditions of this exemption.
- 10.2.2 Records of the quantity of lime and gypsum residues from drinking water treatment received, the supplier's name and the period over which the lime and gypsum residues from drinking water treatment were received must be kept for a period of three years.

#### Consumer responsibilities

11. The following conditions only apply where lime and gypsum residues from drinking water treatment are directly applied to the land. These conditions do not apply to processed commercial land application products that contain lime and gypsum residues from drinking water treatment. The following conditions must be met by the consumer for this exemption to apply.

##### 11.1 Soil application

11.1.1 The soil to which the lime and gypsum residues from drinking water treatment will be applied must be characterised prior to the initial application of the lime and gypsum residues from drinking water treatment, to determine appropriate application rates.

11.1.2 Application rates must be equal to or less than the agronomic rate for the most limiting factor.

11.1.3 The lime and gypsum residues from drinking water treatment must be incorporated into the topsoil.

##### 11.2 Monitoring and record keeping requirements

11.2.1 Records of the supplier's name and the date the lime and gypsum residues from drinking water treatment were received must be kept for a period of three years.

11.2.2 Consumers must obtain and keep a written statement with each transaction of lime and gypsum residues from drinking water treatment, certifying that the lime and gypsum residues from drinking water treatment comply with the relevant conditions of this exemption.

#### Exemption Granted

MARK GORTA,  
Manager, Waste Management Section,  
Environment Protection Authority

#### Notes

The EPA may amend or revoke this exemption at any time or if any condition attached to this exemption is contravened or as required where additional information is received.

The maximum penalty for failing to comply with this exemption is 400 penalty units for a corporation and 200 penalty units for an individual.

Operating without appropriate permission or in contravention of the conditions set out in this exemption could lead to prosecution under environment protection legislation and the imposition of substantial penalties.

The conditions set out in this exemption are designed to minimise the risk of potential harm to the environment, human health or agriculture, however, neither this exemption nor these conditions guarantee that the environment will not be harmed. The liability for any harm rests with the person who causes or permits the application of the substance to land.

In monitoring the quality of the exempted material, suppliers should be alert to any changes in the process or the raw materials used and any consequent changes to the types and concentrations of the listed or other contaminants in the exempted material, and take action to prevent any harmful effects of any such changes on the environment, human health or agriculture.

In gazetting this general exemption, the EPA is not endorsing the use of this substance or guaranteeing that the substance will benefit plant growth.

Substances mixed with more than one residue waste must meet the conditions of all relevant exemptions. All other regulations applying to the waste or blended substances must also be met.

All records required to be kept under this exemption must be made available to authorised officers of the EPA upon request.

#### Appendix 1 – Guidance

Where the supplier and consumer are the same person

Records required to be kept by the supplier, as specified in section 9, 'Supplier responsibilities', that relate to 9.1 'Chemical characterisation' of the residues, are deemed to be appropriate documents for the purposes of complying with the conditions of this exemption.

What is a 'transaction'?

For the purposes of arrangements between a supplier and a processor or a supplier and a consumer, a 'transaction' is taken to mean the contractual agreement between the two parties which specifies the exchange of residues from one party to another. This arrangement should be in written form and be made available to an authorised officer of the EPA on request.

Information to be Included in a statement of compliance

The supplier may determine a convenient format for the statement of compliance, however, it must be in writing and be provided to the processor or consumer with each transaction. It is recommended that the following information be provided in the statement of compliance:

- The name of the relevant exemption.
- The name of the supplier.
- The date of the transaction.
- The quantity of material subject to the transaction.
- The date or dates of delivery.
- The address of the delivery site.
- A statement of compliance with the conditions of the exemption signed or otherwise authorised by the supplier.

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### PROTECTION OF THE ENVIRONMENT OPERATIONS (WASTE) REGULATION 2005

#### General Exemption Under Part 6

The fly ash and bottom ash from burning NSW or Queensland coal exemption 2006

Name

1. This exemption is to be known as 'The fly ash and bottom ash from burning NSW or Queensland coal exemption 2006'.

Commencement

2. This exemption commences on 1 December 2006.  
'The fly ash and bottom ash from burning NSW or Queensland coal exemption 2005' is revoked from the 1 December 2006.

Duration

3. This exemption is valid until otherwise revoked by the Environment Protection Authority by notice published in the Government Gazette.

Background

4. The Protection of the Environment Operations (Waste) Regulation 2005 (the Regulation) prohibits the land application of a number of wastes and waste-derived substances for the purposes of growing vegetation. These substances are primarily industrial residues and have been prohibited due to their potential to contain undesirable contaminants such as heavy metals and persistent organic compounds. The land application of fly ash and bottom ash from any furnace is prohibited under the Regulation.

The conditions of this exemption outline the requirements that must be met for this prohibition to no longer apply. Fly ash and bottom ash produced by any furnace that burns only NSW or Queensland coal may only be applied to land where the conditions of this exemption are met.

Authority

5. This exemption is made under Clause 51, Part 6 of the Regulation. This exemption is a general exemption and is given in respect of suppliers, processors and consumers.

Definitions

6. In this exemption:

Burning NSW or Queensland coal means burning coal that was mined in NSW or Queensland. It is recognised that other substances, such as oil, may be used as ignition start-up fuels. Burning NSW or Queensland coal is taken to include the use of such materials during the start-up process.

Consumer means a person who applies, or causes or permits the application of, fly ash or bottom ash to land. The consumer will generally be the landholder responsible for the land to which the ash is applied.

Fly ash or bottom ash means fly ash or bottom ash from burning NSW or Queensland coal.

In-ash means the fly ash or bottom ash prior to blending, mixing or otherwise processing.

Processor means a person who mixes, blends or otherwise incorporates fly ash or bottom ash into a commercial land application material.

Supplier means a person who supplies, or causes or permits the supply of, fly ash or bottom ash to a party processing these substances or applying these substances to land. The supplier will generally be the generator of the fly ash or bottom ash.

For further information on the terms used in this document, refer to Appendix 1 – Guidance.

Who this exemption applies to

7. The responsible person identified in Column 1 of Table 1 is exempt from the provisions identified in Column 2 of Table 1 where that person complies with the conditions identified in section 8.

Table 1

<i>Column 1</i>	<i>Column 2</i>
<i>Responsible person</i>	<i>Provisions from which the responsible person is exempt</i>
Supplier	clause 45 of the Regulation [Residue waste not to be applied to certain land]
Processor	clause 45 of the Regulation [Residue waste not to be applied to certain land]
Consumer	section 48 of the Act [Licensing requirement—scheduled activities (premises based)] section 88 of the Act [Contributions by licensee of waste facilities] clause 45 of the Regulation [Residue waste must not be applied to certain land]

## Conditions of this exemption

8. The operation of this exemption is subject to the following conditions:
- 8.1 This exemption applies only to fly ash or bottom ash generated from burning NSW or Queensland coal.
- 8.2 The supplier, processor and/or consumer must not cause or permit the land application of fly ash or bottom ash where the in-ash contaminant identified in section 9 and listed in Column 1 of Table 2 exceeds the concentrations listed in Column 2 of Table 2.
- 8.3 The supplier must comply with all requirements specified in section 11, 'Supplier responsibilities'.
- 8.4 The processor must comply with all requirements specified in section 12, 'Processor responsibilities'.
- 8.5 The consumer must comply with all requirements specified in section 13, 'Consumer responsibilities'.

## Maximum contaminant concentrations

9. The in-ash contaminant listed in Column 1 of Table 2 must not exceed the concentrations listed in Column 2 of Table 2.

Table 2

<i>Column 1</i>	<i>Column 2</i>
<i>Contaminant</i>	<i>Maximum concentration</i>
Boron (mg/kg)	60
Electrical conductivity ECse (dS/m)	4

## Test methods

- 10.1 Test methods for measuring boron concentrations in fly ash or bottom ash require:
- 10.1.1 Water soluble Boron using a Calcium chloride extractable method. Rayment, G.E. and Higginson, F.R., pp 115–119, Methods 12C1 or 12C2, published in Australian laboratory handbook of soil and water chemical methods, Inkata Press, Australia (1992) (or equivalent analytical method with a 'detection limit' for hot water soluble Boron or Calcium Chloride extractable Boron < 10% of stated total concentration in General Exemption).
- 10.1.2 Report as mg/kg dry weight.

- 10.2 Test methods for measuring electrical conductivity concentrations in fly ash or bottom ash require:
- 10.2.1 Sample preparation by mixing 1 part ash with 5 parts distilled/deionised water.
- 10.2.2 Measurement technique—National Environment Protection Council, Method 104 'Electrical Conductivity', Schedule B (3) Guideline on Laboratory Analysis of Potentially Contaminated Soils, National Environment Protection (Assessment of Site Contamination) Measure 1999 available at [www.ephc.gov.au/pdf/cs/cs\\_03\\_lab\\_analysis.pdf](http://www.ephc.gov.au/pdf/cs/cs_03_lab_analysis.pdf) (or equivalent analytical method with a 'detection limit' < 10% of stated 'electrical conductivity' limit in General Exemption).
- 10.2.3 Report as 'electrical conductivity' in deciSeimens per metre (dS/m)

## Supplier responsibilities

11. The following conditions must be met by the supplier for this exemption to apply:

## 11.1 Chemical characterisation

- 11.1.1 Suppliers of fly ash or bottom ash must initially fully chemically characterise their fly ash or bottom ash.
- 11.1.2 Suppliers must repeat the full chemical characterisation of their fly ash or bottom ash at least every three years.
- 11.1.3 Where there is a change in inputs that is likely to affect the contaminants in the fly ash or bottom ash, initial characterisation of the fly ash or bottom ash must be repeated.
- 11.1.4 The contaminants specified in Table 2 must be measured in accordance with the test methods specified in 10.1 and 10.2.
- 11.1.5 A Material Safety Data Sheet (MSDS) must be prepared in accordance with the National Occupational Health and Safety Commission, National Code of Practice for the Preparation of Material Safety Data Sheets, published in 2003, by the AGPS, Canberra.

## 11.2 Maximum allowable contaminant concentrations

- 11.2.1 The in-ash contaminants specified in Column 1 of Table 2 must be measured prior to blending, mixing or otherwise incorporating them with another substance, and must not exceed the maximum contaminant concentrations specified in Column 2 of Table 2.

## 11.3 Information to be provided to processor

- 11.3.1 Suppliers who provide fly ash or bottom ash to a processor must provide a written statement of compliance to the processor with each transaction of fly ash or bottom ash, certifying that the fly ash or bottom ash complies with the relevant conditions of this exemption.
- 11.3.2 Suppliers who provide fly ash or bottom ash to processors must provide the processor with a copy of this exemption and the MSDS.

## 11.4 Information to be provided to consumer

- 11.4.1 Suppliers who cause or permit the provision of fly ash or bottom ash to consumers for direct land application must provide a written statement of compliance to the consumer with each transaction of the fly ash or bottom ash, certifying that the fly ash or bottom ash complies with the relevant conditions of this exemption. The statement of compliance must be provided prior to the land application of fly ash or bottom ash.
- 11.4.2 Suppliers who cause or permit the provision of fly ash or bottom ash to the consumer for direct land application must provide the consumer with a copy of this exemption and the MSDS.

## 11.5 Monitoring and record keeping

- 11.5.1 Suppliers of fly ash or bottom ash must undertake routine testing of representative samples to ensure that the quality of the fly ash or bottom ash is consistently maintained.
- 11.5.2 At a minimum, suppliers of fly ash or bottom ash must test the fly ash or bottom ash three times a year where less than 1000 tonnes of fly ash or bottom ash is provided to processors and/or consumers in total. Where more than 1000 tonnes of fly ash or bottom ash is provided to processors and/or consumers in total, suppliers must test at least three times a year plus once every 1000 tonnes.
- 11.5.3 All testing must be undertaken by analytical laboratories accredited by the National Association of Testing Authorities to perform particular tests.
- 11.5.4 Results shall be kept for a minimum of three years.

## Processor responsibilities

12. The following conditions only apply where the fly ash or bottom ash is mixed, blended or otherwise incorporated into a commercial land application material prior to land application. For requirements relating to the direct land application of fly ash or bottom ash, refer to section 13, 'Consumer responsibilities'.

## 12.1 Maximum allowable contaminant concentrations

- 12.1.1 Prior to mixing, blending or otherwise incorporating fly ash or bottom ash into a commercial land application material, the processor must ensure that the in-ash contaminants specified in Column 1 of Table 2 do not exceed the maximum contaminant concentrations specified in Column 2 of Table 2.

## 12.2 Information to be provided to the consumer

- 12.2.1 Where fly ash or bottom ash is mixed, blended or otherwise incorporated into a commercial land application material, the processor must provide recommendations on the appropriate use, including recommendations regarding appropriate application rates, of that commercial land application material to the consumer.

## 12.3 Monitoring and record keeping requirements

- 12.3.1 Processors must obtain and keep a written statement with each transaction of fly ash or bottom ash, certifying that the fly ash or bottom ash complies with the relevant conditions of this exemption.
- 12.3.2 Records of the quantity of fly ash or bottom ash received, the supplier's name and the period over which the fly ash or bottom ash was received must be kept for a period of three years.

## Consumer responsibilities

13. The following conditions only apply where fly ash or bottom ash is directly applied to the land. These conditions do not apply to fly ash or bottom ash that is mixed, blended or otherwise incorporated into a commercial land application material. The following conditions must be met by the consumer for this exemption to apply.

## 13.1 Soil application

- 13.1.1 The fly ash or bottom ash must be incorporated into the topsoil.

## 13.2 Monitoring and record keeping requirements

- 13.2.1 Consumers applying fly ash or bottom ash to land shall obtain and keep a written statement with each transaction of fly ash or bottom ash received, certifying that the fly ash or bottom ash complies with the relevant conditions of this exemption.
- 13.2.2 Records of the quantity of fly ash or bottom ash received, the supplier's name and the date the fly ash or bottom ash was received must be kept for a period of three years.

## Exemption Granted

MARK GORTA,  
Manager, Waste Management Section,  
Environment Protection Authority

## Notes

The EPA may amend or revoke this exemption at any time or if any condition attached to this exemption is contravened or as required where additional information is received.

The maximum penalty for failing to comply with this exemption is 400 penalty units for a corporation and 200 penalty units for an individual.

Operating without appropriate permission or in contravention of the conditions set out in this exemption could lead to prosecution under environment protection legislation and the imposition of substantial penalties.

The conditions set out in this exemption are designed to minimise the risk of potential harm to the environment, human health or agriculture, however, neither this exemption nor these conditions guarantee that the environment will not be harmed. The liability for any harm rests with the person who causes or permits the application of the substance to land.

In monitoring the quality of the exempted material, suppliers should be alert to any changes in the process or the raw materials used and any consequent changes to the types and concentrations of the listed or other contaminants in the exempted material, and take action to prevent any harmful effects of any such changes on the environment, human health or agriculture.



In gazetting this general exemption, the EPA is not endorsing the use of this substance or guaranteeing that the substance will benefit plant growth.

Limits are specified as maximums only. Plants may display symptoms of toxicity, and/or reductions in yield may occur at values below the maximum concentration limits specified in this exemption. Application rates may need to be lower depending on local circumstances and should be determined as appropriate to those circumstances prior to application.

Substances mixed with more than one residue waste must meet the conditions of all relevant exemptions. All other regulations applying to the waste or blended substances must also be met.

All records required to be kept under this exemption must be made available to authorised officers of the EPA upon request.

#### Appendix 1 – Guidance

Where the supplier and consumer are the same person

Records required to be kept by the supplier, as specified in section 11, ‘Supplier responsibilities’, that relate to 11.1 ‘Chemical characterisation’ of the fly ash or bottom ash and that show compliance with 11.2 ‘Maximum allowable contaminant concentrations’ are deemed to be appropriate documents for the purposes of complying with the conditions of this exemption.

What is a ‘transaction’?

For the purposes of arrangements between a supplier and a processor or a supplier and a consumer, a ‘transaction’ is taken to mean the contractual agreement between the two parties which specifies the exchange of fly ash or bottom ash from one party to another. This arrangement should be in written form and be made available to an authorised officer of the EPA on request.

Information to be Included in a statement of compliance

The supplier may determine a convenient format for the statement of compliance, however, it must be in writing and be provided to the processor or consumer with each transaction. It is recommended that the following information be provided in the statement of compliance:

- The name of the relevant exemption.
- The name of the supplier.
- The date of the transaction.
- The quantity of material subject to the transaction.
- The date or dates of delivery.
- The address of the delivery site.
- A statement of compliance with the conditions of the exemption signed or otherwise authorised by the supplier.

Environmentally appropriate land application of fly ash and bottom ash

The conditions outlined in this exemption are designed to minimise the risk of potential harm to the environment, human health or agriculture, however, neither this exemption nor these conditions guarantee that the environment will not be harmed.

The consumer of the fly ash or bottom ash should consider whether the proposed application site is suitable for a land application program. EPA recommends that consideration

be given to such factors as the soil type, slope, proximity to watercourses and potable water supplies, depth to groundwater and bedrock, suitability for plants etc. Any potential consequential implications for agricultural produce or future land use should also be considered.

While maximum contaminant concentration limits and application rates are specified in this document, lower application rates or no application may be appropriate for some soils. Application rates should be determined as appropriate to local conditions prior to application and should be no more than the agronomic rate for the most limiting factor.

As a guide, EPA recommends that the following in soil contaminant concentrations following application of fly ash or bottom ash to soil should not be exceeded. It should be noted that these limits are provided as a guide only and plants may display symptoms of toxicity, and/or reductions in yield may occur at values below the these limits.

<i>Contaminant</i>	<i>Maximum in soil</i>
Boron (extractable concentrations)	10 mg/kg
Electrical conductivity EC <sub>se</sub>	4 dS/m

### PROTECTION OF THE ENVIRONMENT OPERATIONS (WASTE) REGULATION 2005

General Exemption Under Part 6

The foundry sand exemption December 2006

Name

1. This exemption is to be known as ‘The foundry sand exemption December 2006’.

Commencement

2. This exemption commences on 1 December 2006. ‘The foundry sand exemption 2006’ is revoked from 1 December 2006.

Duration

3. This exemption is valid until revoked by the Environment Protection Authority by notice published in the Government Gazette.

Background

4. The Protection of the Environment Operations (Waste) Regulation 2005 (the Regulation) prohibits the land application of a number of wastes and waste-derived substances for the purposes of growing vegetation. These substances are primarily industrial residues and have been prohibited due to their potential to contain undesirable contaminants such as heavy metals and persistent organic compounds. The land application of foundry sand is prohibited under the Regulation.

The conditions of this exemption outline the requirements that must be met for this prohibition to no longer apply. Foundry sand may only be applied to land where the conditions of this exemption are met.

Authority

5. This exemption is made under Clause 51, Part 6 of the Regulation. This exemption is a general exemption and is given in respect of suppliers, processors and consumers.

## Definitions

## 6. In this exemption:

Foundry sand means material recovered from the moulds used in the hot casting of metals, comprised predominantly of sand and fine sand rejects from sand recovery systems. Foundry sand does not include other materials from foundries such as bag dusts, dross and slags.

In-sand means the chemical levels in the foundry sand prior to blending, mixing or otherwise processing.

Supplier means a person who supplies, or causes or permits the supply of, foundry sand to a processor. The supplier will generally be the generator of the foundry sand.

Processor means a person who mixes, blends or otherwise incorporates foundry sand with other materials to make compost or artificial soil.

Consumer means a person who applies compost or artificial soil which incorporates foundry sand to land for the purpose of growing plants.

For further information on the terms used in this document, refer to Appendix 1 – Guidance.

## Who this exemption applies to

## 7. The responsible person identified in Column 1 of Table 1 is exempt from the provisions identified in Column 2 of Table 1 where that person complies with the conditions identified in section 8.

Table 1

Column 1 <i>Responsible person</i>	Column 2 <i>Provisions from which the responsible person is exempt</i>
Supplier	clause 45 of the Regulation [Residue waste not to be applied to certain land]
Processor	clause 45 of the Regulation [Residue waste not to be applied to certain land]
Consumer	section 48 of the Act [Licensing requirement—scheduled activities (premises based)] section 88 of the Act [Contributions by licensee of waste facilities] clause 45 of the Regulation [Residue waste must not be applied to certain land]

## Conditions of this exemption

## 8. The operation of this exemption is subject to the following conditions:

8.1 The exemption only applies to foundry sand from the casting of iron and/or aluminium. Foundry sand from the casting of other materials, including brass, bronze, stainless steel or any other metal alloys, combination of alloys or hot dipping or surface treating are excluded from this exemption.

8.2 The foundry sand must be mixed or blended with, or otherwise incorporated into, compost or artificial soil.

8.3 The direct application to land of foundry sand is not permitted.

8.4 The supplier, processor and consumer must not cause or permit the use of foundry sand where the in-sand chemicals identified in section 9 and listed in Column 1 of Table 2 do not conform with the concentrations listed in Column 2 of Table 2.

8.5 The supplier must comply with all requirements specified in section 11, 'Supplier responsibilities'.

8.6 The processor must comply with all requirements specified in section 12, 'Processor responsibilities'.

8.7 The consumer must comply with all requirements specified in section 13, 'Consumer responsibilities'.

## Chemical concentrations

## 9. The in-sand chemical concentrations listed in Column 1 of Table 2 must comply with the concentrations listed in Column 2 of Table 2.

Table 2

Column 1 <i>Chemical</i>	Column 2 <i>Maximum concentration</i>
1 Zinc (mg/kg on a dry mass basis)	100
2 Copper (mg/kg on a dry mass basis)	75
3 Molybdenum (mg/kg on a dry mass basis)	20
4 Arsenic (mg/kg on a dry mass basis)	7.5
5 Cadmium (mg/kg on a dry mass basis)	1
6 Chromium (mg/kg on a dry mass basis)	75
7 Lead (mg/kg on a dry mass basis)	30
8 Selenium (mg/kg on a dry mass basis)	5
9 Nickel (mg/kg on a dry mass basis)	40
10 Silver (mg/kg on a dry mass basis)	7.5
11 Beryllium (mg/kg on a dry mass basis)	2
12 Fluoride (mg/kg on a dry mass basis)	200
13 Mercury (mg/kg on a dry mass basis)	0.3

## Test methods

## 10.1 Test methods for measuring chemicals 1–12 in foundry sand require:

10.1.1 Sample preparation by digesting foundry sand using USEPA 3051 or equivalent.

10.1.2 Analysis using USEPA 6010B (or equivalent analytical method with a 'detection limit' < 10% of stated total concentration in General Exemption ie 3 mg/kg dry weight for lead and 0.1 mg/kg dry weight for cadmium).

10.1.3 Reporting as mg/kg dry weight.

## 10.2 Test methods for measuring mercury concentrations in foundry sand require:

10.2.1 Cold-vapour atomic absorption (sample preparation and analytical method) using USEPA 7471A (or equivalent analytical method with a 'detection limit' < 20% of stated total concentration in General Exemption ie 0.06 mg/kg dry weight).

10.2.2 Reporting as mg/kg dry weight.

## Supplier responsibilities

## 11. The following conditions must be met by the supplier for this exemption to apply:

## 11.1 Chemical characterisation

11.1.1 Suppliers must initially fully chemically characterise their foundry sand. Full characterisation generally involves

- gathering 20 individual samples, by taking one sample from each batch of foundry sand or each truckload or skip bin of foundry sand (whichever is more frequent) that is removed from the foundry for reuse. The data from the 20 samples is then used in section 11.1.5.
- 11.1.2 Suppliers must repeat the full chemical characterisation of their foundry sand at least every three years.
- 11.1.3 Where there is a change in inputs that is likely to affect the contaminants in the foundry sand, initial characterisation of the foundry sand must be repeated.
- 11.1.4 The contaminants specified in Table 2 must be measured in accordance with the test methods specified in 10.1 and 10.2.
- 11.1.5 The mean, standard deviation and upper 95% confidence limit of the mean concentration should be calculated for each chemical listed in Column 1 of Table 2, to establish that the upper 95% confidence limit for the mean concentration for each chemical does not exceed the maximum concentration in Column 2 of Table 2.
- 11.1.6 A Material Safety Data Sheet (MSDS) must be prepared in accordance with the National Occupational Health and Safety Commission, National Code of Practice for the Preparation of Material Safety Data Sheets, published in 2003, by the AGPS, Canberra.
- 11.2 Maximum allowable chemical concentrations
- 11.2.1 The in-sand chemical or chemical values specified in Column 1 of Table 2 must be measured prior to blending, mixing or otherwise incorporating them with another substance, and must not exceed the maximum contaminant concentrations specified in Column 2 of Table 2.
- 11.3 Information to be provided to processor
- 11.3.1 Suppliers of foundry sand must provide a written statement of compliance to the processor with each transaction of foundry sand, certifying that the foundry sand complies with the relevant conditions of this exemption. The certificate must be provided prior to mixing the foundry sand with other materials.
- 11.3.2 The supplier must provide a copy of this exemption and the MSDS to the processor.
- 11.4 Monitoring and record keeping
- 11.4.1 Suppliers of foundry sand shall undertake routine testing of representative samples to ensure that the quality of the supplier's foundry sand is consistently maintained.
- 11.4.2 At a minimum, suppliers of foundry sand must test the foundry sand three times a year where less than 1000 tonnes of foundry sand is provided to processors and/or consumers in total. Where more than 1000 tonnes of foundry sand is provided to processors and/or consumers in total, suppliers must test at least three times a year plus once every 1000 tonnes.
- 11.4.3 All testing must be undertaken by analytical laboratories accredited by the National Association of Testing Authorities to perform particular tests.
- 11.4.4 Characterisation and routine test results shall be kept for a minimum of three years.
- 11.4.5 Suppliers of foundry sand must keep records of all transactions for three years, including the name and address of the processor of each transaction of foundry sand.
- Processor responsibilities
12. The following conditions must be met by the processor for this exemption to apply.
- 12.1 Incorporation into compost or artificial soil
- 12.1.1 The foundry sand must be incorporated into a commercial compost or artificial soil.
- 12.1.2 The foundry sand must be incorporated into a commercial compost or artificial soil at a rate less than 10% of dry volume in any mix.
- 12.2 Information to be provided to the consumer
- 12.2.1 The processor must provide the consumer with recommendations on the appropriate use, including recommendations regarding appropriate application rates, for commercial land application materials which are mixed or blended with, or otherwise incorporate, foundry sand.
- 12.3 Monitoring and record keeping requirements
- 12.3.1 Processors shall obtain and keep a written statement of compliance with each transaction of foundry sand, certifying that the foundry sand complies with the relevant conditions of this exemption.
- 12.3.2 Records of the quantity of foundry sand supplied, the supplier's name and the date the foundry sand was received must be kept for a period of three years.
- Consumer responsibilities
13. The following conditions must be met by the consumer for this exemption to apply.
- 13.1 Foundry sand must not be applied to land unless it is a constituent of commercial compost or artificial soil.
- Exemption Granted
- MARK GORTA,  
Manager, Waste Management Section,  
Environment Protection Authority
- Notes
- The EPA may amend or revoke this exemption at any time or if any condition attached to this exemption is contravened or as required when additional information is received.
- The maximum penalty for failing to comply with this exemption is 400 penalty units for a corporation and 200 penalty units for an individual.

Operating without appropriate permission or in contravention of the conditions set out in this exemption could lead to prosecution under environment protection legislation and the imposition of substantial penalties.

The conditions set out in this exemption are designed to minimise the risk of potential harm to the environment, human health or agriculture, however, neither this exemption nor these conditions guarantee that the environment will not be harmed. The liability for any harm rests with the person who causes or permits the application of the substance to land.

In monitoring the quality of the exempted material, suppliers should be alert to any changes in the process or the raw materials used and any consequent changes to the types and concentrations of the listed or other contaminants in the exempted material, and take action to prevent any harmful effects of any such changes on the environment, human health or agriculture.

In gazetting this general exemption, the EPA is not endorsing the use of this substance or guaranteeing that the substance will benefit plant growth.

Plants may display symptoms of toxicity, and/or reductions in yield may occur at values below the maximum concentration limits specified in this exemption. Contaminant limits and blending rates are specified as maximums only. These rates may need to be lower depending on local circumstances and should be determined as appropriate to those circumstances prior to application.

Substances mixed with more than one residue waste must meet the conditions of all relevant exemptions. All other regulations applying to the waste or blended substances must also be met.

All records required to be kept under this exemption must be made available to authorised officers of the EPA upon request.

#### Appendix 1 – Guidance

Where the supplier and consumer are the same person

Records required to be kept by the supplier, as specified in section 11, 'Supplier responsibilities', that relate to 11.1 'Chemical characterisation' of the foundry sand and that show compliance with 11.2 'Maximum allowable chemical concentrations' are deemed to be appropriate documents for the purposes of complying with the conditions of this exemption.

What is a 'transaction'?

For the purposes of arrangements between a supplier and a processor or a supplier and a consumer, a 'transaction' is taken to mean the contractual agreement between the two parties which specifies the exchange of foundry sand from one party to another. This arrangement should be in written form and be made available to an authorised officer of the EPA on request.

Information to be included in a statement of compliance

The supplier may determine a convenient format for the statement of compliance, however, it must be in writing and be provided to the processor or consumer with each transaction. It is recommended that the following information be provided in the statement of compliance:

- The name of the relevant exemption.
- The name of the supplier.

- The date of the transaction.
- The quantity of material subject to the transaction.
- The date or dates of delivery.
- The address of the delivery site.
- A statement of compliance with the conditions of the exemption signed or otherwise authorised by the supplier.

Environmentally appropriate land application of compost and artificial soil containing foundry sand

The conditions outlined in this exemption are designed to minimise the risk of potential harm to the environment, human health or agriculture, however, neither this exemption nor these conditions guarantee that the environment will not be harmed.

The consumer of the compost or artificial soil made from foundry sand should consider whether the proposed application site is suitable for a land application program. EPA recommends that consideration be given to such factors as the soil type, slope, proximity to watercourses and potable water supplies, depth to groundwater and bedrock, suitability for plants etc.

While maximum contaminant concentration limits are specified in this document, lower application rates or no application may be appropriate for some soils. Application rates should be determined as appropriate to local conditions prior to application.

As a guide, EPA recommends that the following contaminant concentrations in the finished compost or artificial soils made with foundry sand should not be exceeded. It should be noted that these limits are provided as a guide only and plants may display symptoms of toxicity and/or reductions in yield at values below these limits.

<i>Contaminant</i>	<i>Maximum in compost or artificial soil</i>
Total lead (mg/kg dry weight)	< 50 mg/kg dry weight
Total cadmium (mg/kg dry weight)	< 1 mg/kg dry weight
Total mercury (mg/kg dry weight)	< 0.15 mg/kg dry weight

Note: The test methods listed in 10.1 and 10.2 should be used to determine the concentration of the contaminants in compost and manufactured soil products.

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#### THREATENED SPECIES CONSERVATION ACT 1995

Notice of approval of the Southern Brown Bandicoot  
(*Isodon obesulus*) Recovery Plan

THE Department of Environment and Conservation hereby gives notice of the approval of the Southern Brown Bandicoot (*Isodon obesulus*) Recovery Plan. Information relating to the sale and inspection of the recovery plan will be published during the week commencing 4 December 2006 in the *Bega District News*, *Bombala Times*, *Hills Shire Times*, *Hornsby and Upper North Shore Advocate*, *Imlay Magnet*, *Manly Daily*, *Merimbula News Weekly*, *Narooma News*, *Parramatta Advertiser*, *South Coast Register* and *Sydney Morning Herald*.

GISELLE HOWARD,  
Acting Director,  
Metropolitan Branch,  
Environment Protection and Regulation Division



**TRANSPORT ADMINISTRATION ACT 1988****LAND ACQUISITION (JUST TERMS  
COMPENSATION) ACT 1991****Notice of Compulsory Acquisition of Stratum Land  
for the Purposes of the Transport Infrastructure  
Development Corporation**

THE Transport Infrastructure Development Corporation, with the approval of Her Excellency the Governor, declares that the lease interest described in the Schedule hereto is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of the Transport Infrastructure Development Corporation, as authorised by the Transport Administration Act 1988, being for rail facilities in connection with the North Sydney Station Upgrade.

Dated this 14th day of November 2006.

CHRIS LOCK,  
Chief Executive Officer

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**SCHEDULE**

All that part of Lease registered as Lease Book 2629 No. 746 in the General Register of Deeds of land situate at North Sydney in the Local Government Area of North Sydney, Parish of Willoughby, County of Cumberland and State of New South Wales being part of Lot 10 shown in Deposited Plan 852152 and also being sub-lease registered No. 6667236 said to be in the possession of the Trust Company of Australia (Certificate of Title Volume 8650, Folio 52).

All that Sub-lease Registered Number 6667236 of land situate at North Sydney in the Local Government Area of North Sydney, Parish of Willoughby, County of Cumberland and State of New South Wales being premises known as Shop 4, Ground Floor, 15 Blue Street over part of Lot 10 shown in Deposited Plan 852152 and said to be in the possession of Successfield Pty Ltd.

TIDC Reference: 156447.

## Workers Compensation (Chiropractor Fees) Order 2006

under the

Workers Compensation Act 1987

I, JON BLACKWELL, Chief Executive Officer of the WorkCover Authority of New South Wales, pursuant to section 61 of the *Workers Compensation Act 1987*, make the following Order.

Dated this 24th day of November 2006.

JON BLACKWELL  
Chief Executive Officer  
WorkCover Authority

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### Explanatory Note

Treatment by a registered chiropractor is one of the categories of medical or related treatment covered under the *Workers Compensation Act 1987*. This Order sets the maximum fees for which an employer is liable under the Act for treatment by a chiropractor of an injured worker's work-related injury.

Schedule A to this Order provides for maximum fees for chiropractic treatment generally. Schedule B to this Order provides for higher maximum fee levels for WorkCover approved chiropractors. WorkCover approved chiropractors are those who have participated in training courses endorsed or approved by WorkCover.

This Order also makes provision for Chiropractic Management Plans and the approval by workers compensation insurers of certain chiropractic services.

#### 1. Name of Order

This Order is the *Workers Compensation (Chiropractor Fees) Order 2006*.

#### 2. Commencement

This Order commences on 1 December 2006.

#### 3. Application of Order

This Order applies to treatment provided on or after the date of commencement of this Order, whether the injury was received before, on or after that date.

#### 4. Maximum fees for chiropractic treatment generally

- (1) The maximum fee amount for which an employer is liable under the Act for treatment of an injured worker by a chiropractor, being treatment of a type specified in Column 1 of Schedule A to this Order, is the corresponding amount specified in Column 2 of that Schedule.
- (2) If it is reasonably necessary for a chiropractor to provide treatment of a type specified in any of items 8 to 12 in Schedule A at the worker's home, the maximum fee amount for which an

employer would otherwise be liable under the Act for that type of treatment is increased by an amount calculated at the rate per kilometre (for the number of kilometres of travel reasonably involved) specified for item 15 in Column 2 of Schedule A.

- (3) This clause does not apply to treatment by a WorkCover approved chiropractor.

#### **5. Higher maximum fees for treatment by WorkCover approved chiropractors**

- (1) The maximum fee amount for which an employer is liable under the Act for treatment of an injured worker by a chiropractor, who is a WorkCover approved chiropractor, being treatment of a type specified in Column 1 of Schedule B to this Order, is the corresponding amount specified in Column 2 of that Schedule.
- (2) If it is reasonably necessary for a WorkCover approved chiropractor to provide treatment of a type specified in any of items 23 to 27 in Schedule B at the worker's home, the maximum fee amount for which an employer would otherwise be liable under the Act for that type of treatment is increased by an amount calculated at the rate per kilometre (for the number of kilometres of travel reasonably involved) specified for item 30 in Column 2 of Schedule B.

#### **6. Goods and Services Tax**

- (1) The maximum fee amount for which an employer is liable under the Act in respect of the treatment types specified in:

(a) items 13, 14 and 15 of Schedule A to this Order, and

(b) items 28, 29 and 30 of Schedule B to this Order,

may be increased by the amount of any GST payable in respect of the service, and the cost so increased is taken to be the amount fixed by this Order.

- (2) This clause does not permit a chiropractor to charge or recover, in respect of GST payable in respect of a service, an amount that is greater than:

(a) 10% of the maximum amount that would otherwise be payable under this Order to the chiropractor in respect of the medical or related treatment, or

(b) the amount permitted under the New Tax System Price Exploitation Law,

whichever is the lesser.

## 7. Definitions

In this Order:

- Case Conference** means a face-to-face meeting or teleconference with the rehabilitation provider, employer, insurer and/or worker to discuss a worker's treatment in relation to the return to work plan and/or strategies to improve a worker's ability to return to work.
- File notes of case conferences are to be documented in the chiropractor's records indicating discussions and outcomes. This information may be required for invoicing purposes.
- Discussion between treating doctors and chiropractors are considered a normal interaction between the referring doctor and practitioner and are not to be charged as a case conference item.
- Chiropractor** means a chiropractor registered under the *Chiropractors Act 2001* or a person who is licensed or registered as a chiropractor under the law in force in another State or Territory.
- Chiropractic Management Plan** means a document used by a chiropractor to indicate treatment timeframes and anticipated outcomes for an injured worker to the relevant workers compensation insurer.
- A Chiropractic Management Plan provides the mechanism to request approval from the relevant workers compensation insurer for treatment beyond:
- (a) the initial eight (8) consultations (when an injured worker has not attended for any previous treatment of a physical nature for this injury); or
  - (b) the initial consultation/treatment (when the injured worker has attended for previous treatment of a physical nature for this injury).
- A Chiropractic Management Plan can request approval for up to an additional eight (8) chiropractic consultations, unless otherwise approved by the insurer.
- A copy of the form developed by WorkCover for the Chiropractic Management Plan is at Appendix 1 of the *Chiropractors' Guide to WorkCover NSW*.
- Complex treatment** means treatment related to complex pathology and clinical presentation including, but not limited to, extensive burns, complicated hand injuries involving multiple joints and tissues, some complex neurological conditions, spinal cord injuries, head injuries and major trauma. Provision of complex treatment requires **pre-approval** from the insurer. It is expected that only a small number of claimants will require treatment falling within this category.
- Group/class service** occurs where a chiropractor delivers a common service to more than one person at a time. Examples are exercise and education groups. The maximum class size is six (6) participants. A Chiropractic Management Plan is required for each worker participant.
- GST** has the same meaning as in the *A New Tax System (Goods and Services Tax) Act 1999* of the Commonwealth.
- Home visit** applies in cases where, due to the effects of the injuries sustained, the worker is unable to travel. The home visit must be the best and most cost-effective option allowing the chiropractor to travel to the worker's home to deliver treatment. Provision of home treatment requires **pre-approval** from the insurer.



<b>Initial consultation and treatment</b>	means the first session provided by the chiropractor in respect of an injury, and includes: <ul style="list-style-type: none"><li>• history taking</li><li>• physical assessment</li><li>• diagnostic formulation</li><li>• goal setting and planning treatment</li><li>• treatment/service</li><li>• clinical recording</li><li>• communication with referrer</li><li>• preparation of a Chiropractic Management Plan when indicated.</li></ul>
<b>New Tax System Price Exploitation Law</b>	means: <ul style="list-style-type: none"><li>(a) the New Tax System Price Exploitation Code as applied as a law of New South Wales by the <i>Price Exploitation Code (New South Wales) Act 1999</i>; and</li><li>(b) Part VB of the <i>Trade Practices Act 1974</i> of the Commonwealth.</li></ul>
<b>Normal practice</b>	means premises in or from which a chiropractor regularly operates a chiropractic practice and treats patients. It also includes facilities where the service may be delivered on a regular or contract basis.
<b>Report Writing</b>	occurs when a chiropractor is requested to compile a written report providing details of the worker's treatment, progress and work capacity. The insurer must provide <b>pre-approval</b> for such a service.
<b>Standard consultation and treatment</b>	means treatment sessions provided subsequent to the initial consultation and treatment, and includes: <ul style="list-style-type: none"><li>• re-assessment</li><li>• treatment/service</li><li>• clinical recording</li><li>• preparation of a Chiropractic Management Plan when indicated.</li></ul>
<b>the Act</b>	means the <i>Workers Compensation Act 1987</i> .
<b>Travel</b>	occurs where the most appropriate clinical management of the patient requires the chiropractor to travel away from their normal practice. Travel costs do not apply where the chiropractor provides contracted service to facilities such as a private hospital, hydrotherapy pool, workplace or gymnasium. The insurer must provide <b>pre-approval</b> for such a service.
<b>Two (2) distinct areas</b>	means where two (2) <b>entirely separate</b> compensable injuries or conditions are assessed and treated and where treatment applied to one condition does not affect the symptoms of the other injury e.g. neck condition plus post fracture wrist. It does not include a condition with referred symptoms to another area.
<b>WorkCover</b>	means the WorkCover Authority of New South Wales.
<b>WorkCover approved chiropractor</b>	means a chiropractor who has participated in the WorkCover training courses and any other course approved by WorkCover (if any) for the purposes of this Order.

## SCHEDULE A

## Maximum fees for chiropractors generally

Column 1		Column 2
Item	Type of Treatment	Maximum Amount (\$)
<b><i>Normal Practice</i></b>		
1.	Initial consultation and treatment	50
2.	Standard consultation and treatment	40
3.	Initial consultation and treatment of two (2) distinct areas	75
4.	Standard consultation and treatment of two (2) distinct areas	60
5.	Complex treatment	80
6.	Group/class service	39 per participant
7.	Spine X-rays performed by chiropractor	99.20
<b><i>Home Visit</i></b>		
8.	Initial consultation and treatment	62
9.	Standard consultation and treatment	50
10.	Initial consultation and treatment of two (2) distinct areas	94
11.	Standard consultation and treatment of two (2) distinct areas	75
12.	Complex treatment	100
<b><i>Other</i></b>		
13.	Case conference	100 per hour
14.	Report writing	100 (maximum)
15.	Travel	1.00 per kilometre

## SCHEDULE B

## Maximum fees for WorkCover approved chiropractors

Column 1		Column 2
Item	Type of Treatment	Maximum Amount (\$)
<b><i>Normal Practice</i></b>		
16.	Initial consultation and treatment	67.60
17.	Standard consultation and treatment	57.20
18.	Initial consultation and treatment of two (2) distinct areas	101.90
19.	Standard consultation and treatment of two (2) distinct areas	86.30
20.	Complex treatment	114.40
21.	Group/class service	40.60 per participant
22.	Spine X-rays performed by chiropractor	103.10
<b><i>Home Visit</i></b>		
23.	Initial consultation and treatment	83.20
24.	Standard consultation and treatment	66.60
25.	Initial consultation and treatment of two (2) distinct areas	122.70
26.	Standard consultation and treatment of (2) distinct areas	106.00
27.	Complex treatment	135.10
<b><i>Other</i></b>		
28.	Case conference	135.10 per hour
29.	Report writing	135.10 (maximum)
30.	Travel	1.25 per kilometre

**Notes on Schedules A and B**

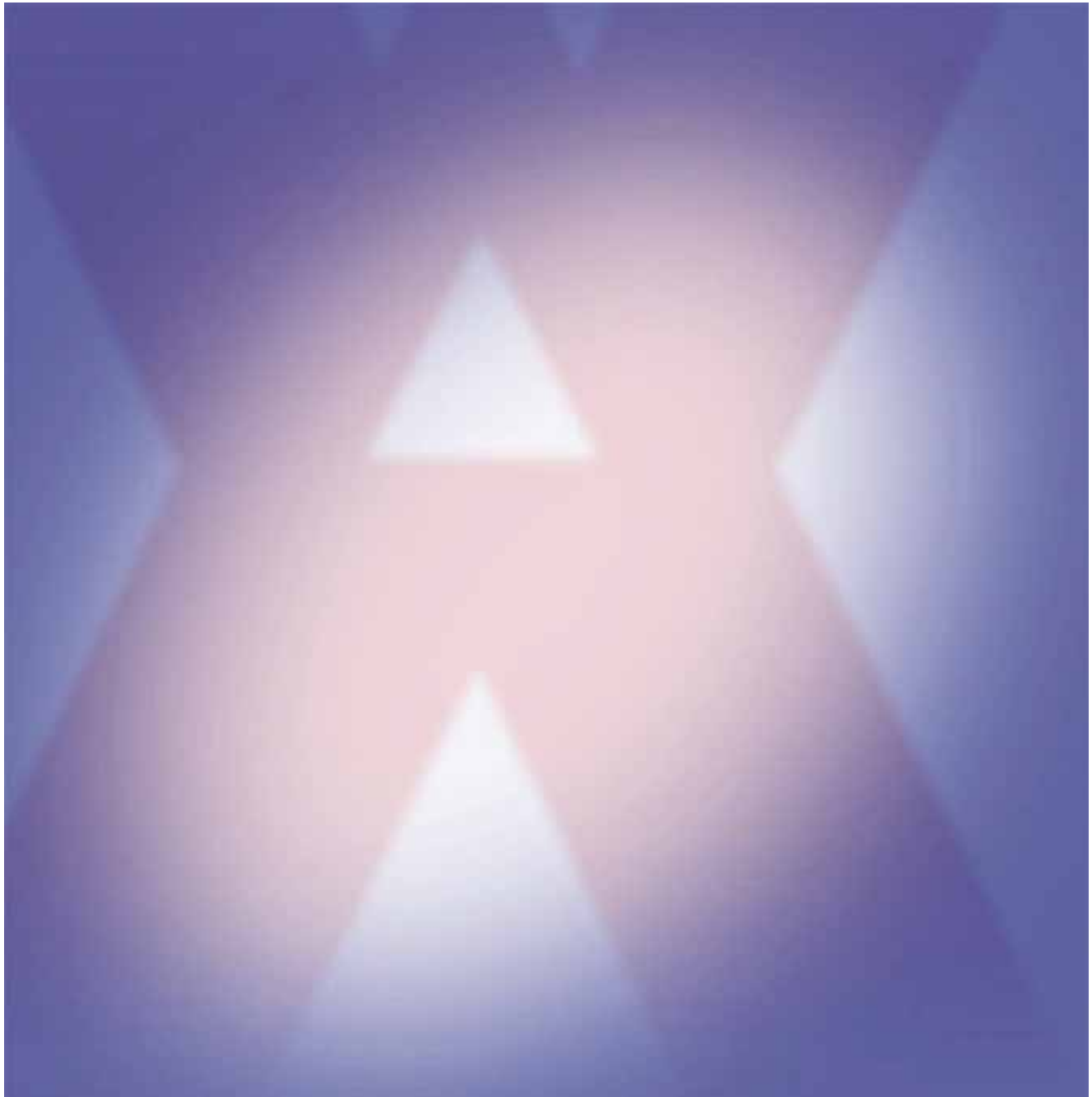
- (i) Chiropractic treatment of an injured worker is covered under the Act if the treatment is reasonably necessary as a result of his or her work injury.
- (ii) The treatments to which this Order applies do not include hospital treatment (as defined in section 59 of the Act) or occupational rehabilitation services provided by an accredited provider of such services (as defined in the same section).
- (iii) Where it is reasonably necessary for a chiropractor to make a Home Visit covered by items 8 to 12 in Schedule A or items 23 to 27 in Schedule B, the hourly rate for those items does not apply to the time spent travelling to or from that place. See item 15 in Schedule A and item 30 in Schedule B for amounts allowed for travel reasonably involved in making Home Visits.



# **CHIROPRACTORS'**

## **GUIDE TO WORKCOVER NSW**

December 2006



WorkCover. **Watching out for you.**

**Disclaimer**

This publication contains industry recommended action or information regarding occupational health, safety, injury management or workers compensation. It includes some of your obligations under the various Workers Compensation and Occupational Health and Safety legislation that WorkCover NSW administers. To ensure you comply with your legal obligations you must refer to the appropriate acts.

This publication may refer to WorkCover NSW administered legislation that has been amended or repealed. When reading this publication you should always refer to the latest laws. Information on the latest laws can be checked at [www.nsw.gov.au](http://www.nsw.gov.au) or contact (02) 9238 0950 or 1800 463 955 (NSW country only).

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## SECTION 1

# INTRODUCTION

This manual has been produced by WorkCover NSW to provide chiropractors who are treating injured workers with information about treatment procedures and the injury management system in NSW.

This manual was revised in December 2006 and describes the revised fee schedules and amended reporting requirements introduced at that time.

WorkCover's injury management system is designed to provide a framework which enables an early, safe and durable return of injured workers to the workplace. This is achieved in part through effective communication between the nominated treating doctor, insurers, employers and other health professionals and should be the focus of any treatment provided. Chiropractors assist in this process by providing information to insurers regarding treatment requirements and potential barriers that may impact upon the return to work process, and advice to other health professionals regarding functional ability and capacity for work.

## SECTION 2

# PROCEDURES

These procedures are effective as of December 2006 and apply to all chiropractic services provided to injured workers on or after the date of gazettal, regardless of when chiropractic treatment commenced.

### a) Background

Insurers require information from chiropractors to assist them to manage claims. Specifically, they need to know:

- i) what treatment is being provided, to ensure that this is co-ordinated with other injury management services;
- ii) how much treatment is anticipated will be provided, so that a reasonably accurate estimate of the total cost of the claim can be made (this is a WorkCover requirement for all claims).

### b) Your WorkCover Approval Number

For a chiropractor to be eligible for the higher WorkCover Fee (Schedule B), their WorkCover approval number needs to appear on all accounts submitted to the insurer.

Many chiropractors were previously issued with a WorkCover approval number upon their completion of the original Outcomes Training Course. This approval number will not change. However, to maintain your eligibility for Schedule B fees, attendance at a one day training course entitled "*Managing Soft Tissue Injuries using Work Related Activity*" is essential. You are required to attend the Training Course before July 2007, otherwise your WorkCover approval number may be cancelled. Your WorkCover approval number may also be cancelled in cases where over servicing has been identified and verified via a review panel.

Chiropractors who have not previously been granted a WorkCover approval number will obtain one when they forward a completed "Chiropractor Request for WorkCover Approval" form to WorkCover. These forms can be obtained by contacting WorkCover on 13 10 50. The chiropractor will be entitled to charge the maximum higher fee schedule once they have received this number. Again attendance at the *Managing Soft Tissue Injuries using Work Related Activity* Training Course is required by July 2007, or if you register for an approval number from February 2007 onwards, within 6 months of being issued with the number, otherwise your WorkCover approval number may be cancelled.

Enrolment for the *Managing Soft Tissue Injuries using Work Related Activity* Training Course is to be arranged directly by the chiropractor with the organisation which has been awarded the contract to deliver this training on behalf of WorkCover.

A statement on Outcomes Based Treatment developed jointly by the CAA and WorkCover is included at Appendix 1 which outlines the issues to be considered when approaching service delivery with an outcome focus and provides a succinct statement about the value of outcomes based treatment.

### c) On receipt of a referral

Whilst a medical referral is not necessary for an injured worker to seek treatment from a chiropractor, if the injured worker has not come directly from the nominated treating doctor (NTD), it is recommended that you contact the NTD to seek support for the treatment that you intend to perform.

It is also recommended that you immediately contact the insurer or employer (if the insurer is unaware of the claim) to advise that the worker requires treatment.

If you begin treatment without advising the insurer, you may not be paid for delivering the service. Ask what the liability status of the claim is upon this initial contact. If liability has been declined, then the insurer will not pay for the service. If liability is accepted, then they will pay if the treatment is deemed reasonably necessary. If liability is yet to be determined, the insurer may approve payments under the provisional liability arrangements that have been in place since 1 January 2002 (see section 4: Payment of Services).

If you plan to provide **eight or less** treatment sessions, you do not need to submit any formal documentation at this stage, provided **no previous treatment** has been provided by either yourself or another manual therapist/alternate therapist/acupuncture practitioner for this injury/condition. The insurer however remains liable only for treatment that is reasonably necessary pursuant to s60 of the *Workers Compensation Act 1987*.

Following the first treatment you should contact the worker's employer to advise that you are the treating chiropractor and to enquire about the availability of suitable duties. Reasonable costs for the time taken to liaise with the employer about return to work may be charged as case conferencing, provided the communication adds value to the management of the injured worker. i.e. RTW issues are discussed.

#### **d) The Chiropractic Management Plan (see Appendix II)**

The chiropractic management plan assists the insurer to understand the timeframes and outcomes of treatment, and to ensure that treatment is reasonably necessary.

In the case of a worker who has not attended for **any** previous manual therapy/alternate therapy/acupuncture for this injury and you plan to provide **more than eight** treatment sessions, complete the chiropractic management plan and submit it to the insurer for approval before you deliver any treatment beyond the initial eight sessions. Ideally, if more than eight treatments are proposed, the plan should be submitted after the first four sessions. Manual therapy includes any treatment by a physiotherapist, osteopath or chiropractor. Alternate therapy includes massage or other therapies such as Feldenkrais, Bowen, etc. Acupuncture includes treatment provided by a general practitioner or any other provider.

In the case where the worker has attended for previous manual/alternate therapy/acupuncture for this injury from either you or another provider, you must submit a plan after the initial consultation. In this instance you do not have automatic approval for 8 treatment sessions.

Without submission of a plan, the insurer is not liable for the cost of treatments beyond the initial eight (for a worker who has **not** attended for any previous treatment) or for treatments beyond the initial consultation (in the case of workers who **have** previously attended treatment). A plan must also be submitted for any subsequent blocks of treatment, unless prior arrangements have been made with the insurer.

Plans are to be emailed or alternatively faxed to the insurer without a cover sheet.

The insurer has five working days from the date of receiving the plan to advise you whether or not ongoing treatment is approved. The insurer records the decision on the plan and returns it to you by fax. If the insurer does not make a decision within five working days of receipt of the plan, ongoing treatment is considered approved, providing liability has been accepted. It is recommended that to assist in safeguarding receipt of payment for plans not formally approved by the insurer, that you maintain records providing evidence as to when the plan was forwarded to the insurer i.e. fax transmission log, sent emails log. Alternatively, if a response has not been received from the insurer within 5 working days of having submitted the plan, you may choose to contact the insurer to confirm receipt of the plan. It is suggested that you record details regarding this contact with the insurer.

If the insurer deems that the proposed treatment is not reasonably necessary or if the management plan contains insufficient information, the insurer will return it with an explanation of why further treatment cannot be approved. If further consultation fails to resolve the matter, either the insurer or the treating chiropractor may refer the matter to an Independent Chiropractic Consultant for an opinion. You may contact WorkCover for further advice.

It is important to note that when an insurer approves a management plan, they are agreeing that the proposed treatment set out in the plan (for the duration of that plan) is “reasonably necessary” only on the basis of the information available to the insurer at that time. Information received from the time of the approval of a management plan can lead the insurer to decide that the balance of the treatment in that plan is not “reasonably necessary”. By approving the plan an insurer is not guaranteeing that all the proposed treatment the plan sets out (for the duration of the plan) will be paid for by the insurer.

Liability for medical or related treatment is determined by a number of considerations required by the legislation. When an insurer agrees that the proposed treatment is reasonably necessary by approving the plan they are not guaranteeing that all the proposed treatment the plan sets out (for the duration of the plan) will be paid for by the insurer.

When liability is declined prior to the delivery of all the proposed treatment in the plan, treatment provided after the date of declinature will not be paid by the insurer unless the insurer (at the insurer's discretion) had made specific exception for that treatment in the worker's injury management plan for payment after liability is declined.

The insurer is required to inform the injured worker in writing regarding a decision to decline liability. Insurers are also to inform known current treatment providers of this decision. However the ultimate responsibility remains with the worker to inform the treatment provider of the decision. Complaints regarding repeated failure to pay for approved treatment services should be directed to WorkCover on 13 10 50.

A copy of the Chiropractic Management Plan is at Appendix II. The Plan may be photocopied or printed. Ideally you will have software within your practice that allows you to complete the plan electronically, so that this can be emailed to the insurer and save you time. The Plan may also be downloaded from WorkCover's website located at [http://www.workcover.nsw.gov.au/ServiceProviders/Health Care Providers/Chiropractors/Chiropractic Management Plan](http://www.workcover.nsw.gov.au/ServiceProviders/HealthCareProviders/Chiropractors/ChiropracticManagementPlan).

The purpose of the Chiropractic Plan is to provide justification, based on clinical reasoning, for ongoing service delivery. The proposed treatment must have an outcome focus, and must clearly explain how treatment will assist the injured worker to return to work or to stay at work.

### **e) Completing the Chiropractic Management Plan (see Appendix II)**

1. If a worker will be receiving in excess of 8 treatments from yourself or has attended for any previous treatment of the compensable injury with yourself or another manual therapist (physiotherapist, chiropractor, osteopath) or other alternate therapy of a physical nature (including acupuncture), submit a Chiropractic Management Plan to the insurer as a request for approval to provide additional treatment. In the case of previous treatment having been attended, the plan will be forwarded to the insurer after the initial consultation. This will also apply to workers who experience a recurrence of the original injury and who have previously been provided with treatment from yourself or another provider, whether or not they have previously been discharged from treatment or a significant time period has elapsed. The resumption of treatment after discharge does not automatically entitle the worker to another 8 treatments without insurer pre-approval.
2. Please refer to Appendix III for the Explanatory Notes as to how to complete the various sections of the plan.
3. If you wish to appeal against a decision by the insurer that treatment was not reasonably necessary or insufficient information has been provided on the plan, you should refer the matter for advice to WorkCover on 13 10 50.
4. There is no fee payable for completion of the Chiropractic Management Plan, as it should be completed with the worker during the treatment session.

### f) Incidental expenses

Reasonable expenses for items the worker actually takes away with them (e.g. strapping tape, theraband, exercise putty, disposable electrodes, etc.) are payable in addition to the gazetted fee. Necessary items up to a total cost of \$55 per claim are permitted without prior approval of the insurer. A description of the item should appear on the invoice forwarded to the insurer.

An additional fee will however not be paid for exercise handouts, nor items used during the course of chiropractic treatment (e.g. anti-inflammatory creams, ultrasound gel, tissues, etc.). These are regarded as consumables and are considered a business expense.

If a chiropractor recommends that a worker requires additional aids or equipment that cost in excess of \$55, e.g. TENS machine, then the chiropractor must seek approval for payment from the insurer *prior to* purchase or hire of this equipment. If prior approval has not been given, then the insurer is not liable for the costs of the equipment.

### g) Complex treatment

For complex injuries the insurer may approve more than eight services. Complex injuries refer to those with complex pathology and clinical presentation including, but not limited to, extensive burns, complicated hand injuries involving multiple joints and tissues, complex neurological conditions, spinal cord injury, head injuries and major trauma.

In the case of complex treatment, pre-approval from the insurer is required. Discuss the matter directly with the insurer case manager to establish the type and duration of the proposed treatment – and agree on reporting arrangements. It is expected that only a small number of claimants will require treatment falling within this category.

The complex treatment code is not to be used for long duration standard/two distinct area consultations. This code is only to be utilised in cases where the pathology relating to the compensable injury falls into the complex treatment categories, such as those listed above.

### h) Previous treatment

A management plan will be required in **all cases** in which previous physical treatment has been attended with yourself or another provider, regardless of the number of treatments attended.

If an injured worker has received previous treatment from another manual therapist (whether a physiotherapist, chiropractor, osteopath), or alternate therapist, or acupuncture practitioner, contact the original therapist/practitioner to discuss treatment outcomes and identified barriers, to enable proper completion of the new management plan. Reasonable costs will be billable under case conferencing for this communication. Upon initial contact with the insurer (to provide notification of commencement of treatment), enquire as to the number of treatment sessions provided by previous treatment providers.

The insurer will pay the cost of an initial consultation by the new chiropractor (except when the new chiropractor is based in the same practice as the previous therapist). This fee is to allow for an assessment, provision of appropriate treatment and the preparation of a management plan.

It is the responsibility of the chiropractor to determine if the worker has received previous treatment so that a Management Plan can be submitted if required.

### i) Commencement of a Work Related Activity Program

When an injured worker with a soft tissue injury of greater than 4 weeks duration is not upgrading on suitable duties as per the expected rate for their injury or failing to return to work, a review should be undertaken to determine whether a work related activity program is a more appropriate intervention than manual or electrotherapy. Generally workers in this category need a work related activity program if they have an ÖMPQ score of 105 or greater, although this will depend

on what are the identified barriers to RTW. In some instances it may be more appropriate to refer the injured worker to an Injury Management Consultant or Rehabilitation Provider.

Screen the worker using the self administered ÖMPQ or obtain a copy of the worker's ÖMPQ score from the insurer. If the ÖMPQ score is > 105, then contact the insurer to obtain a copy of the workplace assessment report or discuss the need for a workplace assessment (if one has not previously been performed) and the possible commencement of a work related activity program. Refer to the *Soft Tissue Injuries General Guide 2005* and *Management of Soft Tissue Injuries – Treatment Providers Guide 2005* on the WorkCover website for further information on work related activity programs.

Before transitioning an injured worker from treatment modalities to an early work related activity program, develop the Early Work Related Activity Program Management Plan with the injured worker. This will take place during a standard treatment consultation and is to be billed as such (CHA002/CHX002). The focus of this consultation is the recording of functional measures relevant to work tasks, discussing any identified potential barriers and setting goals. It is not expected that the chiropractor will provide treatment modalities during this session. Note the Work Related Activity Program Management Plan differs from the Chiropractic Management Plan. It is available on WorkCover's website.

If the treating chiropractor will not be providing the Work Related Activity Program, then the treating chiropractor should discuss the matter with the insurer and either seek approval to refer the worker to another practitioner for this purpose, or have the insurer organise this referral via the nominated treating doctor. In this situation, the treating chiropractor will not complete the Work Related Activity Program Management Plan. This will be completed by the practitioner conducting the Work Related Activity Program.

## **j) Fees payable**

A chiropractor can charge fees as per the WorkCover schedule B provided they have been issued with a WorkCover approval number. To obtain WorkCover approval the chiropractor must be registered with the NSW Chiropractors Registration Board and agree to attend the *Managing Soft Tissue Injuries using Work Related Activity* one day training course. For further details please refer to page 2 of this guideline.

To charge the higher fees, include your WorkCover approval number on all accounts submitted to the insurer.

The gazetted fees and requirement for management plans applies to all services delivered by a chiropractor. Please note that fees for these services are not time based, but are included as part of the standard consultation fee structure. The standard consultation fee also applies to services provided in a private hospital (unless the two distinct area or complex pathology definition applies or the chiropractor does not deliver services to that facility on a regular or contracted basis).

The fees stated in the gazette for two distinct areas only applies when 2 entirely separate compensable injuries or conditions are assessed and treated and where treatment applied to one condition does not affect the symptoms of the other injury e.g. neck condition plus post fractured ankle. It does not include a condition with referred symptoms to another area. The insurer will only consider payment for services or treatments relating to the compensable injury (not other pre-existing conditions). This fee is not to be used in any other situation (for example, longer duration standard consultations).

It is important to note that services such as exercise programs are charged at the same rates as hands on treatment, as long as this treatment is provided on an individual basis. In the instance that these services are provided in a group format, the group/class fee applies. Group classes must not contain more than 6 participants. A session of this type may involve a group performing the same type of exercise (when treating a homogenous group) or the group may perform their own individualised programs. A chiropractor must be planning, providing instruction, supervision, monitoring and in attendance at all times for hydrotherapy and gymnasium services to be charged under this fee schedule.



The gazetted chiropractic fees do not apply in cases where a Chiropractic Aide or any person other than a qualified chiropractor is providing the service. A lesser fee will apply in these situations.

An additional entry fee for the pool or gymnasium facility will not be paid for by the insurer where the gymnasium or pool is owned or operated by the provider and a fee is being charged as per this schedule. An entry fee will only be paid where these services are provided at a facility off site from the chiropractor's normal place of employment and an entry fee applies

In this instance a travel cost may also be applicable. Travel costs do not apply where the chiropractor provides contracted services or regularly attends these facilities. When travel costs apply, they are to be charged at the prescribed rate per kilometre and where multiple patients are being attended to in the same visit, it is expected that the travel charge will be divided accordingly. Pre-approval from the insurer is required when travel costs are required to deliver the service.

It is important to note that all chiropractic services (whether pilates, gymnasium, massage, etc.) must be aimed at increasing an injured worker's capacity to work. They should not be focused on improving a worker's general level of health and fitness. When the worker has a soft tissue injury and is 4 weeks or more post injury, has an ÖMPQ score equal to or greater than 105 and is not back on full duties or is failing to upgrade on suitable duties at the anticipated rate for their injury, exercise programs, are to be delivered according to the *Management of Soft Tissue Injuries – General Guide 2005 and Management of Soft Tissue Injuries - Treatment Providers Guide 2005*.

**Fees for cancellation or failure to attend scheduled treatments will not be paid by the insurer.**

#### **k) Provider invoice**

Payment for services will be made in accordance with the Chiropractic Fees Order 2006. For insurer payment the provider is required to forward an itemised invoice including the following information:

- The words 'Tax Invoice' stated prominently
- The name of the practitioner who provided the service and practice details
- WorkCover NSW registration number (if approved)
- The date the tax invoice was issued
- The provider's Australian Business Number (ABN)
- The injured worker's name and claim number
- Date of each service
- Appropriate WorkCover NSW payment classification code (see appendix V)
- Service cost for each WorkCover NSW classification code
- A brief description of each service item provided, including areas treated
- Payee details

#### **l) Concerns regarding quality of information**

If an insurer is concerned about the adequacy or the quality of information provided by treating chiropractors, and the insurer has been unable to obtain satisfactory information after pursuing the matter with the chiropractor, the insurer may refer the matter to WorkCover for an opinion, or to an Independent Chiropractic Consultant (section 3).

#### **m) Chiropractic review process**

A chiropractic review process is currently being developed to address concerns about cases where it appears that extreme levels of service have been delivered.

The procedures for this review process are to be developed through extensive consultation between WorkCover, the Chiropractors Registration Board and the CAA. Once these procedures have been finalised they will be publicised on the WorkCover website.

It is likely that this process will involve the identified chiropractors receiving further education in relation to the delivery of reasonably necessary treatment. It is likely that the identified practitioners will be ineligible for WorkCover approval. In addition a cap may be set for these practitioners as to the maximum number of treatment services provided before automatic review by an Independent Chiropractic Consultant.

A process by which a chiropractor can appeal the decision and apply for the reinstatement of their WorkCover approval number, following appropriate action having been implemented, will also be determined.



## SECTION 3

# Independent Chiropractic Consultants

WorkCover NSW has established a peer support process which involves a network of appointed Independent Chiropractic Consultants (ICC) who provide a second opinion regarding chiropractic service delivery, generally at the request of the insurer. These consultants were appointed by a selection panel that comprised representatives from WorkCover, the Chiropractors Association of Australia and the Chiropractors Registration Board.

Referral by an agent/self-insurer to an ICC for an opinion about treatment is intended to achieve the following objectives:

- consultation with the treating chiropractor to objectively discuss relevant issues in regards to the management of the injured worker, with the aim being to achieve the best outcome for the injured worker;
- review of service delivery by qualified chiropractors with recent clinical experience in the management of work-related injuries who can provide education and advice regarding how to achieve good treatment and return to work outcomes;
- control of costs by providing recommendations for appropriate treatment and by recommending the cessation of service delivery that is not reasonably necessary;
- to assist insurers and employers to better understand when and how much chiropractic treatment is reasonably necessary.

All consultants have agreed to meet certain conditions of appointment. These conditions are specified in Appendix VI. The list of consultants is at Appendix VII.

The services provided by consultants will be paid for by the insurer and will be charged as a cost to the claim.

An integral component of the peer review process is consultation with the treating physiotherapist. You may be contacted by a consultant to discuss your current and proposed treatment for an injured worker.

### **a) When the insurer might consider using a consultant**

The insurer will consider referring workers to an ICC if, after discussion with the treating chiropractor, the insurer is concerned about:

- the number of treatments proposed;
- the frequency of proposed treatment;
- the reasonable necessity of treatment;
- the ongoing need for treatment; and/or
- delivery of more than 8 services without prior approval

### **b) The process of review by an Independent Chiropractic Consultant**

See the flow chart at Appendix VIII, which illustrates the process of review by an ICC.

The insurer selects an ICC from the list and forwards a referral to the ICC, including any relevant chiropractic and medical documentation. Following review of these reports, the ICC may contact the treating chiropractor to discuss treatment. If both chiropractors agree that ongoing treatment is to continue for a specified period or is to cease, the ICC will inform the insurer and the treating chiropractor of this in writing.

If the ICC and the treating chiropractor cannot agree that the proposed treatment is reasonably necessary, the insurer will arrange for the ICC to assess the worker.

On completion of this assessment, the consultant will provide a report to the insurer and to the treating chiropractor with recommendations regarding future treatment requirements.

**c) Complaints about consultants**

Complaints in relation to the conduct of an Independent Chiropractic Consultant should be referred to WorkCover on 13 10 50 or in writing to Locked Bag 2906, Lisarow, NSW, 2252.

**d) Disputes**

If the worker is not happy with the decision by an insurer to discontinue treatment the worker may refer the matter to the Workers Compensation Commission. Arbitrators within the Commission will review the evidence and determine whether treatment should continue or should discontinue (See Section 7). An Approved Medical Specialist may be asked to review the worker to assist in the decision.

## SECTION 4

# Payment of Services

The insurer is required to pay for chiropractic treatment that is reasonably necessary and results from the injury (and the injury satisfies the other considerations for liability under the Workers Compensation Scheme). The maximum amount payable for treatment that is reasonably necessary and results from the injury is set out in the Gazetted Chiropractic Fees Order 2006.

On the basis of section 60A (a) of the Workers Compensation Act 1987, a worker is not liable to pay more than the maximum fee that is set out for chiropractic treatment in the Gazetted Chiropractic Fees Order 2006. Therefore a worker is not liable to pay the balance of any fee when the insurer pays the maximum fee for that treatment set out in the Gazetted Chiropractic Fees Order 2006.

Under payment procedures introduced for an injury first notified on or after 1 January 2002, an insurer can approve provisional payments of medical expenses, including chiropractic treatment, up to a total value of \$5,000. The making of provisional payments does not, however, constitute an admission of liability.

If you decide to proceed with treatment without prior approval, you have three options:

- a) give the account to the worker, with whom you presumably have your contract in the first place for the treatment and payment (subject to maximum fee on the basis of section 60A(a) of the Workers Compensation Act 1987).
- b) forward the account to the worker's employer, and/or
- c) forward the account to the worker's insurer.

If the account is sent to the employer or insurer, it will not usually be paid until a decision has been made to make provisional payments or to accept liability on the claim. A decision on provisional liability is generally made within 7 days of the first notification. It will only be paid if it is considered reasonably necessary treatment in relation to the work related injury.

## Commutations

Commutation of the claim removes an employer's liability to pay weekly compensation and treatment expenses from the effective date of the commutation, by payment of a lump sum of money. Any treatment attended following the commutation of a claim will therefore be the worker's financial responsibility.

A number of conditions must be met before commutation may be considered for approval by WorkCover, including the worker's injury resulting in at least 15% Whole Person Impairment and occurred at least 2 years.

## SECTION 5

# Reasonably Necessary Treatment

### What is 'reasonably necessary' treatment?

The factors underlying reasonably necessary treatment are:

- appropriateness of treatment
- availability of alternative treatments
- cost of treatment
- effectiveness (actual or potential) of treatment
- usage of treatment in similar cases (or acceptance).

### Appropriateness

To be appropriate, treatment must serve a purpose. It must have the capacity to:

- lessen the effects of injury
- cure
- alleviate
- sustain status quo
- retard progressive deterioration.

### Alternatives

The treatment provided must progress injured workers towards better health. Consideration must be given to all other forms of treatment. If alternative avenues of treatment would substantially alleviate the problem, it may be difficult to regard the treatment in question as reasonably necessary.

It will need to be clear as to why chiropractic treatment is the preferred alternative and that, based on the worker's clinical presentation, chiropractic is the best choice for the worker and likely to result in superior outcomes.

### Cost

There must be a positive cost benefit. If treatment is provided at high cost but with minimal effectiveness, it may well be considered as not reasonably necessary where an effective alternative exists at a much lower cost.

Nor may it be considered reasonably necessary where there is only one possible avenue of treatment, but its effectiveness is very small and its cost is great.

### Effectiveness

The degree to which the treatment can alleviate the consequences of injury will be considered when determining if it is reasonably necessary.

### Acceptance

Whether or not a particular treatment approach has been used in similar cases, or is generally accepted by clinical peers, guides the decision about what is reasonably necessary treatment.

## SECTION 6

# Other Parties in the Scheme

The Workplace Injury Management and Workers Compensation Act 1998 identifies specific responsibilities for insurers, employers and medical practitioners designed to encourage the safe, timely and durable return of injured workers to the workplace. There are numerous other parties that may also be involved in this process. These include return to work coordinators, accredited rehabilitation providers, unions and lawyers. Information regarding the roles that some of these parties have in the system are outlined below.

### a) Nominated treating doctors

Workers who will be off work for more than 7 days must nominate a treating doctor who will be responsible for co-coordinating all aspects of treatment and return to work management. This includes the issue of WorkCover medical certificates. The information provided on the WorkCover medical certificate assists the insurer to develop individual injury management plans. Treating chiropractors may influence what is stated on the certificate by providing the doctor with up to date information regarding the worker's functional abilities and restrictions.

Nominated treating doctors liaise with return-to-work coordinators at the workplace. Nominated treating doctors may seek advice from accredited rehabilitation providers and treating chiropractors to ensure that identified duties are safe for an injured worker.

### b) Return to work coordinator

An individual appointed by the employer, who has responsibility for the practical implementation of the company's return to work policy and procedures, with the principal purpose being to assist injured workers to return to work in a safe and durable manner.

The role of the RTW Coordinator is to:

- assist employers to develop and implement their return to work programs
- assist injured workers to return to work as soon as medically appropriate
- develop and evaluate return-to-work plans, documenting suitable duties and work restrictions
- initiate and maintain contact with the workers, their supervisors, the nominated treating doctors and other relevant parties (including treating chiropractors)
- ensure that injured workers in need of specialised rehabilitation services are referred to appropriate rehabilitation providers
- coordinate and monitor the progress of injured workers

Large businesses must designate a return to work coordinator who must attend training. In small business it is often the employer who undertakes the role of return to work coordinator to assist the injured worker.

### c) Accredited rehabilitation providers

Accredited rehabilitation providers are engaged in more complex cases.

Cases may require the involvement of providers because of a range of factors, including:

- difficulty in finding suitable duties
- problems between the injured worker and the employer
- an abnormal reaction by a worker and/or his or her family to the injury.

Rehabilitation providers are organisations staffed by health professionals experienced in occupational rehabilitation. Occupational rehabilitation is defined as services that may be required in order to return the injured worker to work. Staff generally include occupational therapists, physiotherapists, rehabilitation counsellors and occupational psychologists. Rehabilitation Providers must be accredited by WorkCover NSW in order to deliver rehabilitation services to injured workers.

The services available from an accredited rehabilitation provider include:

- workplace assessment, job analysis and advice concerning job modification
- identification and monitoring of return to work on suitable duties
- functional assessment
- rehabilitation counselling
- vocational assessment and counselling
- identification and placement in retraining and/or suitable employment
- functional education

Providers may contact treating chiropractors for specific information regarding functional ability, work capacity and aggravating factors, as well as appropriate injury management strategies.

#### **d) Dispute resolution**

##### **Insurer**

All insurers are required to have an internal dispute resolution system in place. As such, the insurer should be the first point of contact regarding any dispute.

##### **Injury Management Consultants**

When there is a disagreement over the suitability of selected duties offered by an employer, the insurer or the employer may engage the services of an Injury Management Consultant. These consultants are medical practitioners approved by WorkCover specifically for the purpose of reviewing a worker's fitness for employment and the availability of duties at a workplace. Injury Management Consultants may also be used under the Dispute Resolution Service to assist the Workers Compensation Commission in resolving injury management disputes.

##### **WorkCover's Claims Assistance Service**

The Claims Assistance Service is contactable for any enquiries relating to injury management, workers compensation and occupational health and safety. The Claims Assistance Service is also the first point of contact with WorkCover in regards to disputes.

##### **The Workers Compensation Commission**

The Workers Compensation Commission deals with all disputes that arise out of workers compensation claims unless these disputes are already before the Compensation Court. The Commission has 3 main roles:

- expedited assessments so disputes about benefits and payments can be quickly resolved
- resolution of medical disputes, and
- conciliation/arbitration of disputes about suitable duties

The Commission is structured to provide a speedy and flexible dispute resolution system. Disputes will be referred promptly to the appropriate part of the Commission for assessment and determination.

**Approved Medical Specialists**

Approved Medical Specialists are appointed by the Commission to decide questions about level of impairment, injury causation, suitability of employment and fitness for work. Their decisions in relation to permanent impairment are binding. Their opinion in the other non-binding matters will be used by the arbitrators in the Commission to help resolve the dispute.

## SECTION 7

# Where to go for Assistance

### WorkCover Services

- **WorkCover Information Centre/Claims Assistance Service**

For all enquiries relating to injury management, workers compensation and occupational health and safety.

Phone: 13 10 50

- **WorkCover Publication Order Line (for all publications)**

Phone: 13 10 50

- **WorkCover Website: [www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au)**

- **[contact@workcover.nsw.gov.au](mailto:contact@workcover.nsw.gov.au)**

- **Workers Compensation Commission**

Phone: 1300 368 040

### Professional Associations

- **Chiropractors Association of Australia (NSW) Ltd**

Phone: 4722 6811



# Appendix 1

## Joint CAA (NSW)/WorkCover Statement on Outcomes Based Treatment

Outcome measures allow for monitoring the effectiveness of chiropractic care, specifically in relation to the worker's health, functional and return to work status. All chiropractic services should be based on best practice principles to ensure that the care provided is appropriate, and produces objective benefits. Best practice incorporates chiropractic care for which there is research evidence of efficacy and that for which there is not yet evidence in the literature but which is based on scientific theory, clinical expertise and patient values.

The goals of care must relate to sustained return to work at maximal possible function, and should be determined in consultation with the worker. The progress of care must be measured against these goals, in order to demonstrate the effectiveness of the care intervention.

The provision of care where sustained objective improvement has not been demonstrated has the potential to reinforce dysfunctional illness behaviour, delay return to work, and add unnecessary claims costs.

Care outcomes should be expressed in functional terms as they relate to specific work task capacities. Examples of these are increasing tolerances for standing, walking, lifting, sitting, pushing, pulling and carrying. In addition care outcomes should address improvements in activities of daily living.

An estimate of outcomes of chiropractic care involves comparison of measurements. The first measurement is taken when care commences, and others at later stages. Differences between initial and subsequent measurements demonstrate change that may be attributed to chiropractic intervention. Other factors such as medications, psychosocial and other interventions must be taken into consideration when determining specific benefits derived from chiropractic care.

When developing a program of chiropractic care, chiropractors should apply their assessment skills and knowledge of clinical reasoning to provide care that is reasonably necessary. This will be based on:

- clearly identified goals of care designed to improve functional status
- an understanding of the evidence supporting the efficacy of the care
- estimation of an approximate number of visits and timeframes required to achieve the stated goals
- measurable, functional outcomes, so that care can be progressed, and ceased when care goals have been achieved
- consideration given to how the goals of chiropractic care and outcomes relate to return to work.

# Appendix II

## CHIROPRACTIC MANAGEMENT PLAN



# CHIROPRACTIC MANAGEMENT PLAN

This plan relates to \_\_\_\_\_ D.O.B \_\_\_\_\_ Male/Female  
 (Workers name)  
 Claim No. \_\_\_\_\_

<b>Section 1:</b>		<b>This is Management Plan No:</b>	
Insurer:		Date of initial consultation for this episode of care: ___/___/___	
Case Manager:		Total consultations for this injury approved to date (including initial 8):	
Fax:		No. consultations required in <b>this</b> plan:	
Date of Injury:		Anticipated <b>total</b> no. consultations required until discharge:	
Workplace injury to which this plan relates:		Anticipated discharge date ___/___/___ OR	
Occupation/Job Title:		Anticipated review date ___/___/___	
Referred by:		<b>Chiropractor's Contact Details:</b> (Place stamp here)	
		Signature:	WorkCover No.      Date:
<b>Section 2: Treatment Plan</b>			
<b>Section 3: Outcome measures that you use to assess and monitor worker's progress throughout this treatment period</b>			
<b>Outcome Measure</b>	<b>Measure at initial Assessment</b>	<b>Current measure (at commencement of this plan)</b>	<b>Anticipated outcome at end of this plan</b>
Work status			
Functional restrictions limiting return to work			
<b>Section 4: Indicate type of consultation being provided:</b>			
Standard	2 Distinct Areas	Complex	Home Visit
<b>Section 5: Identified barriers to RTW and recommended strategy to overcome the barrier</b>			
Barrier (Include ÖMPQ score if > 4 weeks post injury and indicated)	Recommended strategy		
<b>Section 6: Other assistance</b> (Can the insurer assist your management in any other way – eg: Referral to an Independent Chiropractic Consultant/ Medical Specialist/Rehabilitation Provider <input type="checkbox"/> Yes <input type="checkbox"/> No			
<b>Please provide details of referral required:</b>			
<b>Insurer use</b>		<b>Plan approved / Plan not approved</b>	
<b>Name:</b>		Phone:	
<b>Signed:</b>		Date:	
<b>Comments and/or reason for non-approval:</b>			
<b>Cc: NTD</b>			
<b>Worker agreed to plan:</b> Yes      No			

# Appendix III

## Chiropractic Management Plan Explanatory Notes & Sample Plans

This chiropractic management plan must be used when more than eight treatment sessions are required or in cases when previous treatment (of a physical nature) has been attended for the injury. In the latter scenario the management plan should be submitted following the initial consultation. This applies to all services provided by chiropractors for injured workers in the NSW Workers Compensation Scheme. For more information, see the service descriptors in the Fees Order.

**It is important to note that prior to any treatment being provided to an injured worker, the insurer must be contacted to make notification of the intention to commence treatment.** If you begin treatment without advising the insurer, you may not be paid for delivering the service.

A separate fee is not payable for completion of the plan, as it is completed during a treatment session and developed in consultation with the worker.

### INSTRUCTIONS

All sections of the plan must be completed – failure to do so will delay processing and approval.

WorkCover-approved therapists must provide their WorkCover approval number on the plan.

In the case of a worker who has not attended for **any** previous manual therapy or alternate therapy for this injury and you plan to provide **more than eight** treatment sessions, complete the chiropractic management plan and submit it to the insurer for approval before you deliver any treatment beyond the initial eight sessions. Ideally, if more than eight treatments are proposed, the plan should be submitted after the first four sessions. Manual therapy includes any treatment by a physiotherapist, osteopath or chiropractor. Alternate therapy includes massage, acupuncture or alternative therapies such as Feldenkrais, Bowen, etc.

In the case where the worker has attended for previous manual therapy or alternate therapy for this injury from either you or another provider, you must submit a plan after the initial consultation. In this instance you do not have automatic approval for 8 treatment sessions.

Without submission of a plan, the insurer is not liable for the cost of treatments beyond the initial eight (for a worker who has not attended for any previous treatment) or for treatments beyond the initial consultation (in the case of those who have previously attended treatment). A plan must also be submitted for any subsequent blocks of treatment, unless prior arrangements have been made with the insurer.

The chiropractor completing and signing the plan is responsible for its content. Once complete, preferably email (or alternatively fax without a cover sheet) the plan to the insurer. Email addresses for major insurers are listed in Appendix VII of these guidelines. Alternatively, obtain this from the insurer case manager direct.

After reviewing the plan, the insurer will:

- Approve it and provide comment, if necessary.
- Request further information or clarification
- Provide a reason for non-approval

If no response has been received from the insurer within 5 working days of plan submission, then you may choose to contact the insurer to confirm that they have received the plan. If you decide not to follow up the insurer's receipt of the plan, then it is recommended that you maintain records of evidence as to the date that the plan was forwarded to the insurer e.g. fax transmission log, sent emails log.

If an injured worker has recently received treatment of a physical nature from another practitioner for the same injury, contact the previous practitioner to discuss how many treatments were provided and the outcome of previous treatment. Then submit a plan for the additional treatment (as long as treatment still remains reasonably necessary).

## SECTION 1

1. Include the name of the insurer case manager on the plan. Ask the worker for details.
2. Include the claim number and date of injury – failure to do so will delay processing. Ask the worker or insurer case manager for details.
3. State the workplace injury to which the plan relates (referring only to the compensable workplace injury). DO NOT list signs and symptoms. The treatment of signs or symptoms, which are referred from the compensable injury, are to be included in the treatment as part of a standard consultation.
4. In cases where the therapist is treating two separate areas, list both areas of injury. If these 2 separate areas have the same claim number, preferably use just one management plan for both areas. If there is inadequate space on the management plan, advise the insurer that additional documentation is being submitted.
5. To understand the worker's capacity to return to safe durable work, familiarise yourself with the worker's occupation. In cases where a rehabilitation provider is involved, request a copy of their workplace assessment report to assist you.
6. Include the name of the person who referred the worker for treatment.

### **Management Plan:**

7. In the case of workers who have had no previous physical treatment for their injury, Management Plan No. 1 is the plan for treatments 9 -16. If the worker requires further treatment, subsequent plans must be numbered consecutively, even if there is a significant gap between treatment episodes. For workers who have attended for previous treatment with another practitioner, Management Plan No.1 will be submitted after the initial consultation and therefore be for treatments 1-8 (this includes the initial consultation).
8. The date of *initial consultation* refers to the current episode of care. In all cases an episode of care is deemed to have ended if no treatment has been provided for a period of 3 calendar months. Any subsequent treatment will require the chiropractor to conduct a new 'Initial assessment' followed by the submission of a Management Plan for approval of further treatment beyond this initial consultation. Contact should be made with the insurer to inform them that treatment is recommencing and to verify the liability status of the claim prior to conducting this 'Initial assessment'. In this situation where the worker is recommencing treatment, a referral must be obtained from their Nominated Treating Doctor prior to the Initial consultation.
9. *Total consultations for this injury approved to date*: This is the total number of treatment sessions approved to date (including those from any previous episodes of care, but not including those requested in this plan). This includes the initial eight sessions. This should include the number of sessions approved with any previous practitioners (ask the insurer for this information).
10. Indicate the number of consultations required for this plan (maximum of 8).
11. *Anticipated total number of consultations required until discharge* is the number of treatment sessions you expect to administer until discharge of the injured worker. This number will include all treatments provided to date (including the initial 8 sessions), those

requested in this management plan and those expected to be requested in future management plans until discharge.

12. The anticipated date the worker will be discharged from your care **or** the date on which the treatment/plan will next be reviewed. This indicates the time period over which you plan to provide the treatments requested in this plan.

***Chiropractor's details:***

13. Include details of the treating chiropractor, the treating chiropractor's individual WorkCover approval number, practice name and address, phone and fax numbers, and email address (if available). If more than one chiropractor is treating the patient, then the details pertaining to the chiropractor who most frequently provides the treatment should be listed here. Under no circumstances should the practice name be stated in place of the treating chiropractor's details. Use of a practice stamp is encouraged here, however the chiropractor's individual WorkCover approval number, signature and date the plan was completed must be added to this section if a stamp is used.

## **SECTION 2 – TREATMENT PLAN**

List details of treatment procedures currently being provided (including specific modalities) and those that you anticipate will be required in the near future. Abbreviations can be used in this section, as it is acknowledged that there is little space available on the management plan to provide this information. Examples of abbreviations include HEP (home exercise program), U/S (ultrasound), mobs (mobilisations), STM (soft tissue massage), Tx (traction), C/S (cervical spine), T/S (thoracic spine), L/S (lumbar spine), etc.

Please note that the treatment being provided needs to be designed to achieve the expected outcomes and be consistent with the expected management of the injury sustained.

**Remember that *medical referral alone is not sufficient to meet the criteria of reasonably necessary.***

## **SECTION 3 – OUTCOME MEASURES**

1. The outcome measure must be relevant to return to work goals. They guide clinical reasoning and assist in evaluating the worker's progress.
2. The outcome measures identified will assist the insurer determine the reasonable necessity of proposed management.
3. The chiropractor must identify two mandatory outcome measures in consultation with the worker:
  - a) Work status
  - b) Functional restrictions limiting return to work

In addition to these mandatory fields, other outcome measures – e.g. other functional restrictions/measures can also be included. Clinical measures can be included as necessary. All measures used however should still be relevant to the outcome of intervention and assist the insurer in determining whether further intervention is necessary. For example: if the worker performs a clerical job, which involves predominantly seated tasks, do not use standing tolerance as a measure.

The outcome measures need to be reported at:

- Initial assessment – at the commencement of **this** episode of care
- Current measure – at the date of development of **this** plan
- Anticipated outcome – what will be achieved at the conclusion of **this** plan.

Outcome measures should be:

- described in specific terms
- quantifiable or measurable and
- time-referenced wherever possible

## Work status

Indicate the work status using the following descriptors:

- Unfit for work
- Suitable duties - reduced hours
- Suitable duties - full pre-injury hours
- Pre-injury duties - reduced hours, (for example all duties for 6 hrs/day where 8 hrs/day was worked prior to injury)
- Pre-injury duties – full pre-injury hours

Alternatively you can use more specific information such as:

- commence suitable duties (e.g. no lifting over 5 kg), reduced hours (i.e. 4 hours x 5 days week) in 2 weeks.

## Functional restrictions limiting return to work

Clearly indicate the functional restriction/s limiting return to work and specify the level at initial assessment, the worker's current capacity to perform the task and what you expect to achieve by the end of this plan as a result of the intended management. As stated above, the functional restriction **must** relate to a work task. For example, do not use lifting capacity as a measure for someone who is not required to perform any lifting tasks in the course of their employment.

Some examples of functional restrictions:

- Lifting
- Overhead reach
- Climbing
- Squatting.

Other restrictions can be used as appropriate with regards to the worker's injury and job demands.

If unclear about work tasks or functional demands, contact the employer or rehabilitation provider (if you are aware that one is involved). In the event that a rehabilitation provider is involved, request a copy of their workplace assessment report if you haven't already been provided with one. This information is likely to assist with the formulation of appropriate goals and measures. Reasonable costs for liaison with these parties is billable as case conferencing.

## SECTION 4 – LEVEL OF CONSULTATION

Indicate the level of consultation being charged for in regards to this workplace injury. The following definitions apply to determining appropriate fees for services above that of a standard consultation:

1. Initial Consultation/Treatment of 2 distinct areas: means where 2 **entirely separate** compensable injuries or conditions are assessed and treated and where treatment applied to one condition/injury does not affect the symptoms of the other condition/injury. For

example, a neck condition plus post fractured wrist. It does not include a condition with referred symptoms to another area.

2. **Complex Treatment:** complex injuries refer to those with complex pathology and clinical presentation including, but not limited to, extensive burns, complicated hand injuries involving multiple joints and tissues, complex neurological conditions, spinal cord or head injuries and major trauma. Provision of complex treatment requires pre-approval from the insurer. It is expected that only a small number of claimants will require treatment falling within this category.
3. **Home visit:** applies to cases where, due to the effects of the injuries sustained, the worker is unable to travel. The home visit must be the best and most cost-effective option, allowing the chiropractor to travel to the worker's home to deliver treatment. Provision of home treatment requires pre-approval from the insurer. In the home visit category it may be appropriate to circle more than one consultation type eg. the home visit may involve the treatment of 2 distinct areas.

## **SECTION 5 – BARRIERS TO RETURN TO WORK**

1. Requires the therapist to outline any identified barriers to return to work. For example, barriers may include the worker's fear of re-injury, lack of available suitable duties at the workplace, or the continued certification of a worker as totally unfit despite measurable progress in the worker's physical capacity.
2. The treating chiropractor may include recommendations for aides or workplace adjustments to assist in overcoming the identified barriers.
3. The barriers identified may not have immediate solutions and your recommended strategies may not necessarily relate to chiropractic intervention. For example:
  - 'Fear of re-injury' may be addressed by recommending referral to a rehabilitation provider to ensure the duties are safe
  - The insurer referring the worker to an Injury Management Consultant may address 'medical restrictions continuing despite measurable progress'.

## **ÖMPQ score (Örebro Musculoskeletal Pain Questionnaire):**

This is a self administered screening tool which is valid and reliable in predicting long-term disability. It is to be utilised with an injured worker who has not returned to work or upgraded as per expectations and is 4 weeks or greater post injury. The results of the ÖMPQ assist with determining the most appropriate form of future intervention. Please refer to appendix IV for a copy of this questionnaire. If an injury is less than 4 weeks duration, then there is no need to complete this questionnaire, at least initially.

If there is no return to work barriers use 'nil identified' or 'not applicable'.

For the insurer to approve the therapist's ongoing intervention, it must be reasonably necessary and consistent with WorkCover's guidance material on the *Prevention of long-term disability in workers with soft tissue injuries using work-related activity (2004)*.

## **SECTION 6 – OTHER ASSISTANCE**

Use section 6 to indicate the need for additional assistance – from a Rehabilitation Provider, Injury Management Consultant, Independent Chiropractic Consultant or an Independent Medical Examiner – or insurer action.

The worker must be involved in developing the Chiropractic Management Plan and must agree to the plan. Indicate at the bottom of the plan that the worker's agreement has been obtained. In addition, there must be evidence on the Plan that the nominated treating doctor has received a copy of the Chiropractic Management Plan.





# CHIROPRACTIC MANAGEMENT PLAN

This plan relates to \_\_\_\_\_ D.O.B \_\_\_\_\_ Male/Female  
(Workers name)

Claim No. \_\_\_\_\_

<b>Section 1:</b>		<b>This is Management Plan No: 1</b>	
Insurer:	Date of initial consultation for this episode of care: 1/2/05		
Case Manager:	Total consultations for this injury approved to date (including initial 8): 8		
Fax:	No. consultations required in <b>this</b> plan: 8		
Date of Injury: 22/1/05	Anticipated <b>total</b> no. consultations required until discharge: 16		
Workplace injury to which this plan relates: Lumbar strain	Anticipated discharge date 7/4/05 OR		
Occupation/Job Title: Clerk	Anticipated review date ___/___/___		
Referred by: Dr Samuels	<b>Chiropractor's Contact Details:</b> (Place stamp here)		
	Signature:	WorkCover No.	Date:
<b>Section 2: Treatment Plan</b>			
Spinal adjustments, education re posture and appropriate technique to access filing cabinet bottom drawer, prescription of a home exercise program (including stretches and core stability work). Plan to refer for an upgrading program when walking tolerance of 30 mins.			
<b>Section 3: Outcome measures that you use to assess and monitor worker's progress throughout this treatment period</b>			
<b>Outcome Measure</b>	<b>Measure at initial Assessment</b>	<b>Current measure (at commencement of this plan)</b>	<b>Anticipated outcome at end of this plan</b>
Work status	Unfit for work	Fit for suitable duties, reduced hours (4 hours/day x 5 days/week)	Pre-injury duties, full hours
Functional restrictions limiting return to work: sitting tolerance	Sitting limit of 5-10 minutes	Sitting tolerance of 20 minutes	Sitting tolerance of 1 hour
Walking tolerance	Unable to walk to post office to post/collect mail (10 minute walk up hill). Walking tolerance 5 mins	Walking tolerance 15mins on flat ground. Unable to manage slopes/hills at this stage	30 minute walking tolerance and ability to negotiate hills and slopes
Access bottom drawer of filing cabinet	Unable to access bottom drawer of filing cabinet as task increases back pain	Using correct technique to access filing cabinet (squat) and able to maintain position momentarily	Consistently using squat to access bottom drawer and able to maintain this position for few minutes
<b>Section 4: Indicate type of consultation being provided:</b>			
<u>Standard</u>	2 Distinct Areas	Complex	Home Visit
<b>Section 5: Identified barriers to RTW and recommended strategy to overcome the barrier</b>			
Barrier (Include ÖMPQ score if > 4 weeks post injury and indicated)	Recommended strategy		
Office chair at workplace is inadequate	Workplace assessment by Rehabilitation Provider		
<b>Section 6: Other assistance</b> (Can the insurer assist your management in any other way – eg: Referral to an Independent Chiropractic Consultant/ Medical Specialist/Rehabilitation Provider <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
<b>Please provide details of referral required:</b>			
<b>Insurer use</b>	<b>Plan approved / Plan not approved</b>		
<b>Name:</b>	Phone:		
<b>Signed:</b>	Date:		
<b>Comments and/or reason for non-approval:</b>			
<b>Cc: NTD</b>	<b>Worker agreed to plan: Yes No</b>		









**Örebro musculoskeletal pain questionnaire (ÖMPQ) DRAFT****Explanatory notes**

This screening questionnaire provides outcomes in acute and sub-acute back pain. The Örebro Musculoskeletal Pain Questionnaire (ÖMPQ) is valid and reliable in predicting long-term disability – the reliability of this tool in predicting failure to return to work outcomes has been demonstrated in an Australian population.

This yellow flag-screening questionnaire, when completed four to 12 weeks after musculoskeletal injury, predicts long term disability and failure to return to work. A cut-off score of 105 has been found to predict, with 95 percent accuracy, those who will recover and, with 81 percent accuracy, those who will have no further sick leave, in the next six months. Prediction of long-term sick leave (more than 30 days within the next six months) was found to be 67 percent accurate.

The ÖMPQ predicted failure to return to work six months after compensable musculoskeletal injury in a NSW population of workers. The injuries in the study group were mixed and the ÖMPQ was found to be more specific and sensitive for back injuries. In workers with back injuries screened at four to 12 weeks, a cut-off score of 130 correctly predicted 86 percent of those who failed to return to work.

Identification, through the ÖMPQ, of workers at risk of failing to return to work due to personal and environmental factors provides the opportunity for treating practitioners to apply appropriate interventions (including the use of activity programs based on cognitive-behavioural strategies) to reduce the risk of long-term disability in injured workers. Evidence indicates that these factors can be changed if they are addressed.

**Scoring instructions**

- For question 4, count the number of pain sites and multiply by two – this is the score (maximum score of 10).
- For questions 5,6,7,8,9,10,12,13,14,17,18 and 19 the score is the number that has been ticked or circled.
- For questions 11,15,16,20,21,22,23 and 24 the score is 10 minus the number that has been circled.
- Write the score in the shaded area beside each item.
- Add up the scores for questions 4 to 24 – this is the total ÖMPQ score.

For references see the publication “Soft Tissue Injuries, General Guide”, 2006.

# APPENDIX V

## WorkCover Payment Classification System Information – Chiropractic Treatment

Please refer to the Gazetted Chiropractic Fees Order 2006 for complete details of treatment service types

### WorkCover Approved Chiropractors

Payment Classification Code	Type of Treatment	Gazetted Fees Order
CHA001	Initial Consultation and treatment	\$67.60
CHA002	Standard Consultation and treatment or Early Work Related Activity Program planning session	\$57.20
CHA0031	Initial Consultation and treatment of 2 distinct areas	\$101.90
CHA0032	Standard Consultation and treatment of 2 distinct areas	\$86.30
CHA0033	Complex Treatment	\$114.40
CHA010	Group/class service	\$40.60/participant
CHA004	Spine X-rays performed by the chiropractor	\$103.10
CHA005	Home Visit – Initial Consultation and treatment	\$83.20
CHA006	Home Visit - Standard Consultation and treatment	\$66.60
CHA0071	Home Visit - Initial Consultation and treatment of 2 distinct areas	\$122.70
CHA0072	Home Visit - Standard Consultation and treatment of 2 distinct areas	\$106.00
CHA0073	Home Visit – Complex treatment	\$135.10
CHA0081	Case Conference	\$135.10/hour
CHA0082	Report Writing	\$135.10 (maximum)
CHA009	Travel	\$1. 25/kilometre
OAD001	Aids not elsewhere classified such as the purchase or replacement costs of aids such as back rests, strapping, communication devices that are required as a result of a work related injury	
OTT003	Work Related Activity/Work Conditioning Program:  Payments for programs that facilitate improvements in work capacity through cognitive behaviour and physical therapies. Pursuant to section 59, 60 & 61 of the Workers Compensation Act 1987.	

### Chiropractors Generally

Payment Classification Code	Type of Treatment	Gazetted Fees Order
CHX001	Initial Consultation and treatment	\$50.00
CHX002	Standard Consultation and treatment or Early Work Related Activity Program planning session	\$40.00
CHX0031	Initial Consultation and treatment of 2 distinct areas	\$75.00
CHX0032	Standard Consultation and treatment of 2 distinct areas	\$60.00
CHX0033	Complex Treatment	\$80.00
CHX010	Group/class service	\$30.00/participant
CHX004	Spine X-ray performed by chiropractor	\$99.20
CHX005	Home Visit – Initial Consultation and treatment	\$62.00
CHX006	Home Visit - Standard Consultation and treatment	\$50.00
CHX071	Home Visit - Initial Consultation and treatment of 2 distinct areas	\$94.00
CHX072	Home Visit - Standard Consultation and treatment of 2 distinct areas	\$75.00
CHX073	Home Visit – Complex treatment	\$100.00
CHX081	Case Conference	\$100.00/hour
CHX082	Report Writing	\$100.00 maximum
CHX090	Travel	\$1.00 /kilometre
OAD001	Aids not elsewhere classified such as the purchase or replacement costs of aids such as back rests, strapping, communication devices that are required as a result of a work related injury	
OTT003	Work Related Activity/Work Conditioning Program: Payments for programs that facilitate improvements in work capacity through cognitive behaviour and physical therapies. Pursuant to section 59, 60 & 61 of the Workers Compensation Act 1987.	

# Appendix VI

## Conditions of appointment as an Independent Chiropractic Consultant (ICC)

Appointment as a WorkCover-approved ICC is subject to the following conditions:

1. Injured workers referred for assessment will be interviewed and examined with the same care, consideration and courtesy, as are my own patients. I agree to accept the standards set by my peers and respect community expectations about the conduct of independent chiropractic assessments.
2. I understand that I am, and must appear to be, independent of the insurer or self-insurer. I will maintain this independent status and undertake not to overtly criticise treatment by a colleague or medical practitioner. Notwithstanding this, I will discuss my findings and/or recommendations with the injured worker at my discretion. I also understand the insurer or self-insurer will explain the nature of my independent status to the injured worker prior to the review.
3. Notwithstanding the above, I will assist in any way possible to resolve any difficulties that may become apparent in the course of the review.
4. I agree to remain mindful of the requirements of the *Workplace Injury Management Workers Compensation Act 1998* and any amendments to the Act.
5. I understand that whether my services are called upon will be entirely at the discretion of, self-, specialised or WorkCover's Uninsured Liability Indemnity Scheme.
6. I agree to participate in evaluation mechanisms in relation to all aspects of delivering independent assessments and reviews. This will require that I retain all relevant documentation associated with referral, assessments and reports, accounts and other documents as WorkCover may direct from time to time.
7. I understand that I must give WorkCover 14 days' notice of my intention to cease providing services as an independent consultant.
8. I agree not to recommend the referral of injured workers to any business that I own or to which I provide treatment services.

# Appendix VII

## Appointed Independent Chiropractic Consultants

As at December 2006

### Sydney region

Dr Henry Pollard  
84 Kingsway  
Cronulla NSW 2230  
Phone: (02) 9523 4600  
Fax: (02) 9527 3856  
Email: [hpollard@optushome.com.au](mailto:hpollard@optushome.com.au)

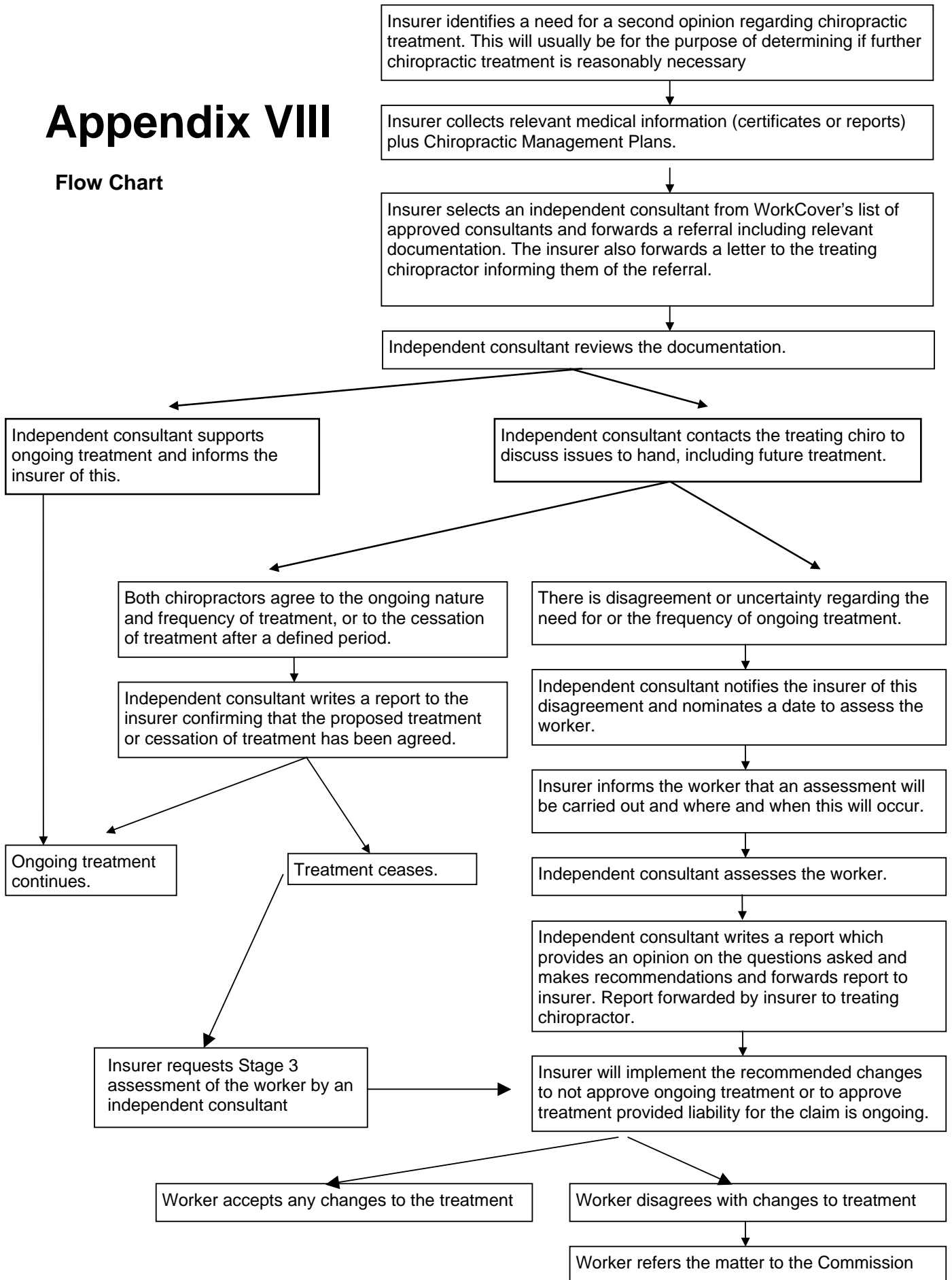
### South coast region

Mr Andrew Ware  
22 Zelang Street  
Figtree NSW 2525  
Phone: (02) 4229 2855  
Fax: (02) 4225 3663  
Email: [aeware@fishinternet.com.au](mailto:aeware@fishinternet.com.au)



# Appendix VIII

## Flow Chart



# Appendix IX

## WorkCover Scheme Agents

### Allianz Australia Pty Ltd

Email: [Physio\\_Approval@allianz.com.au](mailto:Physio_Approval@allianz.com.au)

Fax: For treatment plans (02) 9266 7410

For invoices and approval requests other than plans (02) 1300 130 665

Ph: 1300 130 664

### Cambridge Integrated Services Pty Ltd

Email: [injury.mgt@cambridge-au.com](mailto:injury.mgt@cambridge-au.com)

Fax: (02) 8273 4505

Ph: (02) 8273 4635 (Carly van den Akker, Injury Management Coordinator)

### CGU Insurance Ltd

Email: [Chiropractic.Plans@iag.com.au](mailto:Chiropractic.Plans@iag.com.au)

Fax: (02) 9088 9648

Phone: (02) 9088 9885 (Jane Selman, Injury Management Administration)

### Employers' Mutual Ltd

E-mail: [Treatmentplans@emia.com.au](mailto:Treatmentplans@emia.com.au)

Fax: (02) 9290 2405

Phone: (02) 9229 7926

### GIO Insurance Ltd

Email: [wccclaims@gio.com.au](mailto:wccclaims@gio.com.au).

Phone: (02) 8299 2836 (Jennifer Sauer)

Fax: 1300 733 677

### QBE Insurance Ltd

Email: [elizabeth.worcester@qbe.com](mailto:elizabeth.worcester@qbe.com)

Fax: (02) 8227 8109

Phone: (02) 9375 4687

### Gallagher Bassett Services Workers Compensation NSW

Email: [allplans@gbtpa.com.au](mailto:allplans@gbtpa.com.au)

Fax: (02)8255 8577

Ph: (02)8255 8596 (Greg Larkin)

### Self Insurers

Refer to WorkCover's website for details regarding all self insurers

[www.workcover.nsw.gov.au/list of](http://www.workcover.nsw.gov.au/list_of)

# TENDERS

## Department of Commerce

### SUPPLIES AND SERVICES FOR THE PUBLIC SERVICE

Information in relation to the Department of Commerce proposed, current and awarded tenders is available on:

<http://www.tenders.nsw.gov.au>

# PRIVATE ADVERTISEMENTS

## COUNCIL NOTICES

### GREATER TAREE CITY COUNCIL

Roads Act 1993

Roads (General) Regulation 2000  
Part 2 – Roads, Division 2

Naming of Roads

NOTICE is hereby given that Greater Taree City Council, in pursuance of the above Act and Regulations, has named a new road within Saltwater Estate, Wallabi Point as Hartlyn Drive, Kadungle Close, Janice Street, Walter Fay Street and Howard Street. Council has also named two new roads off Iluka Circuit, Taree, as Kindabel Close and Siena Place. PHIL PINYON, General Manager, Greater Taree City Council, PO Box 482, Taree NSW 2430. [2804]

### GREATER TAREE CITY COUNCIL

Pesticide Use Notification Plan

IN accordance with the requirements of the Pesticides Regulation 1995, Greater Taree City Council has compiled a draft Pesticide Use Notification Plan to be adopted by Council to notify the public regarding the use of pesticides in public places including Council's Parks and Reserves. The plan will be on public exhibition in Council's Libraries, Council's Administration Centre, on Council's website ([www.gtcc.nsw.gov.au](http://www.gtcc.nsw.gov.au)) and the *Government Gazette* for 28 days commencing 15 November 2006 and closing on 13 December 2006. Submissions will be accepted by Council from the public during this period. For further information contact Council's Senior Noxious Weeds Inspector, George Wisemantel on 6592 5277. [2805]

### TENTERFIELD SHIRE COUNCIL

Road Re-Naming

NOTICE is hereby given that Tenterfield Shire Council, as a roads authority under Part 10, Division 4 of the Roads Act 1993 and Division 2 of the Roads (General) Regulation 2000, has renamed the roads as described in the following table:

Current Road Name/Location	New Road Name
Bungulla Reserve Road. From Bungulla Reserve Road approx 2.55 km east of junction with New England Highway southwards for approx 220 metres.	Rosehill Road.

MARK ARNOLD, General Manager, Tenterfield Shire Council, PO Box 214, Tenterfield NSW 2372. [2806]

### WOOLLAHRA MUNICIPAL COUNCIL

Pesticide Act 1995 – Changes to the Regulation

Woollahra Pesticide Use Notification Plan

IN accordance with the Department of Environment and Conservation guidelines, Woollahra Municipal Council has developed a pesticide use notification plan which has completed its period of public exhibition and was adopted by Council on 27 November 2006. [2809]

The Woollahra Pesticide Use Notification Plan can be viewed on the Woollahra Municipal Council website at [www.woollahra.nsw.gov.au](http://www.woollahra.nsw.gov.au). Enquiries: Phillip Julian, Parks Technical Officer, 9391 7980. [2807]

### MUSWELLBROOK SHIRE COUNCIL

Roads Act 1993, Section 16

Dedication of Public Road

**Names (if known) of owners:** Edward Reginald WHITE and his successors in title.

**Description of the Land:** All the land (road) shown hatched in the plan hereunder as a strip of land 20.115m wide and variable width between Kenilworth Street and Bray Street, known as Turner Street within Deposited Plan 37023 Parish Denman, County of Brisbane at Denman (following notice of intention served on the owner of the land by publication in *Government Gazette* No. 127 on 27th October 2006, pursuant to Section 710 (4) (b) of the Local Government Act 1993) is dedicated as public road. S. McDONALD, General Manager, Muswellbrook Shire Council, PO Box 122, MUSWELLBROOK NSW 2333.



[2808]

## ESTATE NOTICES

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of JAMES HUGH BOLAND, late of Randwick, in the State of New South Wales, retired priest, who died on 20 August 2006, must send particulars of the claim to the executors, Philip Graeme Boland and Peter Kennedy Court, c.o. Bennett Stewart & Shirvington, Solicitor, within one calendar month from publication of this notice. After that time, the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 20 November 2006. BENNETT STEWART & SHIRVINGTON, Solicitors, Level 1, 1 York Street, Sydney NSW 2000, tel.: (02) 9247 5563. [2809]

NOTICE of intended distribution of estate – Any person having any claim upon the estate of DAVID WILLIAM MOTLER (also known as FREDERICK WILLIAM MOTLER), late of North Manly, in the State of New South Wales, who died on 13 September 2006, must send particulars of his claim to the Executrix, GLENYS CATHERINE MOTLER, care of Newnhams Solicitors, 122 Castlereagh Street, Sydney, within one calendar month from publication of this notice. After that time the Executrix may distribute the assets of the estate having regard only to the claims of which at the time of distribution she has notice. Probate was granted in New South Wales on 22 November 2006. NEWNHAMS Solicitors, 122 Castlereagh Street, Sydney, tel.: 9264 7788. [2810]

NOTICE of intended distribution of estate – Any person having any claim upon the estate of RUBY DEBORAH MCKENNA, late of Randwick, in the State of New South Wales, who died on 21 August 2006, must send particulars of his claim to the Executrix, LEONIE JACOBS care of Newnhams Solicitors, 122 Castlereagh Street, Sydney, within one calendar month from publication of this notice. After that time the Executrix may distribute the assets of the estate having regard only to the claims of which at the time of distribution she has notice. Probate was granted in New South Wales on 17 November 2006. NEWNHAMS Solicitors, 122 Castlereagh Street, Sydney, tel.: 9264 7788. [2811]

NOTICE of intended distribution of estate – Any person having any claim upon the estate of WALLACE DANIEL THOMPSON late of Bangkok in the Country of Thailand journalist, who died on 7 May 2004 must send particulars of their claim to the administrator, Timothy Fulton Edwards care of within one calendar month from the publication of this notice. After that time the assets of the estate and the property may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the administrator had notice. Letters of administration were granted in New South Wales on 3 November 2006. TRUMAN HOYLE Lawyers, Level 11, 68 Pitt Street Sydney NSW, DX 263 SYDNEY, ref: SR 3994, tel.: 9226 9888. [2812]

NOTICE of intended distribution of estate.–Any person having any claim upon the estate of SYLVIA DOREEN WARRALL, late of Comboyne, in the State of New South Wales, Dairy Farmer, who died on 26th March 2003, must send particulars of the claim to the executors, Thomas Geelan and Norman John Hollis, c.o. of McKerns, 12 Albert Street, Taree NSW 2430, within one (1) calendar month from publication of this notice. After that time the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution the trustees have notice. Probate was granted in New South Wales on 21st November 2006. McKERNS, 12 Albert Street, Taree NSW 2430 (DX 7021, Taree), tel.: (02) 6550 0922. [2813]

## COMPANY NOTICES

NOTICE of members' voluntary liquidation.–WILSON'S WYOMING PTY LIMITED (In liquidation), A.C.N. 001 815 925.–At a general meeting of the above named company, duly convened and held at 17 Rodd Street, Canowindra NSW 2804, on 27 April 2004, the following special resolution was passed: "That the company be wound up as a members' voluntary liquidation and that the assets of the company be distributed in whole or part to the members in specie should the liquidator so desire." Dated this 27th day of April 2004. WILLIAM MICHAEL MURPHY, Chartered Accountant, 103 Kendal Street, Cowra NSW 2794, tel.: (02) 6342 1311. [2814]

NOTICE of meeting of members.–MALAHYDE PTY LIMITED, ACN 000 404 008.–Notice is hereby given that pursuant to section 509 of the Corporation Law, the final meeting of members of the above named company will be held at offices of Steel Walsh & Murphy of 103 Kendall Street, Cowra, NSW 2794, on the 28 December 2006 for the purpose of laying before the meeting the liquidator's final account and report and giving any explanation thereof. Dated 27 November 2006. WILLIAM MICHAEL MURPHY, Chartered Accountant, 103 Kendal Street, COWRA, NSW 2794, tel.: (02) 6342 1311. [2815]

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