



Government Gazette

OF THE STATE OF
NEW SOUTH WALES

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LEGISLATION

Online notification of the making of statutory instruments

Week beginning 14 December 2009

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

Proclamations commencing Acts

Adoption Amendment Act 2008 No 103 (2009-609) — published LW 18 December 2009

Apiaries Amendment Act 2006 No 99 (2009-574) — published LW 18 December 2009

Commission for Children and Young People Amendment Act 2009 No 82 (2009-575) —
published LW 18 December 2009

Crimes and Courts Legislation Amendment Act 2006 No 107 (2009-606) —
published LW 18 December 2009

Education Amendment (School Attendance) Act 2009 No 79 (2009-576) — published LW 18 December 2009

Electricity Supply Amendment (Solar Bonus Scheme) Act 2009 (2009-577) —
published LW 18 December 2009

Industrial Relations (Commonwealth Powers) Act 2009 No 115 (2009-610) —
published LW 18 December 2009

Retirement Villages Amendment Act 2008 No 121 (2009-578) — published LW 18 December 2009

Road Transport (Vehicle Registration) Amendment (Heavy Vehicle Registration Charges) Act 2009 No 75
(2009-611) — published LW 18 December 2009

Tow Truck Industry Amendment Act 2008 No 83 (2009-579) — published LW 18 December 2009

Regulations and other statutory instruments

Adoption Amendment (Access to Information) Regulation 2009 (2009-612) —
published LW 18 December 2009

Children (Criminal Proceedings) Further Amendment (Youth Conduct Orders) Regulation 2009
(2009-613) — published LW 18 December 2009

Dams Safety Amendment Proclamation 2009 (2009-580) — published LW 18 December 2009

- Dental Practice Amendment (Qualifications) Regulation 2009 (2009-581) —
published LW 18 December 2009
- Education Amendment (School Leaving Age) Regulation 2009 (2009-582) —
published LW 18 December 2009
- Electricity Supply (General) Amendment (Solar Bonus Scheme) Regulation 2009 (2009-583) —
published LW 18 December 2009
- Environmental Planning and Assessment Amendment (Asbestos) Regulation 2009 (2009-584) —
published LW 18 December 2009
- Fair Trading Amendment (Exercise Cycles) Regulation 2009 (2009-585) — published LW 18 December 2009
- Health Services Amendment (Affiliated Health Organisations) Order 2009 (2009-586) —
published LW 18 December 2009
- Health Services Amendment (The Agency for Clinical Innovation) Order 2009 (2009-587) —
published LW 18 December 2009
- Home Building Amendment (Temporary Exemption) Regulation 2009 (2009-588) —
published LW 18 December 2009
- Local Court Rules 2009 (2009-589) — published LW 18 December 2009
- Local Government Associations Incorporation Amendment (Abolition of Electricity Association) Order 2009
(2009-590) — published LW 18 December 2009
- Mine Subsidence Compensation Amendment (Claims and Contributions) Regulation 2009 (2009-591) —
published LW 18 December 2009
- Mining Amendment (Miscellaneous) Regulation 2009 (2009-592) — published LW 18 December 2009
- Protection of the Environment Operations (Waste) Amendment Regulation 2009 (2009-593) —
published LW 18 December 2009
- Public Health Amendment (Rotavirus) Regulation 2009 (2009-594) — published LW 18 December 2009
- Public Health Legislation Amendment (Fees) Regulation 2009 (2009-595) —
published LW 18 December 2009
- Public Sector Management (Goods and Services) Amendment (Disability Employment Organisations)
Regulation 2009 (2009-608) — published LW 18 December 2009
- Retirement Villages Regulation 2009 (2009-596) — published LW 18 December 2009
- Road Transport (Vehicle Registration) Amendment (Heavy Vehicle Registration Charges) Regulation 2009
(2009-614) — published LW 18 December 2009
- Rural Lands Protection (General) Amendment (Rating and Annual Return System) Regulation 2009
(2009-597) — published LW 18 December 2009
- State Property Authority Order (No 3) 2009 (2009-607) — published LW 18 December 2009
- Tow Truck Industry Amendment (Maximum Fees) Regulation 2009 (2009-598) —
published LW 18 December 2009
- Tow Truck Industry Amendment (Scrap Metals Exemption) Regulation 2009 (2009-599) —
published LW 18 December 2009
- Travel Agents Amendment (Qualifications) Regulation 2009 (2009-600) — published LW 18 December 2009
- Water Management (General) Amendment (Transitional) Regulation 2009 (2009-601) —
published LW 18 December 2009
- Water (Part 2—General) Amendment (Entitlements Transfer Process) Regulation 2009 (2009-602) —
published LW 18 December 2009

Environmental Planning Instruments

State Environmental Planning Policy No 62—Sustainable Aquaculture (Amendment No 4) (2009-605) — published LW 18 December 2009

State Environmental Planning Policy (Exempt and Complying Development Codes) Amendment (Asbestos) 2009 (2009-603) — published LW 18 December 2009

State Environmental Planning Policy (Major Development) Amendment (Wahroonga Estate) 2009 (2009-604) — published LW 18 December 2009

Orders



New South Wales

Transport Administration (Sydney Ferries—Fares) Amendment Order 2009

under the

Transport Administration Act 1988

I, David Callahan, Acting Chief Executive Officer, Sydney Ferries, in pursuance of the *Transport Administration Act 1988*, make the following Order on behalf of Sydney Ferries.

Dated, this 18th day of December 2009.

DAVID CALLAHAN,
Acting Chief Executive Officer,
Sydney Ferries

Explanatory note

The object of this Order is to amend the *Transport Administration (Sydney Ferries—Fares) Order 2004* to increase, from 3 January 2010, multi-trip intermodal and periodical fares for Sydney Ferries services in the Sydney Suburban Area. The fares include fares for services that are provided in conjunction with bus services provided by the State Transit Authority and rail services provided by RailCorp in the Sydney Suburban Area.

The increases are in accordance with recent determinations of the Independent Pricing and Regulatory Tribunal.

This Order is made under the *Transport Administration Act 1988*, including section 85 (Orders fixing charges).

Clause 1 Transport Administration (Sydney Ferries—Fares) Amendment Order 2009

Transport Administration (Sydney Ferries—Fares) Amendment Order 2009

under the

Transport Administration Act 1988

1 Name of Order

This Order is the *Transport Administration (Sydney Ferries—Fares) Amendment Order 2009*.

2 Commencement

This Order commences on 3 January 2010 and is required to be published in the Gazette.

Transport Administration (Sydney Ferries—Fares) Amendment Order 2009

Amendment of Transport Administration (Sydney Ferries—Fares) Order 2004 Schedule 1

Schedule 1 Amendment of Transport Administration (Sydney Ferries—Fares) Order 2004

Schedule 1 Charges

Omit Parts 2 and 3. Insert instead:

Part 2 Multi-trip Intermodal Fares

	Full fare \$	Concession \$
DayTripper	18.20	9.00

Part 3 Periodical Fares

	Full fare \$	Concession \$
Weekly Periodical Fares		
Blue TravelPass	35.00	17.50
Red TravelPass	41.00	20.50
Orange TravelPass	44.00	22.00
Green TravelPass	48.00	24.00
Yellow TravelPass	52.00	26.00
Pink TravelPass	57.00	28.50
Pittwater TravelPass	60.00	30.00
Purple TravelPass	63.00	31.50

Quarterly Periodical Fares

The charge for a quarterly TravelPass ticket is 11 times that for the corresponding weekly TravelPass ticket.

Yearly Periodical Fares

The charge for a yearly TravelPass ticket is 40 times that for the corresponding weekly TravelPass ticket.

OFFICIAL NOTICES**Appointments****CONSTITUTION ACT 1902**

Ministerial Arrangements During the Absence from Duty
of the Premier and Minister for Redfern Waterloo

PURSUANT to section 36 of the Constitution Act 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable C. M. TEBBUTT, M.P., Deputy Premier and Minister for Health, to act for and on behalf of the Premier and Minister for Redfern Waterloo, as on and from 11 January 2010, with a view to her performing the duties of the offices of the Premier, and Minister for Redfern Waterloo during my absence from duty.

KRISTINA KENEALLY, M.P.,
Premier

Department of Premier and Cabinet,
Sydney 2009.

CONSTITUTION ACT 1902

Ministerial Arrangements During the Absence from Duty
of the Premier and Minister for Redfern Waterloo

PURSUANT to section 36 of the Constitution Act 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable J. HATZISTERGOS, M.L.C., Attorney General, Minister for Citizenship, Minister for Regulatory Reform and Vice President of the Executive Council, to act for and on behalf of the Premier and Minister for Redfern Waterloo, as on and from 9 January 2010, with a view to his performing the duties of the offices of the Premier and Minister for Redfern Waterloo during my absence from duty.

KRISTINA KENEALLY, M.P.,
Premier

Department of Premier and Cabinet,
Sydney 2009.

LOCAL GOVERNMENT ACT 1993

Appointment as a Member of the
Local Government Remuneration Tribunal

PROFESSOR MARIE BASHIR, AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, in pursuance of section 237 and Schedule 1 to the Local Government Act 1993, has re-appointed Helen Irwin WRIGHT as a Member of the Local Government Remuneration Tribunal for a period of three years from 13 December 2009.

BARBARA PERRY, M.P.,
Minister for Local Government

Land and Property Management Authority

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 Schedules hereunder, are appointed for the terms of office specified, as members of the trust board for the reserve trust specified opposite thereto in Column 2, which has been established and appointed as trustee of the reserve referred to opposite thereto in Column 3 of the Schedules.

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

SCHEDULE 1

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Dianne MARLOW (new member), Nathan MOSS (new member), Janet PRESTON (new member), Greg KEMP (new member).	Gilgai Public Hall and Recreation Reserves Trust.	Reserve No.: 89717. Public Purpose: Public recreation and public hall. Notified: 30 January 1976.
		Reserve No.: 77683. Public Purpose: Public recreation. Notified: 10 June 1955.
		Reserve No.: 37860. Public Purpose: Public recreation. Notified: 25 June 1904. File No.: AE89 R 6.

Term of Office

For a term commencing 1 January 2010 and expiring 31 December 2014.

SCHEDULE 2

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Jennifer June CROSSMAN (re-appointment), Fay Elizabeth RICKARD (re-appointment), Patricia CROME (re-appointment).	Liston Children's Playground Reserve Trust.	Reserve No.: 81409. Public Purpose: Children's playground. Notified: 20 February 1959. File No.: AE99 R 32.

Term of Office

For a term commencing 1 January 2010 and expiring 31 December 2014.

SCHEDULE 3

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Brett Colin WOODWARD (new member), Gloria Jill COLLEY (re-appointment), Robin Terence PONTON (re-appointment).	Long Plain Public Hall and Recreation Reserve Trust.	Reserve No.: 88812. Public Purpose: Public recreation and public hall. Notified: 22 December 1972. File No.: AE86 A 17.

Term of Office

For a term commencing 1 January 2010 and expiring 31 December 2014.

SCHEDULE 4

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Sean Stewart BALLINGER (re-appointment), Malcolm David ROBINSON (re-appointment), Rodney Edwin KENT (re-appointment), Trudi Margret TONKIN (re-appointment).	Yates Park Trust.	Reserve No.: 63329. Public Purpose: Public recreation. Notified: 6 May 1932. File No.: AE86 R 17.

Term of Office

For a term commencing 1 January 2010 and expiring 31 December 2014.

SCHEDULE 5

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Graeme MILLER (new member), Keith GREEN (new member), Thomas John HANSEN (re-appointment), Maxwell William SCHAEFER (re-appointment), James Colin HARRIS (re-appointment), Ian Neville CROMPTON (re-appointment).	Armidale Tennis Courts Reserve Trust.	Reserve No.: 89699. Public Purpose: Public recreation. Notified: 24 December 1975. File No.: AE83 R 29.

Term of Office

For a term commencing 1 January 2010 and expiring 31 December 2014.

SCHEDULE 6

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Helen McMERNEY (re-appointment).	Bald Blair Recreation Reserve Trust.	Reserve No.: 79572. Public Purpose: Public recreation. Notified: 3 May 1957. File No.: AE81 R 87.

Term of Office

For a term commencing 1 January 2010 and expiring 31 December 2014.

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

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

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Land District: Goulburn.	The whole being Lot PT 412,
Local Government Area: Upper Lachlan Shire Council.	DP No. 864645, Parish Wiarborough, County Georgiana, of an area of
Locality: Wiarborough.	357.3 hectares.
Reserve No.: 89851.	
Public Purpose: Generally.	
Notified: 2 July 1976.	
File No.: GB04 H 616/1.	

Note: To facilitate the conversion of LP 107933 to freehold.

GRAFTON OFFICE**76 Victoria Street (Locked Bag 10), Grafton NSW 2460****Phone: (02) 6640 3400 Fax: (02) 6642 5375****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 1146003 at Lismore Heights, Parish Lismore, County Rous. File Reference: GF05 H 941.

Schedule

On closing, the land within Lot 1, DP 1146003 becomes vested in Lismore City Council as operational land for the purposes of the Local Government Act 1993. Councils reference: High Street.

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 – Grafton;
LGA – Coffs Harbour

Road Closed: Lot 1 DP1143627 at Orara, Parish Orara, County Fitzroy.

File Reference: GF05H790.

Schedule

On closing, the land within Lot 1 DP1143627 remains vested in the State of New South Wales as Crown Land.

HAY OFFICE
126 Lachlan Street (PO Box 182), Hay NSW 2711
Phone: (02) 6990 1800 Fax: (02) 6993 1135

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 closure, 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 of Deniliquin; L.G.A. – Berrigan

Lots 11 and 12, DP 1145904, Parish of Finley, County of Denison.

File No.: 09/10286.

Schedule

On closing, title for the land comprised in Lots 1 and 2 will remain vested in the Berrigan Shire Council as operational land.

MAITLAND OFFICE
Corner Newcastle Road and Banks Street (PO Box 6), East Maitland NSW 2323
Phone: (02) 4937 9300 Fax: (02) 4934 2252

NOTIFICATION OF CLOSING OF ROAD

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

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

Description

Parish – Gullongulong; County – Hunter;
Land District – Singleton;
Local Government Area – Singleton

Road Closed: Lot 7, DP 879851 at Putty.

File No.: MD97 H 116.

Schedule

On closing, the land within Lot 1, DP 879851 remains vested in Singleton Shire Council as operational land for the purposes of the Local Government Act 1993.

Council's Reference: RD00069.

ORANGE OFFICE
92 Kite Street (PO Box 2146), Orange NSW 2800
Phone: (02) 6391 4300 Fax: (02) 6362 3896

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 – Molong;
LGA – Cabonne

Road Closed: Lot 1 DP1141408 at Lidster, Parish Barton, County Ashburnham.

File Reference: OE05H57.

Schedule

On closing, the land within Lot 1 DP1141408 remains vested in the State of New South Wales as Crown Land.

Description

Land District – Orange;
LGA – Cabonne & Orange

Road Closed: Lots 1 & 2 DP1141870 at Guyong & Millthorpe, Parish Colville & Shadforth, County Bathurst

File Reference: CL/00496.

Schedule

On closing, the land within Lots 1 & 2 DP1141870 remains vested in the State of New South Wales as Crown Land.

Description

Land District – Rylstone;
LGA – Lithgow City

Road Closed: Lot 1 DP1141872 at Dunville Loop, Parish Goongal, County Roxburgh.

File Reference: CL/00112.

Schedule

On closing, the land within Lot 1 DP1141872 remains vested in the State of New South Wales as Crown Land.

Description

Land District – Orange;
LGA – Cabonne

Road Closed: Lot 1 DP1144946 at Spring Hill, Parish Huntley, County Bathurst.

File Reference: 09/00817.

Schedule

On closing, the land within Lot 1 DP1144946 remains vested in the State of New South Wales as Crown Land.

Description

Land District – Orange;
LGA – Orange

Road Closed: Lot 4 DP1141140 at Shadforth, Parish Shadforth, County Bathurst.

File Reference: 09/00817.

Schedule

On closing, the land within Lot 4 DP1141140 remains vested in the State of New South Wales as Crown Land.

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

APPOINTMENT OF 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 term of office specified in that Column, as members of the trust board for the reserve trust specified opposite thereto in Column 2, which have been established and appointed as trustee of the reserve referred to opposite thereto in Column 3 of the Schedules.

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

SCHEDULE 1

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Steven Thomas BRETT (re-appointment)	Bidjigal (D1010489)	Dedication No. 1010489 Public Purpose: Preservation of Aboriginal Cultural Heritage, Preservation of Flora and Fauna and Public Recreation
David John WILMSHURST (re-appointment)	Reserve Trust	
Brian POWYER (re-appointment)		
Wendy Alison GOONAN (Re-appointment)		Notified: 22 October 2004
Robert James MILLIGAN (New member)		File Reference:09/10382
Michael CAMERON (New member)		
Anthony John WILLIAMS (New member)		

The person for the time being holding the Office of Executive Committee member, Darug Tribal Aboriginal Corporation (ex-officio member)

The person for the time being holding the office of Vice Chairperson, Darug Custodian Aboriginal Corporation. (ex-officio member)

The person for the time being holding the office of Chairperson, Baulkham Hills Shire Bushland Conservation Committee – currently Carol Isaacs (ex-officio member)

The person for the time being holding the Office of Vice President Excelsior Park Bushland Society - currently Adrian John LEWIS (ex-officio member]

For a term commencing 7 January 2010 and expiring 6 January 2014.

ASSIGNMENT OF NAME TO A RESERVE TRUST

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

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Terrey Hills Public Recreation (R83752) Reserve Trust	Reserve No. 83752 Public Purpose: Public Recreation Notified: 16 March 1962 File Reference: MN79R110

DECLARATION OF LAND TO BE CROWN LAND

PURSUANT to section 138 of the Crown Lands Act 1989, the land specified in the Schedule is declared to be Crown land within the meaning of that Act.

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

SCHEDULE

*Land in the ownership of Landcom;
Land District – Metropolitan;
Local Government Area – Randwick City Council;
Parish – Botany;
County – Cumberland*

1.65 hectares being
Lot 3 DP270427
Lot 17 DP270427
Lot 20 DP270427
Lot 35 DP270427
Lot 41 DP270427
Lot 49 DP270427
Lot 74 DP270427
Lot 78 DP270427
at Little Bay

File Ref: 08/5168.

Note: The easements, restrictions, covenants and leases recorded on the second schedule of the certificates of title pertaining to the abovementioned land are not extinguished by this notification

RESERVATION OF CROWN LAND

PURSUANT to Section 87 of the Crown Lands Act 1989, the Crown land specified in Column 1 of the Schedule hereunder is reserved as specified opposite thereto in Column 2 of the Schedule.

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Land District: Metropolitan Local Government Area: Randwick City Council Locality: Little Bay Lot 3 DP270427 Lot 20 DP270427 Lot 35 DP270427 Lot 74 DP270427 Lot 78 DP270427 Parish: Botany County: Cumberland Area: About 1.0ha File Ref: 08/5168	Reserve No. 1013488 Public Purpose: Public Recreation

Note: this notice is in lieu of previous notification.

Folio 3670 dated 8 June 2007 and Folio 4682 dated 6 June 2008.

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Land District: Metropolitan	Reserve No. 1013508
Local Government Area: Randwick City Council	Public Purpose: Environmental Protection
Locality: Little Bay Lot 17 DP270427	
Parish: Botany	
County: Cumberland	
Area: About 490.4m ²	
File Ref: 08/5168	

Note: this notice is in lieu of previous notification.

Folio 3670 dated 8 June 2007.

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Land District: Metropolitan	Reserve No. 1014868
Local Government Area: Randwick City Council	Public Purpose: Community Purposes Heritage Purposes
Locality: Little Bay Lots 49 and 41 DP 2370427	
Parish: Botany	
County: Cumberland	
Area: About 5978m ²	
File Ref.: 08/5168.	

Note: this notice is in lieu of previous notification.

Folio 3670 dated 8 June 2007.

ESTABLISHMET OF RESERVE TRUST

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

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Prince Henry At Little Bay Reserve Trust	Reserve No. 1013488 Public Purpose: Public Recreation Notified: This Day
	Reserve No. 1013508 Public Purpose: Environmental Protection Notified: This Day
	Reserve No. 1014868 Public Purpose: Community Purposes Heritage Purposes Notified: This day
	File Ref: 08/5168

Note: this notice is in lieu of previous notification.

Folio 3670 dated 8 June 2007 and Folio 4682 dated 6 June 2008.

**APPOINTMENT OF CORPORATION TO MANAGE
RESERVE TRUST**

PURSUANT to Section 95 of the Crown Lands Act 1989, the corporation specified in Column 1 of the Schedule hereunder is appointed to manage the affairs of the reserve trust specified opposite thereto in Column 2, which is trustee of the reserve referred to in Column 3 of the Schedule.

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Landcom	Prince Henry at Little Bay Reserve Trust	Reserve No. 1013488 Public Purpose: Public Recreation Notified: This Day
		Reserve No. 1013508 Public Purpose: Environmental Protection Notified: This Day
		Reserve No. 1014868 Public Purpose: Community Purposes Heritage Purposes Notified: This day
		File Ref: 08/5168

Note: this notice is in lieu of previous notification.

Folio 3670 dated 8 June 2007 and Folio 4682 dated 6 June 2008.

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

IT is intended, following the laying of a copy of this notification before each House of Parliament in the State of New South Wales in accordance with section 84 of the Crown Lands Act 1989, to revoke the dedication of Crown land specified in Schedule 1 hereunder to the extent specified in Schedule 2 with a view to dealing with the land as specified in Schedule 3.

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

SCHEDULE 1

*Land District – Metropolitan;
Local Government Area – Sutherland Shire Council;
Parish – Sutherland;
County – Cumberland;*

Dedication No. 500978
Public Purpose: Public School
Notified: 18 October 1935
Lot 1242 DP 824066
Lot 1231 DP 821652
Lot 3 DP 1001659
Area: 6329 m²

SCHEDULE 2

The part being Lot 1231 DP 821652. Parish Sutherland,
County Cumberland.

SCHEDULE 3

Following revocation, it is intended to add Lot 1231 DP
821652 to Dedication No. 1000479 for Public Recreation.

File References: 09/18247 and 09/17875.

**PROPOSED ADDITION TO CROWN LAND
DEDICATED FOR A PUBLIC PURPOSE**

IT is intended, following the laying before both Houses of Parliament in the State of New South Wales of an abstract of the proposed addition in accordance with section 82 of the Crown lands Act 1989, to add the Crown land specified in Column 1 of the Schedule hereunder to the dedicated Crown land specified opposite thereto in Column 2 of the Schedule.

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

SCHEDULE 1

<i>Column 1</i>	<i>Column 2</i>
Land District: Metropolitan	Dedication No. 1000479
Local Government Area: Sutherland Shire Council	Public Purposes: Public Recreation
Locality: Jannali	Notified 18 October 1935
Lot 1231 DP 821652	Lot 1230 DP 821652
Parish: Sutherland	Parish Sutherland
County: Cumberland	County: Cumberland
Area: 2479 m2	New Area: 4.966 ha

File References: 09/18247 and 09/17875.

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

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

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Lands Administration Ministerial Corporation.	Liverpool Showground Reserve Trust	Liverpool Showground (R98131) Notified: 18 April, 1986. File No.: 09/01584.

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

PURSUANT to section 95 of the Crown Lands Act 1989, the corporation specified in Column 1 of the Schedule hereunder, is appointed to manage the affairs of the reserve trust specified opposite thereto in Column 2, which is trustee of the reserve referred to in Column 3 of the Schedule.

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

SCHEDULE

Column 1	Column 2	Column 3
Liverpool City Council	Liverpool Showground Reserve Trust	Liverpool Showground (R98131) Notified: 18 April, 1986. File No.: 09/01584.

NOTIFICATION OF CLOSING OF ROAD

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

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

Descriptions

*Land District – Penrith;
LGA – Penrith*

Lots 1, 2 and 3, DP 1144264 at Erskine Park, Parish Melville, County Cumberland. File No.: 08/8050.

Note (1) On closing, title for the land in lots 1, 2 and 3 remains vested in Penrith City Council as operational land.

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

ROADS ACT 1993

SCHEDULE 2

ORDER

Roads Authority: Tamworth Regional Council.

Transfer of Crown Road to Council

File No.: 07/5854.

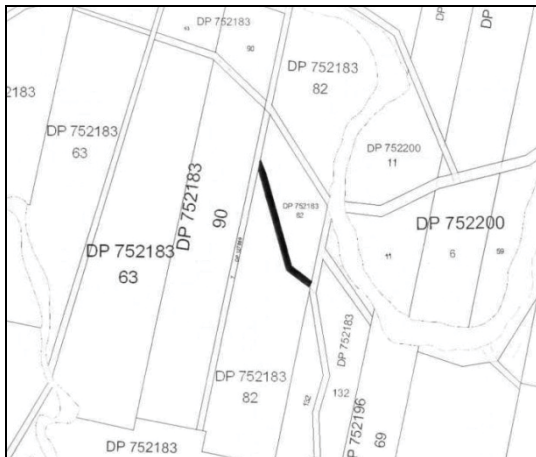
IN pursuance of provisions of section 151, Roads Act 1993, the Crown public roads specified in Schedule 1 are transferred to the Roads Authority specified in Schedule 2 hereunder, as from the date of publication of this notice and as from that date, the roads specified in Schedule 1 cease to be Crown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

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

SCHEDULE 1

*Parish – Gladstone; County – Darling;
Land District – Tamworth;
L.G.A. – Tamworth Regional Council*

Crown public road shown hatched in black on the below diagram.



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

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 – Taree;
LGA – Great Lakes

Road Closed: Lot 1 DP1141096 at Wootton, Parish Boolambayte, County Gloucester.

File Reference: TE05H162.

Schedule

On closing, the land within Lot 1 DP1141096 remains vested in the State of New South Wales as Crown Land.

Description

Land District – Taree;
LGA – Great Lakes

Road Closed: Lot 1 DP1137876 at Bungwahl, Parish Topi Topi, County Gloucester.

File Reference: TE05H123.

Schedule

On closing, the land within Lot 1 DP1137876 remains vested in the State of New South Wales as Crown Land.

Description

Land District – Taree;
LGA – Greater Taree City Council

Road Closed: Lots 1, 2 & 3 DP 1139516 at Taree, Parish Taree, County Macquarie.

File Reference: 08/6464.

Schedule

On closing, the land within Lots 1, 2 & 3 DP1139516 becomes vested in Greater Taree City Council as operational land for the purposes of the Local Government Act 1993.

Councils Reference: R2405 RCL.

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

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 of the lands specified in the following Schedule have been granted to the undermentioned persons.

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 1st April of each year.

The Conditions and Reservations annexed to such leases are those Conditions published in the *New South Wales Government Gazette* of 25 May 2007, Folios 2974-2975 (identified by a *) or the *New South Wales Government Gazette* of 20 March 2009, Folios 1416-1418 (identified by a #).

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

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

SCHEDULE

Administrative District – Walgett North; Shire – Walgett; Parish – Wallangulla/Mebea; County – Finch

WLL No.	Name of Lessee	File No.	Folio Identifier	Area (m2)	Term of Lease	
					From	To
WLL 16327 #	Vinko CUTURA	09/06665	6/1076808	1099	11 December 2009	10 December 2029
WLL 14933 *	Mirko STOJIC	WLL 14933	9/1076808	2383	11 December 2009	10 December 2029
WLL 16252*	Warren O'NEILL and Sandra Lee SIMPSON	08/10849	33/1076808	2503	11 December 2009	10 December 2029

APPOINTMENT OF RESERVE TRUST AS TRUSTEE OF A RESERVE

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

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

SCHEDULE

Column 1
Broken Hill Cemetery Reserve Trust.

Column 2
Dedication No.: 1024968.
Public Purpose: General cemetery.
Notified: 28 July 1900.
Dedication No.: 1024948.
Public Purpose: General cemetery.
Notified: 12 April 1889.
Dedication No.: 1024969.
Public Purpose: Cemetery extensions.
Notified: 15 September 1891.
Dedication No.: 1024988.
Public Purpose: General cemetery.
Notified: 23 April 1895.
Dedication No.: 1025028.
Public Purpose: Cemetery extensions.
Notified: 8 October 1898.

Dedication No.: 1024928.
Public Purpose: Cemetery extensions.
Notified: 2 August 1902.
Reserve No.: 6964.
Public Purpose: Plantation and cemetery extensions.
Notified: 11 August 1888.
Reserve No.: 51993.
Public Purpose: Cemetery and addition.
Notified: 16 February 1917.
Reserve No.: 69366.
Public Purpose: Addition and cemetery.
Notified: 19 July 1940.
Reserve No.: 45549.
Public Purpose: Cemetery extensions.
Notified: 3 August 1910.
Reserve No.: 35059.
Public Purpose: Cemetery extensions and plantation.
Notified: 4 October 1902.
Reserve No.: 51443.
Public Purpose: Plantation and cemetery extensions.
Notified: 28 April 1916.
Reserve No.: 62453.
Public Purpose: Plantation and cemetery extensions.
Notified: 23 January 1931.
File No.: WL88 R 27/1.

Department of Primary Industries

NOTICE OF RECEIPT OF APPLICATION FOR AQUACULTURE LEASE

Notification under section 163 (7) of the Fisheries Management Act 1994 and Clause 33 of the Fisheries Management (Aquaculture) Regulation 2007

INDUSTRY & INVESTMENT NSW (I&I NSW) advises an application has been received for a new aquaculture lease over public water land for the purpose of cultivating Sydney rock oysters and Pacific oysters. Location is Salamander Bay, Port Stephens, described as follows:

- 0.1984 hectares over a portion of former oyster leases OL81/234 and OL82/232 (to be known as AL07/009 if granted)

I&I NSW is calling for written submissions from any person supporting or objecting to the oyster lease proposal, citing reasons for the support/objection. I&I NSW is also calling for expressions of interest from persons or corporations interested in leasing the area specified above, for the purpose of aquaculture. An expression of interest must be in the form of a written response referring to lease number AL07/009 to be signed and dated with a return address.

If additional expressions of interest are received, I&I NSW may offer the area for leasing through a competitive public tender process, auction or ballot. If granted the lease will be subject to standard covenants and conditions of an aquaculture lease and aquaculture permit, under the Fisheries Management Act, 1994.

Specific details of the proposed lease can be obtained, or enquiries made with I&I NSW, Aquaculture Administration Section, Port Stephens on (02) 4982 1232. Objections or expressions of interest for consideration in the determination of the application must be received at the address below, within 30 days from the date of publication of this notification.

Director, Fisheries Conservation & Aquaculture Branch, Aquaculture Administration Section, Port Stephens Fisheries Institute, Locked Bag 1, Nelson Bay NSW 2315.

BILL TALBOT,
Director, Fisheries Conservation & Aquaculture Branch
Industry & Investment NSW

NOTICE OF RECEIPT OF APPLICATION FOR AQUACULTURE LEASE

Notification under section 163 (7) of the Fisheries Management Act 1994, and Clause 33 of the Fisheries Management (Aquaculture) Regulation 2007

INDUSTRY & INVESTMENT NSW (I&I NSW) advises an application has been received for a new aquaculture lease over public water land for the purpose of cultivating Sydney rock oysters and triploid Pacific oysters. Location is the Hawkesbury River, described as follows:

- 0.8210 hectares over former oyster lease OL75/210

I&I NSW is calling for written submissions from any person supporting or objecting to the oyster lease proposal, citing reasons for the support/objection. I&I NSW is also calling for expressions of interest from persons or corporations interested in leasing the area specified above, for the purpose of aquaculture. An expression of interest must be in the form of a written response referring to lease number OL75/210 to be signed and dated with a return address.

If additional expressions of interest are received, I&I NSW may offer the area for leasing through a competitive public tender process, auction or ballot. If granted the lease will be subject to standard covenants and conditions of an aquaculture lease and aquaculture permit, under the Fisheries Management Act, 1994.

Specific details of the proposed lease can be obtained, or enquiries made with I&I NSW, Aquaculture Administration Section, Port Stephens on (02) 4982 1232. Objections or expressions of interest for consideration in the determination of the application must be received at the address below, within 30 days from the date of publication of this notification.

Director, Fisheries Conservation & Aquaculture Branch, Aquaculture Administration Section, Port Stephens Fisheries Institute, Locked Bag 1, Nelson Bay NSW 2315.

BILL TALBOT,
Director, Fisheries Conservation & Aquaculture Branch
Industry & Investment NSW

NOTICE OF RECEIPT OF APPLICATION FOR AQUACULTURE LEASE

Notification under section 163 (7) of the Fisheries Management Act 1994 and Clause 33 of the Fisheries Management (Aquaculture) Regulation 2007

INDUSTRY & INVESTMENT NSW (I&I NSW) advises an application has been received for a new aquaculture lease over public water land for the purpose of cultivating Sydney rock oysters. Location is Port Stephens, described as follows:

- 0.9028 hectares over former oyster lease OL78/047

I&I NSW is calling for written submissions from any person supporting or objecting to the oyster lease proposal, citing reasons for the support/objection. I&I NSW is also calling for expressions of interest from persons or corporations interested in leasing the area specified above, for the purpose of aquaculture. An expression of interest must be in the form of a written response referring to lease number OL78/047 to be signed and dated with a return address.

If additional expressions of interest are received, I&I NSW may offer the area for leasing through a competitive public tender process, auction or ballot. If granted the lease will be subject to standard covenants and conditions of an aquaculture lease and aquaculture permit, under the Fisheries Management Act, 1994.

Specific details of the proposed lease can be obtained, or enquiries made with I&I NSW, Aquaculture Administration Section, Port Stephens on (02) 4982 1232. Objections or expressions of interest for consideration in the determination of the application must be received at the address below, within 30 days from the date of publication of this notification.

Director, Fisheries Conservation & Aquaculture Branch, Aquaculture Administration Section, Port Stephens Fisheries Institute, Locked Bag 1, Nelson Bay NSW 2315.

BILL TALBOT,
Director, Fisheries Conservation & Aquaculture Branch
Industry & Investment NSW

FERTILISERS ACT 1985

Instrument of Authorisation

I, STEVE WHAN MP, Minister for Primary Industries, pursuant to section 23 (2) of the Fertilisers Act 1985 ('the Act'), hereby authorise Christopher Roy CONOLLY to exercise all the functions of an inspector for the purposes of the Act.

Dated this 15th day of December 2009.

STEVE WHAN, M.P.,
Minister for Primary Industries

FISHERIES MANAGEMENT ACT 1994

Section 280

Authorised Officers – Evidence Relating to Fishing Authorities

I, PAUL O'CONNOR, Principal Director, Fisheries and Compliance, pursuant to section 280 of the Fisheries Management Act 1994 ("the Act") hereby:

1. revoke the written authorisation titled "Authorised Officers – Evidence relating to fishing authorities" dated 29 November 2007 and any authorisation revived as a result of this revocation;
2. authorise officers of the Department of Industry and Investment who from time to time hold, occupy or perform the duties of, the positions set out below to exercise the functions conferred by section 280 of the Act:

Director Fisheries Resource Management
Director Fisheries Conservation and Aquaculture
Manager Licensing and Policy
Manager Fisheries Business Services
Manager Recreational Licensing
Coordinator Fisheries Licensing Services
Manager Recreational Fisheries Programs
Senior Fisheries Manager Inland
Manager Aquaculture
Manager Fisheries Information and Protected Areas
Fisheries Manager Permits
Senior Administration Officer Aquaculture
Senior Policy Officer Aquaculture
Manager Fisheries Ecosystems
Senior Conservation Manager
Senior Conservation Manager Threatened Species
Manager Aquatic Biosecurity and Risk Management

Made this 11th day of December 2009.

PAUL O'CONNOR,
Principal Director, Fisheries and Compliance,
Department of Industry and Investment

FISHERIES MANAGEMENT (OCEAN TRAP AND LINE SHARE MANAGEMENT PLAN) REGULATION 2006

ORDER

Extension of Transitional Period for
Minimum Shareholding Requirements for
Spanner Crab Shares in the Ocean Trap and Line Fishery

I, GEORGE DAVEY, Acting Director-General of the Department of Industry and Investment, pursuant to clause 6 (b) (b) of the Appendix to the Fisheries Management (Ocean

Trap and Line Share Management Plan) Regulation 2006, prescribe that for the purposes of clause 6 of that Appendix and in the case of:

- (i) ocean trap and line – spanner crab northern zone shares; and
- (ii) ocean trap and line – spanner crab southern zone shares,

the transitional period will end on 30 June 2010.

Dated this 22nd day of December 2009.

GEORGE DAVEY,
Acting Director-General,
Department of Industry and Investment

OCCUPATIONAL HEALTH AND SAFETY ACT 2000

Occupational Health and Safety Regulation 2001

Use of Plant – Design Registration Requirements in Coal Workplaces for Items Used to Determine or Monitor the Presence of Gases

Exemption Order No. 08/9222/2

I, ROBERT WILLIAM REGAN Chief Inspector under the Coal Mine Health and Safety Act 2002, pursuant to clause 348 (1A) of the Occupational Health and Safety Regulation 2001 (the Regulation), hereby make the following Exemption Order as specified in the Schedule.

Words and expressions used in this Order have the same meanings as those used in the Act and the Regulation.

SCHEDULE

1. Exemptions

Subject to the conditions and for the period (if any, as applicable to a matter) specified in clause 2, this Order exempts:

- 1.1 Employers and persons in underground mines at a coal workplace from complying with the requirements of clauses 136 (5) of the Regulation in relation to portable or hand-held plant or items used to determine or monitor the presence of gases for the purposes of the Coal Mine Health and Safety Act 2002 and used in underground mines at a coal workplace.

2. Application, conditions and duration of exemptions

- 2.1 This exemption only applies to plant and items used to determine the presence of gases, including both gas detection and monitoring equipment of fixed installations within a mine and installations on mobile or transportable plant.
- 2.2 The portable or hand-held plant or items used to determine or monitor the presence of gases must be of a type detailed on the List of Gas Detector and Monitors covered by Exemption Order 08/9222/1, as amended from time to time.
- 2.3 The portable or hand-held plant or items used to determine or monitor the presence of gases must be manufactured prior to the date of commencement of this notice.
- 2.4 The manufacturer's instructions and a copy of the nominated approval in the List of Gas Detector and Monitors covered by Exemption Order 08/9222/1 are to be retained at the mine and the requirements

within these documents are to be fulfilled to support the continued safe installation, use, calibration and maintenance of the plant and items.

- 2.5 Electrical plant used in a hazardous zone must fulfil the requirements of the gazette notice published in the NSW Government Gazette No. 10 on 25 January 2008 at page 181: Types of Electrical Plant Used in Hazardous Zone.
- 2.6 The portable or hand-held plant or items used to determine or monitor the presence of gases must be of a type which the Manager of Mining Engineering of the coal operation has determined is suitable for its intended environment and use.
- 2.7 A copy of this exemption order must be held at the underground mine being a coal workplace, and must be:
 - 2.7.1 given to all persons employed at the coal workplace in accordance with any consultation arrangements, and
 - 2.7.2 displayed on an employee notice board for a period of 28 days.

Note: The above list is available from: www.dpi.nsw.gov.au/minerals/safety/resources/mine-safety-technology-centre/gas-detection-and-monitoring

This Exemption Order has effect from the date of the publication in the Government Gazette until 1 March 2012.

Dated this 17th day of December 2009.

ROBERT REGAN,
Chief Inspector of Mines,
Department of Industry and Investment
Under delegation

STOCK FOODS ACT 1940

Authorisation of Inspector

I, RICHARD FREDERICK SHELDRAKE, Director-General and pursuant to section 20(1) of the Stock Foods Act 1940 ("the Act"), hereby authorise Julie Dawn BOLAM-JOHNSON as an inspector for the purposes of the Act.

Dated this 11th day of December 2009.

R. F. SHELDRAKE,
Director-General,
Department of Industry and Investment

Roads and Traffic Authority

ROAD TRANSPORT (GENERAL) ACT 2005

Ministerial Exemption (Extension of Driver Work Time to Ensure Livestock Welfare) Order 2009

I, DAVID BORGER, M.P., Minister Assisting the Minister for Transport, pursuant to section 16 of the Road Transport (General) Act 2005, make the following Order.

Dated this 17th day of December 2009.

DAVID BORGER, M.P.,
Minister Assisting the Minister for Transport

1. Citation

This Order is the Ministerial Exemption (Extension of Driver Work Time to Ensure Livestock Welfare) Order 2009.

2. Commencement

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

3. Effect

This Order remains in force until it is amended or revoked, and may not be revoked unless a notice is published in the *Gazette* providing at least six months notice of its proposed revocation.

4. Interpretation

Words and expressions used in this Order have the same meaning as those defined in the Road Transport (General) Regulation 2005.

5. Application

This Order applies to solo drivers of regulated heavy vehicles who are driving under Standard hours or working under a Basic Fatigue Management accreditation, where:

- (a) the primary load of the vehicle is live cattle, sheep, goats, pigs or other livestock; and
- (b) the welfare of the livestock is at risk due to circumstances which were not reasonably foreseeable.

6. Exemption

Pursuant to section 16(1) of the Road Transport (General) Act 2005, the following provisions of the Road Transport (General) Regulation 2005 are declared not to apply to drivers defined in Clause 5 of this Order:

- (a) in the case of a solo driver working under standard hours - the maximum work time in any period of 24 hours, 7 days and 14 days as specified in clause 64; and
- (b) in the case of a driver working under an operator's Basic Fatigue Management accreditation - the maximum work time in any period of 24 hours and 14 days as specified in clause 67.

7. Conditions

The exemption set out in Clause 6 of this Order applies subject to the following conditions.

- (a) a driver working under standard hours may work a maximum of:
 - (i) 14 hours in any period of 24 hours; and

- (ii) 74 hours in any period of 7 days, only when this exemption applies during the last 24 hours in the 7 day period; and

- (iii) 146 hours in any period of 14 days, only when this exemption applies during the last 24 hours in the 14 day period.

- (b) a driver working under an operator's Basic Fatigue Management accreditation may work a maximum of:

- (i) 15 hours in any period of 24 hours ; and

- (ii) 145 hours in any period of 14 days, only when this exemption applies during the last 24 hours in the 14 day period.

- (c) the driver must:

- (i) in the case of a solo driver working under Standard hours - have a minimum of 10 continuous hours rest time between finishing work on the day the driver has worked in accordance with this exemption, and resuming work; or

- (ii) in the case of a driver working under an operator's Basic Fatigue Management accreditation - have a period of continuous rest time of at least 7 hours plus twice the amount of time the driver worked in excess of 14 hours on the day the driver worked in accordance with this exemption, between finishing work on the day the driver worked in accordance with this exemption and resuming work.

- (d) the driver must, after becoming aware of the circumstances set out in Clause 5(b) and before resuming driving after the next occasion the driver stops the vehicle to inspect the livestock and/or take a rest time break, and in any case, before exceeding the applicable regulated limit on maximum work time in any period of 24 hours, make a written record which includes the following information:

- (i) the nature of the circumstances which resulted in risks to the welfare of the livestock; and

- (ii) the time, date and location when the driver became aware of these circumstances; and

- (iii) the nature of the risks to the welfare of the livestock.

- (e) the written record made by the driver must:

- (i) in the case of a driver who is required to record information in a work diary on the day on which the driver worked in accordance with this exemption – be kept with the driver's work diary and provided to their record keeper within 21 days; or

- (ii) in any other case – be provided to their record keeper as soon as practicable, but no later than 21 days.

- (f) within 7 days of receiving the written record provided by a driver in accordance with Clause 7(e) of this Order, the record keeper must notify the Authority, in a form approved by the Authority, of:

- (i) the name and licence number of the driver;

- (ii) the date(s) the driver worked in accordance with this exemption;
 - (iii) the total amount of work time undertaken by the driver on the relevant dates;
 - (iv) the nature of the circumstances which resulted in risks to the welfare of the livestock; and
 - (v) the nature of the risks to the welfare of the livestock.
- (g) the record keeper of the driver must keep the written record referred to in Clause 7(d) and a record of the information notified to the Authority in accordance with Clause 7(f), for 3 years after they are created.

Explanatory Notes:

This Order replaces an earlier Order with the same title and substantive provisions, which was gazetted on 26 June 2009 and revoked on 26 December 2009. This Order may not be revoked unless Part 6 of the Road Transport (General) Regulation 2005, specifies maximum work time limits for drivers of regulated heavy vehicles.

The purpose of this Order is to permit standard hours and BFM hours solo drivers of regulated heavy vehicles carrying livestock to exceed the applicable regulated limit on work time in any 24 hour period, if the welfare of the livestock is at risk due to circumstances which were not reasonably foreseeable.

Under the Order drivers are also permitted to exceed the relevant work time limit in any 7 and 14 day period, only if this exemption applies on the last day of the relevant period. To ensure the driver has adequate opportunity for rest and sleep after exceeding the relevant work time in any 24 hour period in accordance with this Order, a driver must take an extended period of continuous rest time before resuming work.

In order for the Roads and Traffic Authority (RTA) to monitor the extent and circumstances in which this Order is utilised, drivers are required to provide relevant information to their record keeper, and the record keeper is required to provide relevant information to the Authority. The "record keeper" of a driver is:

- if the driver is an employed driver working under Standard hours – the employer; or
- if the driver is a self-employed driver working under Standard hours – the self-employed driver; or
- if the driver is working under an operator's Basic Fatigue Management accreditation – the operator.

This Order only applies in New South Wales. When working in other States and Territories, drivers of regulated heavy vehicles must comply with the limits on work and rest time that are provided in the laws in those States and Territories.

Further information regarding this Order, including the approved notification form and options for submitting notification forms to the RTA (as per clause 7(f)), is available on the RTA website: www.rta.nsw.gov.au.

ROAD TRANSPORT (GENERAL) ACT 2005

Ministerial Exemption (Bus Operator Fatigue Management Accreditation Requirements) Order 2009

I, DAVID BORGER, M.P., Minister Assisting the Minister for Transport and Roads, pursuant to section 16 of the Road Transport (General) Act 2005, make the following Order.

Dated this 17th day of December 2009.

DAVID BORGER, M.P.,
Minister Assisting the Minister
for Transport and Roads

1. Citation

This Order may be cited as the Ministerial Exemption (Bus Operator Fatigue Management Accreditation Requirements) Order 2009.

2. Commencement

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

3. Effect

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

4. Interpretation

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

5. Application

This Order applies to operators of buses who are accredited by NSW Transport and Infrastructure to operate public passenger services in accordance with the Passenger Transport Act 1990 ("accredited service operators").

6. Exemptions from Fatigue Management Accreditation Requirements

6.1 Compliance history declaration

Subclauses 103(4) and 109(5) of the Road Transport (General) Regulation 2005 are declared not to apply to an accredited service operator.

6.2 AFM accreditation certificates

The requirement in Subclause 110(6) of the Road Transport (General) Regulation 2005 that the accreditation certificate issued for an AFM accreditation is in the form approved by the Australian Transport Council by notice published in the *Commonwealth Government Gazette* is declared not to apply to an accredited service operator.

6.3 Fatigue management accreditation details carried by drivers

Clauses 106 and 112 of the Road Transport (General) Regulation 2005 are declared not to apply to a bus driver working for an accredited service operator, where the bus driver is:-

- (a) engaged in a journey of less than 100km from the driver's base; or
- (b) engaged in a journey undertaken under a bus service contract entered into under Part 3 of the Passenger Transport Act 1990, regardless of the distance travelled.

6.4 Health assessment requirements

- (a) For the purposes of clauses 103 and 105, the requirements of section 2.1 of the BFM Standards are declared not to apply to an accredited service operator.
- (b) For the purposes of clauses 109 and 111, the requirements of section 7.1 of the AFM Standards are declared not to apply to an accredited service operator.

7. Transitional Exemption from AFM Application Criteria

7.1 Compliance with AFM standards

Subclause 109(2)(d) of the Road Transport (General) Regulation 2005 is declared not to apply to applications for Advanced Fatigue Management accreditation by an accredited service operator, lodged by 28 September 2009.

7.2 Compliance with AFM standards pending provision of auditor's statement

Subclause 111(1) of the Road Transport (General) Regulation 2005 is declared not to apply to accredited service operators to whom Clause 7.1 of this Order applies.

7.3 Condition

The exemptions set out in Clauses 7.1 and 7.2 of this Order apply on the condition that the accredited service operator provides the auditor's statement described in Subclause 109(2) of the Road Transport (General) Regulation 2005 to the Authority by the date specified in the operator's AFM accreditation certificate or in any case no later than 28 March 2010.

8. Revocations

The Ministerial Exemption (Bus Operator Fatigue Management Accreditation Requirements) Order 2009 dated 9 September 2009 is hereby revoked.

Explanatory Note

The Roads and Traffic Authority administers a fatigue management accreditation scheme for operators of heavy vehicles in accordance with Part 6, Division 5 of the Road Transport (General) Regulation 2005. There are two classes of fatigue management accreditation:-

- Basic Fatigue Management (BFM); and
- Advanced Fatigue Management (AFM).

This Order remakes the Ministerial Exemption (Bus Operator Fatigue Management Accreditation Requirements) Order 2009 approved on 9 September 2009 and gazetted on 18 September 2009. This Order includes all provisions of the earlier Order and two new clauses (clauses 6.4 and 7.2).

The purpose of the Order is to make minor modifications to BFM and AFM accreditation requirements for bus and coach operators, in order to minimise unnecessary duplication with the requirements of the Bus Operator Accreditation Scheme and the Bus Driver Authorisation Scheme administered by NSW Transport and Infrastructure.

In summary, Clause 6 of this Order makes the following changes to BFM and AFM accreditation requirements for bus operators:

- applications for BFM and AFM accreditation are not required to include a compliance history declaration;
- AFM accreditation certificates issued to bus operators will include additional information to ensure that bus driver work and rest time limits are enforceable;
- bus drivers working for BFM and AFM accredited operators will not be required to carry details of the operator's accreditation when undertaking work for which a work diary is not required.

- bus operators are not required to comply with BFM and AFM Standards for health assessments.

In addition, Clause 7 of this Order provides bus operators, who apply for AFM accreditation before 28 September 2009, with additional time to achieve compliance with AFM standards.

This Order applies in New South Wales only. Bus drivers operating in other States and Territories must comply with heavy vehicle driver fatigue laws that apply in those States and Territories.

ROAD TRANSPORT (DRIVER LICENSING) REGULATION 2008

Driver Licence (Semi-Trailer not greater than 9 tonnes
GVM) Exemption Notice 2009
under the

Road Transport (Driver Licensing) Regulation 2008

I, MICHAEL BUSHBY, Chief Executive of the Roads and Traffic Authority, pursuant to Clause 98 of the Road Transport (Driver Licensing) Regulation 2008, do, by this Notice, grant the following exemption.

Dated this 21st day of December 2009.

MICHAEL BUSHBY,
Chief Executive,
Roads and Traffic Authority

1. Citation

This Notice may be cited as the Driver Licence (Semi-Trailer not greater than 9 tonnes GVM) Exemption Notice 2009.

2. Commencement

This Notice takes effect on 1 January 2010.

3. Effect

This Notice continues to have effect until it is amended or repealed.

4. Interpretation

Unless stated otherwise, words and expressions used in this Notice have the same meanings as in the Road Transport (Driver Licensing) Regulation 2008.

5. Exemption

The holder of a car, light rigid, medium rigid or heavy rigid vehicle driver licence is exempt from the requirement under Clause 8(4) of the Road Transport (Driver Licensing) Regulation 2008 to hold a heavy combination vehicle licence when driving a vehicle towing a semi-trailer, provided the semi-trailer has a Gross Vehicle Mass not greater than 9 tonnes.

This Notice does not affect a requirement of any law in force in NSW:

- (a) for mass limits applying to combinations; or
- (b) regarding the class of licence required to drive the towing vehicle in the combination.

ROADS ACT 1993

ORDER

I, MICHAEL BUSHBY, Chief Executive of the Roads and Traffic Authority of New South Wales, pursuant to section 215 of the Roads Act 1993, make the Order set forth hereunder.

Dated: Sydney, 21st December 2009.

MICHAEL BUSHBY,
Chief Executive,
Roads and Traffic Authority of NSW

Citation

1. This Order may be cited as the Roads (Sydney Harbour Bridge Toll) Order 2010.

Commencement

2. This Order takes effect on 1 January 2010.

Repeal

3. The Roads (Sydney Harbour Bridge Toll) Order 2009 dated 22 December 2008 (published in Gazette No.160 of 24 December 2008 at pages 13129 to 13134), as amended by amending order dated 20 January 2009 (published in Gazette No. 20 of 23 January 2009 at page 443), is repealed on and from 1 January 2010.

Tolls

4. The toll payable for a motor vehicle that uses the Sydney Harbour Bridge travelling in a southerly direction is the amount specified in Schedule 1 of this Order in respect of the vehicle.

Motor cycle periodic toll pass

5. (1) A motor cycle periodic toll pass –
 - (a) is issued by the Roads and Traffic Authority of New South Wales on payment of the appropriate charge as set out in Schedule 2, Schedule 3, Schedule 4 or Schedule 5; and
 - (b) authorises travel by the motor cycle to which the pass relates across the Sydney Harbour Bridge without payment of a toll while the pass is in force.
- (2) A motor cycle periodic toll pass is in force on and from the date specified in Schedule 2, Schedule 3, Schedule 4 or Schedule 5 in respect of the charge paid for the pass as the date the pass may first be used, up to and including the expiry date of the pass as specified in Schedule 2, Schedule 3, Schedule 4 or Schedule 5.

Charges payable by owner of vehicle if toll not paid

6. In accordance with clause 23(5) of the Roads Regulation 2008, the following administrative charges are payable by the owner of a motor vehicle referred to in item 1 or 2 in Schedule 1 between the period 1 January 2010 and 31 December 2010 where:-
 - (a) a first pre-penalty notice letter of demand is issued to the owner seeking recovery of the unpaid toll and relevant administrative charge \$10.00
and
 - (b) a second pre-penalty notice letter of demand is issued to the owner seeking recovery of the unpaid toll and relevant administrative charges, an administrative charge in addition to the amount specified in sub-clause (a) of this clause \$10.00

Note: The words “penalty notice” appearing in clause 6 relate to clause 80 and Schedule 1 of the Roads Regulation 2008.

SCHEDULE 1

TOLLS

Class of vehicles

- | Class of vehicles | <i>Toll</i> |
|--|-------------|
| 1. Commencing on and including 1 January 2010, any motor vehicle, other than a vehicle referred to in item 2, 3 or 4 of this Schedule, which passes the toll collection point: | |
| a) During an off-peak period | \$2.50 |
| b) During a peak period | \$4.00 |
| c) During a shoulder period | \$3.00 |

In this Schedule

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

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

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

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

Public Holiday is a special day proclaimed by the Governor to be observed as a public holiday under section 19 of the Banks and Bank Holidays Act 1912.

2. Any motor vehicle that consists of -
- (a) a vehicle that is the property of the Roads and Traffic Authority of NSW, that is readily identifiable as such and that is being used either for the purpose of maintenance work on the Bridge or for the purpose of removing vehicles from the Bridge;
 - (b) a police vehicle that is readily identifiable as such;
 - (c) a vehicle that is the property of the Board of Fire Commissioners and that is readily identifiable as such;
 - (d) an ambulance or rescue vehicle that is readily identifiable as such;
 - (e) a vehicle that is the property of the NSW Red Cross Blood Transfusion Service (Blood Bank), that is readily identifiable as such and that is fitted with a roof mounted red flashing light and siren or similar warning device;
 - (f) a vehicle that is being driven by a person to whom a disabled person's toll exemption pass or tag has been issued by the Roads and Traffic Authority, being a pass or tag that exempts the person from payment of tolls and charges in respect of travelling across the Bridge;
 - (g) a vehicle in which the driver or passenger is a person to whom an incapacitated ex-service person's toll exemption pass or tag has been issued by the Roads and Traffic Authority, being a pass or tag that exempts the person from payment of tolls and charges in respect of travelling across the Bridge.
 - (h) a Defence Force vehicle that is readily identifiable as such; or
 - (i) vehicle driven by a person who produces evidence that he or she or a passenger is a member of the Diplomatic or Consular Corps,
- Nil
3. Any motor vehicle that is attached to, or carried or drawn by, another vehicle Nil
4. Any motor cycle in respect of which a periodic toll pass is in force and displayed in accordance with any directions of the Roads and Traffic Authority Nil

Notes:

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

A reference to "between" or "period between" any two times, is inclusive of both those times.

SCHEDULE 2

CHARGE PAYABLE TO THE RTA FOR A MOTOR CYCLE PERIODIC TOLL PASS OR TAG
TOLL PASS OR TAG EXPIRING ON 31 MARCH 2010

<i>Date Pass May First be Used</i>	<i>Charge for Motor Cycle</i>
01 January 2010	\$93.00
11 January 2010	\$86.00
18 January 2010	\$78.00
25 January 2010	\$71.00
01 February 2010	\$65.00
08 February 2010	\$57.00
15 February 2010	\$50.00
22 February 2010	\$42.00
01 March 2010	\$35.00
08 March 2010	\$27.00

SCHEDULE 3

CHARGE PAYABLE TO THE RTA FOR A MOTOR CYCLE PERIODIC TOLL PASS OR TAG
TOLL PASS OR TAG EXPIRING ON 30 JUNE 2010

<i>Date Pass May First be used</i>	<i>Charge for Motor Cycle</i>
01 April 2010	\$92.00
06 April 2010	\$90.00
12 April 2010	\$84.00
19 April 2010	\$77.00
27 April 2010	\$69.00
03 May 2010	\$63.00
10 May 2010	\$56.00
17 May 2010	\$48.00
24 May 2010	\$41.00
31 May 2010	\$33.00

SCHEDULE 4

CHARGE PAYABLE TO THE RTA FOR A MOTOR CYCLE PERIODIC TOLL PASS OR TAG
TOLL PASS OR TAG EXPIRING ON 30 SEPTEMBER 2010

<i>Date Pass May First be Used</i>	<i>Charge for Motor Cycle</i>
01 July 2010	\$99.00
05 July 2010	\$96.00
12 July 2010	\$89.00
19 July 2010	\$81.00
26 July 2010	\$74.00
02 August 2010	\$66.00
09 August 2010	\$59.00
16 August 2010	\$51.00
23 August 2010	\$44.00
30 August 2010	\$36.00

SCHEDULE 5

CHARGE PAYABLE TO THE RTA FOR A MOTOR CYCLE PERIODIC TOLL PASS OR TAG
TOLL PASS OR TAG EXPIRING ON 31 DECEMBER 2010

Date Pass May First be Used	Charge for Motor Cycle
01 October 2010	\$95.00
05 October 2010	\$93.00
11 October 2010	\$87.00
18 October 2010	\$80.00
25 October 2010	\$72.00
01 November 2010	\$65.00
08 November 2010	\$57.00
15 November 2010	\$50.00
22 November 2010	\$42.00
29 November 2010	\$35.00

ROAD TRANSPORT (GENERAL) ACT 2005

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

BLAYNEY SHIRE COUNCIL, in pursuance of Division 4 of Part 2 of the Road Transport (Mass, Loading, Access) Regulation 2005, by this Notice, specify the routes and areas on or in which 4.6 metre High Vehicles may be used subject to any requirements or conditions set out in the Schedule.

Dated: 16 December 2009.

AARON JONES,
General Manager,
Blayney Shire Council
(by delegation from the Minister for Roads)

SCHEDULE**1. Citation**

This Notice may be cited as Blayney Shire Council 4.6 Metre High Vehicle Route Notice No. 4/2009.

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

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

4. Application

This Notice applies to those 4.6 metre high vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 2 of the Road Transport (Vehicle Registration) Regulation 2007.

5. Routes

<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
000.	Kurangia Road, Blayney Shire.	Three Brothers Road.	Moorilda Road.	Travel not be permitted during the following hours on school days, 7:30 a.m. to 8:30 a.m. and 3:30 p.m. to 4:30 p.m. A maximum speed limit of 80 km/h apply. Access to individual properties is restricted and shall be formally assessed by Blayney Shire Council prior to approval being granted.
000.	Moorilda Road, Blayney Shire.	Kurangia Road.	Newbridge Road.	Travel not be permitted during the following hours on school days, 7:30 a.m. to 8:30 a.m. and 3:30 p.m. to 4:30 p.m. A maximum speed limit of 80 km/h apply. Access to individual properties is restricted and shall be formally assessed by Blayney Shire Council prior to approval being granted.
000.	Newbridge Road, Blayney Shire.	Moorilda Road.	"Trellawarren", 744 Newbridge Road.	Travel not be permitted during the following hours on school days, 7:30 a.m. to 8:30 a.m. and 3:30 p.m. to 4:30 p.m. A maximum speed limit of 80 km/h apply. Access to individual properties is restricted and shall be formally assessed by Blayney Shire Council prior to approval being granted.

ROAD TRANSPORT (GENERAL) ACT 2005

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

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

Dated: 16 December 2009.

AARON JONES,
General Manager,
Blayney Shire Council
(by delegation from the Minister for Roads)

SCHEDULE**1. Citation**

This Notice may be cited as Blayney Shire Council 25 metre B-Double Route Notice No. 03/2009.

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

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

4. Application

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

5. Routes

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25.	000.	Kurangia Road, Blayney Shire.	Three Brothers Road.	Moorilda Road.	Travel not be permitted during the following hours on school days, 7:30 a.m. to 8:30 a.m. and 3:30 p.m. to 4:30 p.m. A maximum speed limit of 80 km/h apply. Access to individual properties is restricted and shall be formally assessed by Blayney Shire Council prior to approval being granted.
25.	000.	Moorilda Road, Blayney Shire.	Kurangia Road.	Newbridge Road.	Travel not be permitted during the following hours on school days, 7:30 a.m. to 8:30 a.m. and 3:30 p.m. to 4:30 p.m. A maximum speed limit of 80 km/h apply. Access to individual properties is restricted and shall be formally assessed by Blayney Shire Council prior to approval being granted.
25.	000.	Newbridge Road, Blayney Shire.	Moorilda Road.	“Trellawarren”, 744 Newbridge Road.	Travel not be permitted during the following hours on school days, 7:30 a.m. to 8:30 a.m. and 3:30 p.m. to 4:30 p.m. A maximum speed limit of 80 km/h apply. Access to individual properties is restricted and shall be formally assessed by Blayney Shire Council prior to approval being granted.

ROAD TRANSPORT (GENERAL) ACT 2005

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

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

Dated: 17 December 2009.

MARK RILEY,
General Manager,
Dubbo City Council
(by delegation from the Minister for Roads)

SCHEDULE**1. Citation**

This Notice may be cited as Dubbo City Council 25 Metre B-Double Route Notice No. 3/2009.

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

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

4. Application

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

5. Routes

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25.	000.	Mogriguy Road, Brocklehurst, near Dubbo.	Newell Highway, Brocklehurst.	13 kms north to the Property "Gentle Rise".	Access only between the hours of 9:00 a.m. to 3:00 p.m.

ROAD TRANSPORT (GENERAL) ACT 2005

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

OBERON COUNCIL, in pursuance of Division 4 of Part 2 of the Road Transport (Mass, Loading, Access) Regulation 2005, by this Notice, specify the routes and areas on or in which 19 metre B-Doubles may be used subject to any requirements or conditions set out in the Schedule.

Dated: 18 December 2009.

BRUCE FITZPATRICK,
General Manager,
Oberon Council
(by delegation from the Minister for Roads)

SCHEDULE**1. Citation**

This Notice may be cited as Oberon Council 19 Metre B-Double Route Notice No. 02/2009.

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

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

4. Application

This Notice applies to those 19 metre B-Double vehicles where gross weight exceeds 50 tonnes which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 2 of the Road Transport (Vehicle Registration) Regulation 2007.

5. Routes

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>
19.	245.	Mt David Road, Oberon Shire.	Campbells River Road.	Tralee Forest Road.
19.	40.	Arkstone Road, Oberon Shire.	Northern boundary of Vulcan State Forest.	Southern boundary of Vulcan State Forest.
19.	43.	Connection Road, Oberon Shire.	Blue Road.	Northern boundary of Vulcan State Forest.
19.	15.	Dog Rocks Road, Oberon Shire.	Abercrombie Road.	Western boundary of Dog Rocks State Forest.
19.	232.	Swallows Nest Road, Oberon Shire.	Dog Rocks Road.	Southern boundary of Dog Rocks State Forest.
19.	11.	Sewells Creek Road, Oberon Shire.	Abercrombie Road.	Beaconsfield Road.
19.	11.	Sewells Creek Road, Oberon Shire.	Swallows Nest Road.	Western boundary of Dog Rocks State Forest.
19.	4.	Beaconsfield Road, Oberon Shire.	Sewells Creek Road.	Southern boundary of Essington State Forest.
19.	4.	Beaconsfield Road, Oberon Shire.	Abercrombie Road.	Budds Road.
19.	12.	Mayfield Road, Oberon Shire.	Sewells Creek Road.	Northern boundary of Essington State Forest.
19.	18.	Mozart Road, Oberon Shire.	Abercrombie Road.	Shooters Hill Road.
19.	35.	Jaunter Road, Oberon Shire.	Mt Werong Road.	Drogheda Forest Road.
19.	36.	Jerrong Road, Oberon Shire.	Cosgrove Road.	Un-named forest road near southern boundary of Gurnang State Forest.
19.	38.	Felled Timber Road, Oberon Shire.	Abercrombie Road.	Brass Walls Road.

19.	32.	Gingkin Valley Road, Oberon Shire.	Shooters Hill Road.	Gingkin Road.
19.	21.	Gingkin Road, Oberon Shire.	Gingkin Valley Road.	Keith Armstrong Road.
19.	20.	Chatham Valley Road, Oberon Shire.	Shooters Hill Road.	Johansens Road.
19.	188.	Hazelgrove Road, Oberon Shire.	Albion Street.	Wonga Road.
19.	27.	The Meadows Road, Oberon Shire.	Hazelgrove Road.	Golden Valley Road.
19.	23.	Lowes Mount Road, Oberon Shire.	Black Bullock Road.	Diamond Vale Road.
19.	24.	Faugha Ballaugha Road, Oberon Shire.	Lowes Mount Road.	Hillside Road.

ROAD TRANSPORT (GENERAL) ACT 2005

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

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

Dated: 17 December 2009.

PAUL HENRY,
General Manager,
Inverell Shire Council
(by delegation from the Minister for Roads)

SCHEDULE**1. Citation**

This Notice may be cited as Inverell Shire Council 25 Metre B-Double Route Notice No. 03/2009.

2. Commencement

This Notice takes effect on the date of the gazettal.

3. Effect

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

4. Application

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

5. Routes

<i>Type</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25.	North Star Road, Yetman.	Warialda Road.	Inverell/Gwydir Shire boundary at Ottley Creek.	
25.	Yetman West Road, Yetman.	Bruxner Highway.	North Star Road.	
25.	Milkomi Road, Rocky Dam.	Blue Nobby Road.	North Star Road.	
25.	Blue Nobby Road, Rocky Dam.	Warialda Road.	Inverell/Gwydir Shire boundary at Ottley Creek.	
25.	Woodstock Road, Woodstock.	Gwydir Highway.	Billabong Road.	
25.	Woodstock Road, Woodstock.	Billabong Road.	Waterloo Road.	Vehicle escort required
25.	Waterloo Road, Woodstock.	Woodstock Road.	2.59km east.	
25.	Colleys Lane, Woodstock.	Woodstock Road.	0.47km east.	

ROAD TRANSPORT (GENERAL) ACT 2005

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

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

Dated: 21 December 2009.

PAUL HENRY,
General Manager,
Inverell Shire Council
(by delegation from the Minister for Roads)

SCHEDULE
1. Citation

This Notice may be cited as Inverell Shire Council 25 Metre B-Double Route Notice No. 04/2009.

2. Commencement

This Notice takes effect on the date of the gazettal.

3. Effect

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

4. Application

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

5. Routes

<i>Type</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>
25.	Old Texas Road, Texas.	Texas Road.	Bruxner Highway.

ROAD TRANSPORT (GENERAL) ACT 2005

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

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

Dated: 15 December 2009.

KEN CROSKELL,
General Manager,
Carrathool Shire Council
(by delegation from the Minister for Roads)

SCHEDULE**1. Citation**

This Notice may be cited as Carrathool Shire Council 25 Metre B-Double Route Notice No. 04/2009.

2. Commencement

This Notice takes effect on the day of Gazettal.

3. Effect

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

4. Application

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

5. Routes

<i>Type</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
BD.	Carrego Lane, Carrathool Shire.	Mid Western Highway.	Entrance to "South Bri Bri" a distance of six kilometres.	Dry Weather Only.

ROAD TRANSPORT (GENERAL) ACT 2005

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

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

Dated: 15 December 2009.

KEN CROSKELL,
General Manager,
Carrathool Shire Council
(by delegation from the Minister for Roads)

SCHEDULE**1. Citation**

This Notice may be cited as Carrathool Shire Council 25 Metre B-Double Route Notice No. 05/2009.

2. Commencement

This Notice takes effect on the day of Gazettal.

3. Effect

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

4. Application

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

5. Routes

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>
BD.	MR371.	Rankins Springs to Lake Cargelligo Road, Carrathool Shire.	Mid Western Highway.	Bland Sire Council Boundary.

ROAD TRANSPORT (GENERAL) ACT 2005

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

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

Dated: 15 December 2009.

KEN CROSKELL,
General Manager,
Carrathool Shire Council
(by delegation from the Minister for Roads)

SCHEDULE**1. Citation**

This Notice may be cited as Carrathool Shire Council 25 Metre B-Double route Notice No. 06/2009.

2. Commencement

This Notice takes effect on the day of Gazettal.

3. Effect

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

4. Application

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

5. Routes

<i>Type</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>
BD.	Erigolia Road, Carrathool Shire.	Burley Griffin Way.	Narrandera Shire Boundary a distance of 5 kilometres.
BD.	Erigolia Road, Carrathool Shire.	Carrathool Shire and Narrandera Shire Boundary.	Intersection of Erigolia Road and The Bluff Road a distance of 12 kilometres.

ROAD TRANSPORT (GENERAL) ACT 2005

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

CARRATHOOL SHIRE COUNCIL, in pursuance of Division 4 of Part 2 of the Road Transport (Mass, Loading, Access) Regulation 2005, by this Notice, specify the routes and areas on or in which Road Train Vehicles may be used subject to any requirements or conditions set out in the Schedule.

Dated: 15 December 2009.

KEN CROSKELL,
General Manager,
Carrathool Shire Council
(by delegation from the Minister for Roads)

SCHEDULE**1. Citation**

This Notice may be cited as Carrathool Shire Council Notice No. 07/2009.

2. Commencement

This Notice takes effect on the date of publication in the New South Wales Government Gazette.

3. Effect

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

4. Application

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

5. Routes

<i>Type</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
RT.	Carrego Lane, Carrathool Shire.	Mid Western Highway.	Entrance to "South Bri Bri" a distance of six kilometres.	Dry Weather Only.

ROAD TRANSPORT (GENERAL) ACT 2005

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

CARRATHOOL SHIRE COUNCIL, in pursuance of Division 4 of Part 2 of the Road Transport (Mass, Loading, Access) Regulation 2005, by this Notice, specify the routes and areas on or in which Road Train Vehicles may be used subject to any requirements or conditions set out in the Schedule.

Dated: 15 December 2009.

KEN CROSKELL,
General Manager,
Carrathool Shire Council
(by delegation from the Minister for Roads)

SCHEDULE
1. Citation

This Notice may be cited as Carrathool Shire Council Notice No. 08/2009.

2. Commencement

This Notice takes effect on the date of publication in the *New South Wales Government Gazette*.

3. Effect

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

4. Application

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

5. Routes

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>
RT.	MR371.	Rankins Springs to Lake Cargelligo Road, Carrathool Shire.	Mid Western Highway.	Bland Sire Council Boundary.

ROAD TRANSPORT (GENERAL) ACT 2005

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

CARRATHOOL SHIRE COUNCIL, in pursuance of Division 4 of Part 2 of the Road Transport (Mass, Loading, Access) Regulation 2005, by this Notice, specify the routes and areas on or in which Road Train Vehicles may be used subject to any requirements or conditions set out in the Schedule.

Dated: 15 December 2009.

KEN CROSKELL,
General Manager,
Carrathool Shire Council
(by delegation from the Minister for Roads)

SCHEDULE**1. Citation**

This Notice may be cited as Carrathool Shire Council Notice No. 09/2009.

2. Commencement

This Notice takes effect on the date of publication in the *New South Wales Government Gazette*.

3. Effect

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

4. Application

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

5. Routes

<i>Type</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>
RT.	Erigolia Road, Carrathool Shire.	Burley Griffin Way.	Narrandera Shire Boundary a distance of 5 kilometres.
RT.	Erigolia Road, Carrathool Shire.	Carrathool Shire and Narrandera Shire Boundary.	Intersection Of Erigolia Road and The Bluff Road a distance of 12 kilometres.

ROAD TRANSPORT (GENERAL) ACT 2005

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

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

Dated: 15 December 2009.

KEN CROSKELL,
General Manager,
Carrathool Shire Council
(by delegation from the Minister for Roads)

SCHEDULE
1. Citation

This Notice may be cited as Carrathool Shire Council 25 Metre B-Double route Notice No. 10/2009.

2. Commencement

This Notice takes effect on the day of Gazettal.

3. Effect

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

4. Application

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

5. Routes

<i>Type</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
BD.	Roto Road, Carrathool Shire.	MR80(R).	Matakana Road Intersection.	Dry Weather Only.

ROAD TRANSPORT (GENERAL) ACT 2005

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

CARRATHOOL SHIRE COUNCIL, in pursuance of Division 4 of Part 2 of the Road Transport (Mass, Loading, Access) Regulation 2005, by this Notice, specify the routes and areas on or in which Road Train Vehicles may be used subject to any requirements or conditions set out in the Schedule.

Dated: 15 December 2009.

KEN CROSKELL,
General Manager,
Carrathool Shire Council
(by delegation from the Minister for Roads)

SCHEDULE**1. Citation**

This Notice may be cited as Carrathool Shire Council Notice No. 11/2009.

2. Commencement

This Notice takes effect on the date of publication in the *New South Wales Government Gazette*.

3. Effect

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

4. Application

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

5. Routes

<i>Type</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
RT.	Roto Road, Carrathool Shire.	MR80(R).	Matakana Road Intersection.	Dry Weather Only.

ROAD TRANSPORT (GENERAL) ACT 2005

Notice under the Roads Transport (Mass, Loading and Access) Regulation 2005

I, MICHAEL BUSHBY, Chief Executive of the Roads and Traffic Authority, in pursuance of the Road Transport (Mass, Loading, Access) Regulation 2005, by this Notice, specify the routes and areas on or in which 25 metre B-Doubles may be used subject to any requirements or conditions set out in the Schedule.

MICHAEL BUSHBY,
Chief Executive,
Roads and Traffic Authority

SCHEDULE

1. Citation

This Notice may be cited as the Roads and Traffic Authority B-Double Notice No. 31/2009.

2. Commencement

This Notice takes effect on the date of publication in the New South Wales Government Gazette.

3. Effect

This Notice remains in force until 30 September 2010 from the date of gazettal 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 2 of the Road Transport (Vehicle Registration) Regulation 2007.

5. Routes

<i>Type</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>
25.	Bungan Road.	Faulkner Road.	Black Range Fire Road.
25.	Killarney Road.	Northern Access Road.	Approx 100m north of intersection with Homestead Access Road.
25.	Owl Road.	Warburton Road.	Approx 2.5kms north of Warburton Road.

ROAD TRANSPORT (GENERAL) ACT 2005

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

I, MICHAEL BUSHBY, 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 25 metre B-Double vehicles may be used.

MICHAEL BUSHBY,
Chief Executive,
Roads and Traffic Authority

SCHEDULE

1. Citation

This Notice may be cited as the Roads and Traffic Authority B-Double Repeal Notice No. 30/2009.

2. Commencement

This Notice takes effect on the date of publication in the New South Wales Government Gazette.

3. Amendment

Omit the following routes from Appendix 2 – B-Double Routes in New South Wales.

<i>Type</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>
25m.	Owl Road.	Warburton Road.	Coolangubra Forest Way.
25m.	Killarney Road.	Northern Access Road.	Smiths Road.

ROAD TRANSPORT (GENERAL) ACT 2005

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

I, MICHAEL BUSHBY, 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.

MICHAEL BUSHBY,
Chief Executive
Roads and Traffic Authority

SCHEDULE

1. Citation

This Notice may be cited as the Roads and Traffic Authority B-Double Repeal Notice No. 36/2009.

2. Commencement

This Notice takes effect on the date of gazettal.

3. Amendment

Omit the following routes from Part 2 – B-Double Routes in New South Wales (excluding the Sydney Region) of Appendix 2 – B-Double Routes in New South Wales.

<i>Type</i>	<i>Road Name</i>	<i>Start Point</i>	<i>Finish Point</i>
25.	William Street, Muswellbrook then via Brook Street and Hunter Street.	Bridge Street (SH9).	Ampol Petroleum.

ROAD TRANSPORT (GENERAL) ACT 2005

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

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

Dated: 21 October 2009.

STEVE McDONALD,
General Manager,
Muswellbrook Shire Council
(by delegation from the Minister for Roads)

SCHEDULE**1. Citation**

This Notice may be cited as Muswellbrook Shire Council, 25 Metre B-Double Route Notice No. 2/2009.

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

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

4. Application

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

5. Routes

<i>Type</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>
25.	Brook Street, Muswellbrook.	Bridge Street (New England Highway HW9).	Hunter Terrace.
25.	Hunter Terrace, Muswellbrook.	Brook Street.	Lower William Street.
25.	Lower William Street, Muswellbrook.	Hunter Terrace.	Ampol Petroleum.

ROAD TRANSPORT (GENERAL) ACT 2005

Notice under the Roads Transport (Mass, Loading and Access) Regulation 2005

I, MICHAEL BUSHBY, Chief Executive of the Roads and Traffic Authority, in pursuance of the Road Transport (Mass, Loading, Access) Regulation 2005, by this Notice, specify the routes and areas on or in which 25 metre B-Doubles may be used subject to any requirements or conditions set out in the Schedule.

MICHAEL BUSHBY,
Chief Executive,
Roads and Traffic Authority

SCHEDULE
1. Citation

This Notice may be cited as the Roads and Traffic Authority B-Double Notice No. 29/2009.

2. Commencement

This Notice takes effect on the date of publication in the New South Wales Government Gazette.

3. Effect

This Notice remains in force until 30 September 2010 from the date of gazettal 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 2 of the Road Transport (Vehicle Registration) Regulation 2007.

5. Routes

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>
25.	HW10.	Archville Station Road southbound off-ramp, Bonville.	Pacific Highway.	Archville Station Road.
25.	HW10.	Archville Station Road southbound on-ramp, Bonville.	Archville Station Road.	Pacific Highway.
25.		Archville Station Road, Bonville.	Southbound on and off-ramp (roundabout).	Northbound on and off-ramp (roundabout).
25.	HW10.	Archville Station Road northbound on-ramp, Bonville.	Archville Station Road.	Pacific Highway.
25.	HW10.	Archville Station Road northbound off-ramp, Bonville.	Pacific Highway.	Archville Station Road.

ROAD TRANSPORT (GENERAL) ACT 2005

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

NEWCASTLE CITY COUNCIL, 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.

Dated: 22 December 2009.

LINDY HYAM,
General Manager,
Newcastle City Council
(by delegation from the Minister for Roads)

SCHEDULE
1. Citation

This Notice may be cited as Newcastle City Council 25 Metre B-Double Repeal Notice No. 2/2009.

2. Commencement

This Notice takes effect on the date of gazettal.

3. Amendment

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 New South Wales.

4. Routes

<i>Type</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>
25.	Raven Street, Kooragang Island.	Teal Street.	Curlew Street.

ROAD TRANSPORT (GENERAL) ACT 2005

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

I, MICHAEL BUSHBY, 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.

MICHAEL BUSHBY,
Chief Executive,
Roads and Traffic Authority

SCHEDULE

1. Citation

This Notice may be cited as the Roads and Traffic Authority B-Double Repeal Notice No. 34/2009.

2. Commencement

This Notice takes effect on the date of publication in the *New South Wales Government Gazette*.

3. Amendment

- (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.

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Start Point</i>	<i>Finish Point</i>	<i>Conditions</i>
25.	108.	Tourle Street.	Industrial Drive (MR316), Mayfield.	Cormorant Road (MR108), Kooragang Island.	No more than one B-Double on Tourle Street Bridge at one time.
25.		Curlew Street, Kooragang Island.	Raven Street.	Cormorant Road (MR108).	Access to and from Raven Street is via Egret and Curlew Streets only.
25.		Egret Street, Kooragang Island.	Cormorant Road (MR108).	Raven Street.	Access to and from Raven Street is via Egret and Curlew Streets only.
25.		Raven Street, Kooragang Island.	Egret Street.	Curlew Street.	Access to and from Raven Street is not permitted from Teal Street.
25.		Cormorant Road.	Teal Street (MR108).	Curlew Street.	
25.		Greenleaf Road, Kooragang Island.	Heron Road.	Chemtrans (Scott Corporation).	
25.		Heron Road, Kooragang Island.	Cormorant Road (east).	Greenleaf Road.	

ROAD TRANSPORT (GENERAL) ACT 2005

Notice under the Roads Transport (Mass, Loading and Access) Regulation 2005

I, MICHAEL BUSHBY, Chief Executive of the Roads and Traffic Authority, in pursuance of the Road Transport (Mass, Loading, Access) Regulation 2005, by this Notice, specify the routes and areas on or in which 25 metre B-Doubles may be used subject to any requirements or conditions set out in the Schedule.

MICHAEL BUSHBY,
Chief Executive,
Roads and Traffic Authority

SCHEDULE
1. Citation

This Notice may be cited as the Roads and Traffic Authority B-Double Notice No. 35/2009.

2. Commencement

This Notice takes effect on the date of publication in the *New South Wales Government Gazette*.

3. Effect

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

4. Application

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

5. Routes

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Start Point</i>	<i>Finish Point</i>
25.	108.	Tourle Street, Mayfield West to Kooragang Island.	Industrial Drive (MR316).	Cormorant Road (MR108).
25.		Curlew Street, Kooragang Island.	Raven Street.	Cormorant Road.
25.		Egret Street, Kooragang Island.	Cormorant Road (MR108).	Raven Street.
25.		Raven Street, Kooragang Island.	Egret Street.	Teal Street (MR108).
25.		Cormorant Road, Kooragang Island.	Teal Street (MR108).	Entire length.
25.		Greenleaf Road, Kooragang Island.	Heron Road.	Entire length.
25.		Heron Road, Kooragang Island.	Cormorant Road.	Entire length.
25.		Sandpiper Close, Kooragang Island.	Teal Street (MR108).	Entire length.

ROADS ACT 1993

Notice of Dedication of Land as Public Road at Hurstville in the Hurstville 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

SCHEDULE

ALL those pieces or parcels of land situated in the Hurstville City Council area, Parish of St George and County of Cumberland, shown as:

<u>Description</u>	<u>Title Particulars</u>
Lot 1 Deposited Plan 501013	Certificate of Title Volume 7641 Folio 107
Lot 1 Deposited Plan 187176	Folio Identifier 1 / 187176
That part of Lot 12 Deposited Plan 15996 which excludes Lot 1 Deposited Plan 187162 being part of the land in Memorandum of Transfer C540883 registered at Land and Property Management Authority	Certificate of Title Volume 4850 Folio 23

(RTA Papers: FPP 9M4892; RO 204.11003)

ROADS ACT 1993

Order - Section 31

Fixing of Levels of part of the Newell Highway north of
Dubbo in the Dubbo City Council area

The Roads and Traffic Authority of New South Wales,
by this Order under section 31 of the Roads Act 1993,
fixes the levels of part of State Highway No 17 –
Newell Highway between 31.08 km to 34.035 km north
of Dubbo, as shown on Roads and Traffic Authority
Plan No 0017.125.RC.3733.

Jeffrey Hall
Project Services Manager
Roads and Traffic Authority of New South Wales
51 – 55 Currajong Street
Parkes NSW 2870

(RTA Papers FPP 125.5357; RO 17/125.1122-1)

ROADS ACT 1993

Notice of Dedication of Land as Public Road at
Peakhurst and Lugarno in the Hurstville 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

SCHEDULE

ALL those pieces or parcels of land situated in the
Hurstville City Council area, Parish of St George and
County of Cumberland, shown as:

Lots 1 and 2 Deposited Plan 548397;

Lots 11 and 12 Deposited Plan 517668; and

Lots 10 and 11 Deposited Plan 562114.

(RTA Papers: FPP 9M4892; RO 204.11003)

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

Notice of Compulsory Acquisition of Land at
Cammeray in the North Sydney 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 land situated in the North
Sydney Council area, Parish of Willoughby and County
of Cumberland, shown as Lot 2 Deposited Plan 168556,
being part of the land in Certificate of Title Auto Consol
3208-15.

The land is said to be in the possession of North Sydney
Council.

(RTA Papers: 9M4363; RO F1/329.11108)

ROADS ACT 1993

Notice of Dedication of Land as Public Road at West Orange in the Orange 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

SCHEDULE

ALL those pieces or parcels of land situated in the Orange City Council area, Parish of Orange and County of Wellington, shown as:

Lot 3 Deposited Plan 220196;

Lots 1, 4 to 11 inclusive and 13 to 25 inclusive Deposited Plan 245292;

The part of Lot 21 Deposited Plan 157712 exclusive of Lot 2 Deposited Plan 245292;

The part of Lot 22 Deposited Plan 157712 exclusive of Lot 3 Deposited Plan 245292;

Lots 1 to 9 inclusive Deposited Plan 260700; and

Lot 1 Deposited Plan 341783.

(RTA Papers: 7/345.18)

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

Notice of Compulsory Acquisition of Land at Sapphire Beach in the Coffs Harbour City Council area

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

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

SCHEDULE

ALL those pieces or parcels of land situated in the Coffs Harbour City Council area, Parish of Moonee and County of Fitzroy, shown as Lot 2 Deposited Plan 566752 being the whole of the land in Certificate of Title 2/566752 and Lot 4 Deposited Plan 237459 being the whole of the land in Certificate of Title 4/237459, excluding any existing easements from the compulsory acquisition of the said Lots.

The land is said to be in the possession of Russell Jones and Helen Therese Jones (registered proprietors) and Westpac Banking Corporation (mortgagee).

(RTA Papers: 9M3225)

Department of Water and Energy

WATER ACT 1912

Notice under Section 22B of the Water Act 1912

PUMPING RESTRICTIONS

Unregulated Manilla River

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 the Unregulated section of the Manilla River upstream of the upper limit of Split Rock Dam is insufficient to meet all requirements with respect to the taking of water there from and hereby gives notice to all holders of permits, authorities and licences issued under Part 2 of the Water Act 1912 authorising the pumping/diversion of water for commercial, industrial and irrigation purposes that from 22 December 2009 is restricted to the hours of 6 pm to 10 pm daily (or such other 4 hour period that the licensee obtains written consent to operate in from the NSW Office of Water. Both the request and the granting of the request must be in writing). This restriction shall apply until further notice.

Dated this 17th Day of December 2009.

Signed for the Water Administration Ministerial Corporation.

DENNIS MILLING,
Manager Licensing,
NSW Office of Water

Note: Inquiries should be directed to NSW Office of Water, Tamworth on (02) 6701 9608.

Other Notices

ANTI-DISCRIMINATION ACT 1977

Exemption Order

UNDER the provisions of section 126 of the Anti-Discrimination Act 1977, an exemption is given from sections 8, 51, 52 and 53 of the Anti-Discrimination Act 1977, to Gunnedah Shire Council, to designate, advertise and recruit for a trainee to complete a Certificate II in Civil Construction, with consideration of a further traineeship in Certificate III in Civil Construction.

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

Dated: 21 December 2009.

STEPAN KERKYASHARIAN, A.M.,
President,
Anti-Discrimination Board of NSW

ASSOCIATIONS INCORPORATION ACT 1984

Reinstatement of Cancelled Association Pursuant to Section 54A

THE incorporation of BLAYNEY A and P HARNESS RACING CLUB INC – Y0027508 (the association) was ceased on 27 June 2008 is reinstated pursuant to section 54A of the Associations Incorporation Act 1984.

Dated: 18 December 2009.

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

ASSOCIATIONS INCORPORATION ACT 1984

Reinstatement of Cancelled Association Pursuant to Section 55A (5)

THE incorporation of MIRANI SCHOOL BUS COMMITTEE INC (Y0265831) cancelled on 15 September 2006 is reinstated pursuant to section 55A (5) of the Associations Incorporation Act 1984.

Dated: 22 December 2009.

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

ASSOCIATIONS INCORPORATION ACT 1984

Transfer of Incorporation Pursuant to Section 48 (4) (a)

TAKE notice that the company

AUSTRALASIAN MEN'S HEALTH FORUM

formerly registered under the provisions of the Corporations Act 2001 is now incorporated under the Associations Incorporation Act 1984 as

AUSTRALASIAN MEN'S HEALTH FORUM INCORPORATED

effective 22 December 2009.

Dated: 22 December 09

KERRI GRANT,
NSW Fair Trading

ASSOCIATIONS INCORPORATION ACT 1984

Transfer of Incorporation Pursuant to Section 48 (4) (a)

TAKE notice that the company

NARRABRI and DISTRICT HARNESS RACING CLUB LTD

formerly registered under the provisions of the Corporations Act 2001 is now incorporated under the Associations Incorporation Act 1984 as

NARRABRI and DISTRICT HARNESS RACING CLUB INCORPORATED

effective 22 December 2009.

Dated: 22 December 09

KERRI GRANT,
NSW Fair Trading

CHILDREN (PROTECTION AND PARENTAL RESPONSIBILITY) ACT 1997

Safer Community Compact – Order

I, the Honourable John Hatzistergos, Attorney General of the State of New South Wales, in pursuance of section 39 (1) of the Children (Protection and Parental Responsibility) Act 1997, do, by this my Order, approve Canterbury City Council's Crime Prevention Plan as a Safer Community Compact for the purposes of Division 3 of Part 4 of that Act.

This Order takes effect on 23 November 2009 and remains in force until 22 November 2012.

Signed at Sydney, this 16th day of November 2009.

JOHN HATZISTERGOS,
Attorney General

DISTRICT COURT CRIMINAL PRACTICE NOTE 1

Listing Procedures at Courts With Full Time Sittings

THIS Practice Note replaces Practice Note 1 issued on 9 August 2005.

1. The arrangements in place between the Local Court and the District Court in relation to cases committed to the District Court sittings at Sydney, in Sydney West and at Newcastle and East Maitland, Gosford, Wollongong and Lismore District Court are:
 - 1.1 Accused committed for trial in Sydney are committed to the last sitting day of the week following committal (usually a Friday) for first mention in the arraignment list.
 - 1.2 A similar procedure is adopted at the other courts referred to above but the first mention day on the

week following committal varies from court to court and practitioners should ascertain the relevant day which is nominated by the list judges at those courts.

- 1.3 Where an accused is committed for sentence the magistrate may order a pre-sentence report for the sentencing. Practitioners should address this issue in the Local Court where possible because this allows the report to be prepared at an earlier date.
- 1.4 Where an appeal against severity is lodged in the Local Court the date of hearing in the District Court is endorsed on the Notice of Appeal. This is not a mention date and practitioners should be prepared to proceed with the appeal on that date.
2. The purpose of the first mention of a trial will be to ensure the representation of all accused persons is provided for at the earliest possible opportunity. The responsibility of the list judge will be to manage each case according to its own needs including making any case management directions pursuant to the Criminal Procedure Act.
3. At this first mention the list judge will address the question of provision of legal assistance and set a date for arraignment within a period no longer than the next eight weeks. In fixing this date the judge will take account of the circumstances of the accused in order to enable the arraignment date to be a meaningful date on which the accused can indicate what the plea will be. This system is designed to minimise the number of appearances in the arraignment lists and thus to reduce costs. It is also designed to ensure maximum attention is given to new cases to ensure only those cases are listed for trial which are expected to be trials.
4. The State and Commonwealth Directors of Public Prosecutions have undertaken to ensure counsel is briefed for the purpose of discussing the future management of all cases with defence counsel. The defence should also be appropriately represented with a view to making the arraignment system a meaningful method of managing the trial lists.
5. Where the accused indicates a plea of not guilty at arraignment, the list judge will normally fix the matter for trial. If at the first mention the accused is represented and the prosecution can confirm the probable charge a trial date may be fixed. To facilitate the early listing of trials the prosecution should be able to provide suitable dates for witnesses at this first mention. Practitioners should be prepared to provide estimates for the length of trials and any special requirements for the trial at the time the matter is fixed for hearing.
6. Any application to vacate the hearing date of a trial should be made as soon as a party becomes aware of the grounds relied on. Wherever possible this should be done at least ten days before the listed trial date. Every effort should be made to avoid such applications on the day of trial. Any such application should be made by notice of motion supported by evidence on affidavit.
7. Available trial dates in Sydney are published on the District Court website <http://www.lawlink.nsw.gov.au/dc>.

Dated: 18 December 2009.

The Hon. Justice R. O. BLANCH,
Chief Judge

DISTRICT COURT CRIMINAL PRACTICE NOTE 2

Circuit Sittings of the District Court

THIS practice note incorporates provisions from Practice Note 2 issued on 9 August 2005 and Practice Note 7 issued on 28 September 2007 and replaces those Practice Notes.

Telephone callover for the listing of trials

1. A telephone callover system applies to all country venues except Lismore, Newcastle and East Maitland, Gosford and Wollongong. Magistrates have been asked that when committing accused for trial to require their legal representatives (or the accused if unrepresented) to attend a telephone callover on the first Wednesday occurring after one month has elapsed from the committal for trial if the relevant District Court has not sat within that period. If the relevant Court has sat, the presiding judge will determine if the matter should be listed for trial or referred to the next telephone callover.
2. The judge conducting the telephone callover will do so by setting up a telephone conference at 9.00 a.m. which all parties will join. The judge will then conduct a callover in the normal way to determine which cases are to proceed to trial and if the matter is to proceed to trial, the judge will list it for hearing in the appropriate sittings. The aim of this procedure is to reduce the number of trials listed in circuits from three to two and avoid trials being not reached.
3. At the callover the prosecution will be encouraged to settle the charges to proceed and the defence will be encouraged to determine what the issues are to be. Both parties will be encouraged to explore what issues can be resolved and the matter may be relisted in the callover for that purpose.
4. It should be readily understood that the maximum benefit for the utilitarian benefit of a plea of guilty will be earned if the plea is notified during the telephone callover process. A plea on the day of trial in a circuit list has significantly less utilitarian value because trial time has been allocated to that case during the circuit thus preventing another trial being listed.

Management of the trials listed at a sittings

5. At any circuit sittings with a duration of two or three weeks, the trials for the second week will be mentioned on the first day of the sittings to enable the judge to allocate hearing dates in the sittings. Similarly if there is a third week of sittings, trials listed in the third week will be mentioned on the Monday of the second week of the sittings for the judge to allocate a hearing date.
6. In the ordinary course of events no trial will be marked not reached until the last week of the sittings.
7. Parties are encouraged to bring forward any trial matter which may be a plea to enable it to be listed for plea or mention at the sittings.
8. Any application to vacate a trial during the sittings should be notified to the judge on the first day of the sittings and the application should be made by notice of motion and supported by affidavit.

Dated: 18 December 2009.

The Hon. Justice R. O. BLANCH,
Chief Judge

DISTRICT COURT CRIMINAL PRACTICE NOTE 8

STANDARD CASE MANAGEMENT DIRECTIONS

THIS Practice Note is to take effect upon the commencement of the Criminal Procedure Amendment (Case Management) Act 2009.

Unless the Court makes a specific direction pursuant to section 136 or waives the requirement to do so, the standard directions that are to apply at the first mention of proceedings following a committal for trial are:

1. The prosecution is to give the accused notice of the prosecution case pursuant to section 137 no later than 3 weeks before the trial date.
2. The defence is to respond pursuant to section 138 within 7 days of receipt of the notice.
3. The defence must provide notice of alibi within the period prescribed in section 150.

Dated: 18 December 2009.

The Hon. Justice R. O. BLANCH,
Chief Judge

DISTRICT COURT CRIMINAL PRACTICE NOTE 9

Standard Case Management Directions

THIS Practice Note is to take effect upon the commencement of the Criminal Procedure Amendment (Case Management) Act 2009.

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1. The prosecution is to give the accused notice of the prosecution case pursuant to section 137 no later than 3 weeks before the trial date.
2. The defence is to respond pursuant to section 138 within 7 days of receipt of the notice.
3. The defence must provide notice of alibi within the period prescribed in section 150.

Dated: 18 December 2009.

The Hon. Justice R. O. BLANCH,
Chief Judge

HEALTH ADMINISTRATION ACT 1982

Rescission of Resumption

THE notification appearing in the *New South Wales Government Gazette* No. 105 on 17 July 2009, Folio 4111, under the heading "Health Administration Act 1982" and under the subheading "Land Acquisition (Just Terms Compensation) Act 1991" is hereby rescinded and should be disregarded.

Signed at Sydney this 16th day of December 2009.

DAVID GATES,
Chief Procurement Officer,
Department of Health
a duly authorised delegate of
the Health Administration Corporation

LOCAL GOVERNMENT ACT 1993

PROCLAMATION

Marie Bashir AC, CVO, 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 sections 255, 256 and 736 of the Local Government Act 1993, do, by this Proclamation, declare that the Proclamation published in *Government Gazette* No. 29 of 4 March 2008, at page 1427, declaring all civic offices of Wollongong City Council vacant is amended by omitting Clause (b) from the said Proclamation and inserting instead:

- (b) appoint Dr Colin Gellatly, Mr Robert McGregor and Mr Richard Colley as Administrators of the Wollongong City Council;

Signed and sealed at Sydney, this 16 day of December 2009.

By Her Excellency's Command,

BARBARA PERRY, M.P.,
Minister for Local Government

GOD SAVE THE QUEEN!

PRACTICE NOTE SC CL 2Supreme Court Common Law Division –
Criminal Proceedings

Commencement

1. This Practice Note commences 1 February 2010.

Application

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

Definitions

3. None applicable.

Introduction

4. The purpose of this Practice Note is:
 - to ensure that criminal proceedings are dealt with in a timely way; and
 - to assist an accused person to take advantage of legislation which provides for a discount in sentence where an early plea of guilty is entered.

Listing for arraignment

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

Arraignment procedures

8. On the day fixed for the arraignment, the Director of Public Prosecutions shall present an indictment to the Court and shall provide copies of the indictment for each accused person.

9. The court expects matters to be ready to proceed at the arraignment so that a trial date can be given. Legal representatives are expected to identify the issues for trial and estimate the likely hearing time required. The arraignment judge may give directions and rulings as to the conduct of the trial.
10. Unless the court makes a specific direction pursuant to section 136 of the Criminal Procedure Act or waives the requirement to do so, the standard directions that are to apply at the arraignment are:
 - The prosecution is to give the accused notice of the prosecution case no later than 6 weeks before the trial date
 - The defence is to respond no later than 4 weeks before the trial date
 - The defence is to provide notice of alibi within the period prescribed in section 150 of the Criminal Procedure Act and
 - The parties are to hold a pre-trial conference before the trial judge pursuant to section 140 of the Criminal Procedure Act one week prior to the trial date to determine whether the parties can reach agreement regarding the evidence to be admitted at the trial. This does not apply if the accused is not legally represented.
14. It will be noted that, by reason of clause 22 of the Criminal Procedure Regulation 2005, the District Court currently does not have jurisdiction in respect of sections 12 and 19A of the Crimes Act 1900.
15. Subject to the usual practice as to joinder of counts, an indictment charging an offence under any of the above sections may also contain counts charging other offences.
16. Applications for exemption under section 128 (2) of the Criminal Procedure Act 1986 should be made by letter addressed to the Chief Justice setting out a brief description of the nature of the case and identifying the basis upon which it is claimed that it is an appropriate case to be tried in the Supreme Court. Matters that involve particular difficulty or that are test cases or in which there is particular public significance, will ordinarily be given an exemption.

Dated: 21 December 2009

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

Related information

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

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

Entering a plea

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

Trial

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

Direction under s128 of the Criminal Procedure Act 1986

13. Prosecuting authorities are directed to present all indictments in the District Court, rather than in the Supreme Court, except for indictments relating to offences under any of the following sections:
 - sections 12, 19A, 21, 22A and 24 of the Crimes Act 1900;
 - sections 24, 24AA, 24AB and 78 of the Crimes Act 1914 of the Commonwealth;
 - section 9 of the War Crimes Act 1945 of the Commonwealth;
 - section 7 of the Geneva Conventions Act 1957 of the Commonwealth;
 - section 8 of the Crimes (Internationally Protected Persons) Act 1976 of the Commonwealth;
 - offences for which the maximum penalty is life imprisonment in a case in which either the Director of Public Prosecutions (Commonwealth) or the Director of Public Prosecutions of New South Wales has formed the opinion that the imposition of a life sentence may be appropriate.

TRANSPORT ADMINISTRATION ACT 1988

Order No. 92

Amendments to Passenger Fares and Coaching Rates Handbook

Commencing on 3 January 2010

RAIL CORPORATION NEW SOUTH WALES, pursuant to section 85 of the Transport Administration Act 1988, makes the following order:

1. This Order shall take effect from 3 January 2010.
2. The handbook issued by Rail Corporation New South Wales entitled "Passenger Fares and Coaching Rates Handbook – Effective from 29 March 2009" and adopted and incorporated by reference in Order No. 91 published in the Government Gazette, is withdrawn.
3. The new handbook issued by Rail Corporation New South Wales entitled "Passenger Fares and Coaching Rates Handbook – Effective from 3 January 2010" is adopted by reference in this order and replaces the handbook referred to in 2 above.

THIS SEAL of RAIL CORPORATION NEW SOUTH WALES was hereunto affixed in the presence of:

Witness:

IRENE RUSAK,
Corporate Counsel

Authorised Officer:

ROB MASON
CEO RailCorp

TRANSPORT ADMINISTRATION ACT 1988**LAND ACQUISITION (JUST TERMS
COMPENSATION) ACT 1991**

Notice of Compulsory Acquisition of Land for
the Purposes of the Transport Infrastructure
Development Corporation

THE Transport Infrastructure Development Corporation, with the approval of Her Excellency the Governor with the advice of the Executive Council, declares that the freehold 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.

Dated this 18th day of December 2009.

CHRIS LOCK,
Chief Executive Officer

SCHEDULE

All that piece or parcel of land situated at Narwee, in the Local Government area of Canterbury, Parish of St George, County of Cumberland and State of New South Wales, being Lots 1 and 2 in Deposited Plan 1141712, having an area of 57.89 and 120 square metres respectively and said to be in the possession of Canterbury City Council.

TIDC Reference: 1046988_1

**WORKERS COMPENSATION (PHYSIOTHERAPY
FEES) ORDER 2010**

under the
Workers Compensation Act 1987

ERRATUM

THIS Order appeared in the *Government Gazette* of 18 December 2009 on page 6419 and was repeated again on page 6425. This notice should have only appeared once.

WORKERS COMPENSATION (PSYCHOLOGY FEES) ORDER 2010

under the
Workers Compensation Act 1987

I, Robert Gray, Acting 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 16th day of December 2009.

ROBERT GRAY,
Acting Chief Executive Officer,
WorkCover Authority

Explanatory Note

Treatment by a psychologist is one of the categories of medical and 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 psychologist of an injured worker's work related injury.

This Order makes provision for psychology/counselling management plans and the approval by workers compensation insurers of certain psychology services.

Workers Compensation (Psychology Fees) Order 2010**1. Name of Order**

This order is the Workers Compensation (Psychology Fees) Order 2010.

2. Commencement

This Order commences on 1 January 2010.

3. Definitions

In this Order:

Case Conference means a face-to-face meeting or teleconference with the nominated treating doctor, workplace rehabilitation provider, employer, insurer and/or worker to discuss a worker's 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 psychologists' records indicating discussion and outcomes. This information may be required for invoicing purposes. Discussions between treating doctors and practitioners relating to treatment are considered a normal interaction between referring doctor and practitioner and are not to be charged as a case conference item.

Group intervention occurs where a psychologist delivers a common service to more than one person at the same time, for example; Group Therapy. Maximum class size is 6 participants. A psychology/counselling management plan is required for each worker.

GST has the same meaning as in the New Tax System (Goods and Services Tax) Act 1999 of the Commonwealth.

Initial consultation means the first session provided by the WorkCover approved psychologist in respect of an injury and may include:

- history taking
- assessment
- goal setting and treatment planning
- treatment
- clinical recording
- communication with referrer and insurer.

The service is 1:1 for the entire session.

New Tax System Price Exploitation Law means

- (a) the New Tax System price Exploitation Code as applied as a law of New South Wales by the Price Exploitation Code (New South Wales) Act 1999, and
- (b) Part VB of the Trade Practices Act 1974 of the Commonwealth

Psychologist means a WorkCover approved psychologist.

Psychology/counselling management plan means the document used by the psychologist to indicate treatment timeframe and anticipated outcomes for an injured worker to the relevant workers compensation insurer. A psychology/counselling management plan provides the mechanism to request approval from the relevant workers compensation insurer for up to 6 consultations after the first six sessions have been provided.

Psychology services refers to all treatment services delivered by a WorkCover approved psychologist and each service is to be billed according to Schedule A.

Report writing occurs when a psychologist is requested to compile a written report, other than the Management Plan, providing details of the worker's treatment, progress and work capacity. The insurer must provide pre-approval for such a service.

Standard consultation means a session provided subsequent to the initial consultation by the WorkCover approved psychologist in respect of an injured worker and may include:

- reassessment
- treatment
- clinical recording and preparation of a management plan (if required)

The service is 1:1 for the entire session.

The Act means the Workers Compensation Act 1987.

Travel occurs when the most appropriate management of the injured worker requires the psychologist to travel away from their normal practice. Travel costs do not apply where the psychologist provides contracted service to facilities such as a private hospital or workplace. The insurer must provide pre-approval for such a service.

WorkCover means the WorkCover Authority of New South Wales.

WorkCover approved means a psychologist who has, either before or after the commencement of this Order, by a date notified by WorkCover, been approved by WorkCover to provide psychology services for the purpose of this Order.

4. Application of Order

This Order applies to treatment provided on or after 1 January 2010, whether it relates to an injury received before, on or after that date.

5. Maximum fees for psychology treatment

- (1) The maximum fee amount for which an employer is liable under the Act for treatment of an injured worker by a psychologist, 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 psychologist to provide treatment of a type specified in any of items 1, 2 or 4 in Schedule A at a place other than the usual practice, 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 14 in Column 2 of Schedule A.

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 Schedule A to this Order may be increased by the amount of any GST payable in respect of the service, and the cost as so increased is taken to be the amount fixed by this Order.
- (2) This clause does not permit a psychologist 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 psychologist 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.

Schedule A Maximum fees for psychologists

Note: Incorrect use of an item may result in WorkCover taking action to recover money that has been incorrectly received. No fees are payable to non-WorkCover approved psychologists.

Item	Column 1 Type of Treatment	Column 2 Maximum Amount (\$)
PSY001	Initial consultation	180
PSY002	Standard consultation	150
PSY003	Report Writing	150/hour (max 1 hour)
PSY004	Case Conferencing	150/hour pro rata
PSY005	Travel	1.40 per kilometer
PSY006	Group	45/participant

CHILDREN (CRIMINAL PROCEEDINGS) REGULATION 2005**ORDER**

Issue of Youth Conduct Orders Scheme Directions

PURSUANT to Clause 25 of the Regulation, the Directions specified in Schedule 1 are issued and have effect as from the date of publication of this notice.

Dated 18 December 2009.

JOHN LEE,
Director General,
Department of Premier and Cabinet



Youth Conduct Orders Scheme Directions

Children (Criminal Proceedings) Act 1987
Children (Criminal Proceedings) Regulation 2005

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Children (Criminal Proceedings) Regulation 2005

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Published December 2009

1. Division 2: Scheme Participation Approvals

1.1. Granting of Scheme Participation Approvals (*Clause 7*)

Once an authorised Police Officer has determined that a child/young person is eligible to participate in the Youth Conduct Orders (YCO) Scheme they must complete the attached **Form A: Youth Conduct Orders Scheme Participation Approval**.

YOUTH CONDUCT ORDERS SCHEME PARTICIPATION APPROVAL

(Section 48G *Children (Criminal Proceedings) Act 1987*;
Division 2, Clauses 5 & 7 *Children (Criminal Proceedings) Regulation 2005*)

Young Person Details

Name:

Address:

Date of Birth/Age:

Charge/Sequence:

Date of Court Listing:

Time:

Place:

An assessment must be carried out using the criteria below to ascertain whether a young person is suitable for participation in the Youth Conduct Orders Scheme.

PART A – OFFENCE CONSIDERATIONS

1. Copy of Police Facts attached.	Yes / No
2. It is appropriate for the young person to be dealt with under the Scheme having regard to: <ul style="list-style-type: none"> • the seriousness of the offence, • the degree of violence involved (if any), • any harm caused to any victim, • the number and nature of any previous offences, and the number of times the young person has been dealt with under the <i>Young Offenders Act 1997</i>. 	Yes / No
3. Provide reason/s as to why it would not be appropriate for the young person to be dealt with under the <i>Young Offenders Act 1997</i> .	
4. The young person is charged with (or has pleaded guilty to or been found guilty of) a relevant offence. (A relevant offence is the same kind of offence as covered by the <i>Young Offenders Act 1997</i>).	Yes / No
5. The Children's Court has not yet imposed a penalty on the young person concerned for the offence or the alleged offence.	Yes / No

PART B - ELIGIBILITY CRITERIA

6. The young person was 14 years old or older (but less than 18 years old) at the time the offence was committed or alleged to have been committed.	Yes / No
7. The young person is less than 19 years old at the time it is first proposed to make a Youth Conduct Order.	Yes / No
8. The young person temporarily or permanently resides in, or habitually visits, the area of the participating Local Area Command.	Yes / No

<p>9. The relevant offence that the young person has been charged with, or pleaded guilty to, or been found guilty of, was committed, or alleged to have been committed, by the young person in the area of a participating Local Area Command.</p> <p><i>N.B. In circumstances when the Court is proposing to make a Youth Conduct Order in respect of more than one relevant offence – at least one of those offences must have been committed, or alleged to have been committed, by the young person in the area of a participating Local Area Command.</i></p>	<p>Yes/No</p>
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PART C - CERTIFICATION

<p>I am an Authorised Police Officer under the Youth Conduct Orders Scheme.</p> <p>I certify that all information in this form is accurate and recommend the young person for Youth Conduct Orders Scheme Participation.</p>	<p>I am a Senior Police Officer (Superintendent level or above). I concur that all information in this form is accurate.</p> <p>I hereby grant Youth Conduct Orders Scheme Participation Approval for the young person named on this form.</p>
<p>Signature:</p> <p>Name: Position: Date: Phone number: Local Area Command:</p>	<p>Signature:</p> <p>Name: Position: Date: Phone number: Local Area Command:</p>

2. Division 3: Suitability Assessments

2.1. Applications for Suitability Assessment Orders (*Clause 8*)

The filing of the Scheme Participation Approval Form with the Court Registry shall serve as the notice of intention to make an application for a Suitability Assessment Order.

This form should be attached to the Court Attendance Notice with a copy of the Police Facts when filed with the Children's Court.

Generally the application should be listed on the same day as the child's appearance before the Court in relation to the relevant offence for which the application is sought.

2.2. Notification of Suitability Assessment Order by Children's Court (*Clause 9*)

The Magistrate may make a Suitability Assessment Order in the form prescribed by the Children's Court which will refer the child/young person to the Case Coordination Senior Officers Group (CCSOG) for a suitability assessment.

Copies of the Suitability Assessment Order and Scheme Participation Approval Form (Form A) must be forwarded by the Children's Court to the relevant CCSOG Chairperson within 7 days after making the Order.

The documents may be faxed or scanned and emailed in the first instance but must also be forwarded by post to the Chairperson for quality assurance purposes.

2.3. Suitability assessment of referred child (*Clause 10*)

Each CCSOG has the function of carrying out suitability assessments of referred children/young people.

The CCSOG must ensure that a suitability assessment of a referred child/young person is carried out within 7 days (or such further period as the Children's Court may allow) after it is notified of the Suitability Assessment Order under clause 9.

Assessment of the suitability of children/young people to participate in the YCO Scheme for the advice of the Children's Court Magistrate is based on the best interests of the child/young person and is a two stage process.

The assessment must be conducted in accordance with the following attached:

- Stage One Suitability Assessment Format (Appendix 1)
- Stage Two Final Suitability Assessment Format (Appendix 2)

The report to the Children's Court must be submitted in accordance with the following attached:

- Youth Conduct Order Interim Conduct Plan (Appendix 3)
- Youth Conduct Order Final Conduct Plan (Appendix 4)

The CCSOG may determine that a referred child is not suitable to participate in the scheme as they are ineligible. If such a determination is made, the CCSOG may proceed immediately to report their finding to the Children's Court (*clause 10 (3A)*).

Note that Comprehensive Assessment Format and Explanatory Notes prepared by the Juvenile Justice for use in their assessment processes may be of benefit in conducting a suitability assessment for a YCO.

3 Division 4: Conduct Plans

3.1 Preparation of Interim Conduct Plans (*Clause 11*)

Stage One relates to the assessment for and development of the short term Interim Conduct Plan (ICP). The duration of an ICP is up to two months.

Stage Two relates to the assessment for and development of the longer term Final Conduct Plan (FCP). The duration of a FCP is up to 12 months.

Service availability and capacity:

In identifying the “positive conduct provisions” and “conduct restriction provisions” for ICPs and FCPs, the assessed needs of the child/young person must be matched to service availability and capacity.

The child/young person should not be penalised for being unable to meet the conditions of a Plan where there are issues with service availability and/or capacity.

Agencies must use their best endeavours to identify a service appropriate for the young person under the YCO. This includes exploring the use of brokerage and other service provision options where there are availability or capacity issues with a particular service.

Where there may not be immediate availability, agencies should advise the Case Coordinator / Lead Agency, including providing details of the likely waiting list, both in terms of time and numbers of other potential clients.

Where the CCSOG has agreed that there is no service available and/or no capacity to deliver a service to meet the child/young person's needs, including having explored brokerage and other options, details must be documented in a cover brief signed by the CCSOG Chairperson which is attached to the Suitability Assessment Report.

The cover brief must include

- service identified and how it will meet the needs of the child/young person
- reasons why the service is unavailable and/or there is no capacity to deliver the service
- alternatives explored including brokerage; and
- recommendation for resolution

The onus is on the agency/service to justify why this service can't be provided. The CCSOG, as part of the FCP, should monitor this service availability on an ongoing basis.

3.2 Preparation of Final Conduct Plans (*Clause 12*)

The Lead Agency as defined by the CCSOG at completion of Stage One is responsible for nominating a suitably qualified person to work with the Case Coordinator on Stage Two. The Case Coordinator in conjunction with the person nominated by the Lead Agency completes the Stage Two Suitability Assessment Format and prepares the Final Conduct Plan for approval by the CCSOG.

In conducting the Stage Two Suitability Assessment and developing the FCP, the CCSOG is to endeavour to ensure that a parent of the child within the meaning of *Children (Protection and Parental Responsibility) Act 1997* is present at all times during the meeting unless:

- the child requests otherwise (S12 (3) (a)), or
- the CCSOG considers that it would be inappropriate in the circumstances (S12 (3) (b)).

The CCSOG must afford the child or young person an opportunity to review the proposed FCP before it is endorsed (S12 (4)).

The Case Coordinator and the Lead Agency nominee will also consult face-to-face with all key agencies involved with the child or young person.

For the purposes of the YCO Scheme Directions “where appropriate” refers to Division 4 12, (3) (a) and (b).

Once approved by the CCSOG, the FCP is submitted to the Children’s Court Magistrate.

A FCP must contain the CCSOG’s suggested conduct restriction provisions and positive conduct provisions for the child’s Final YCO.

3.3 Provisions in conduct plans (*Clause 11*)

For the purposes of the Scheme Directions, positive conduct provisions are **agreed** case management based activities and tasks that benefit and progress the child/young person's emotional, social and financial status while addressing the underlying causes of their offending behaviour.

Agreed means agreed between the child/young person, their family/carer and relevant agencies.

For the purposes of the Scheme Directions, conduct restriction conditions are **agreed** restrictions and conditions that directly relate to the child/young person's offending behaviour and are aimed at preventing the opportunity for further offending while addressing the underlying causes of their offending behaviour.

4. Division 5: Applications relating to Youth Conduct Orders

4.1 Applications for Interim Youth Conduct Orders (*Clause 13*)

An application by an authorised scheme officer for an Interim YCO under section 48L of the *Children (Criminal Proceedings) Act 1987* may only be made upon the child or young person being found to be suitable to participate in the Scheme by the CCSOG.

The application must be made in the form prescribed by the Children's Court.

4.2 Applications for Final Youth Conduct Orders (*Clause 14*)

An application by an authorised scheme officer for a Final YCO under section 48L of the Act may only be made upon the child being found to be suitable to participate in the Scheme by the CCSOG.

The application must be in the form prescribed by the Children's Court.

4.3 Applications for review of Youth Conduct Orders (*Clause 15*)

An application by an authorised scheme officer for a review of a YCO under section 48N(1)(c) of the Act should not be made unless the CCSOG who prepared the FCP has approved the application.

In circumstances where it is not possible to get the approval of the CCSOG prior to the application being made the authorised scheme officer should ensure that the relevant CCSOG is contacted within 3 working days and informed of the application and outcome of that application.

The application must be in the form prescribed by the Children's Court.

4.4 Applications relating to non-compliance with Youth Conduct Orders (*Clause 16*)

All non-compliances relating to a YCO must be reported using the **Compliance Report** (see 5) to the Chairperson of the CCSOG in the first instance so that the non-compliance can be considered in light of the child/young person's circumstances.

An application by an authorised scheme officer relating to non-compliance with a Final YCO under section 48P(1) of the Act should not be made unless the CCSOG who prepared the FCP has approved the application.

In circumstances where it is not possible to get the approval of the CCSOG prior to the application being made the authorised scheme officer should ensure that the relevant CCSOG is contacted within 3 working days and informed of the application and outcome of that application.

4.5 Applications relating to compliance with Youth Conduct Orders (*Clause 17*)

An application by an authorised scheme officer relating to compliance with a Final YCO may only be made with the approval of the CCSOG who prepared the FCP and compliance report (see 5).

5. Division 6: Reports

5.1 Compliance Reports (*Clause 18*)

All non-compliances relating to a YCO must be reported using the **Compliance Report** (Appendix 5) to the Chairperson of the CCSOG in the first instance so that the non-compliance can be considered in light of the child/young person's circumstances.

An application by an authorised scheme officer relating to non-compliance with a Final YCO under section 48P(1) of the Act should not be made unless the CCSOG who prepared the FCP has approved the application.

In circumstances where it is not possible to get the approval of the CCSOG prior to the application being made the authorised scheme officer should ensure that the relevant CCSOG is contacted within 3 working days and informed of the application and outcome of that application.

6. Division 7: Case Coordination Senior Officers Groups

6.1 Procedure (*Clause 24*)

All CCSOG meetings should be conducted in accordance with the CCSOG Meeting Guidelines (Appendix 6).

7. Division 8: Scheme Directions

7.1 Director General may issue Scheme Directions (*Clause 25*)

The Regulation specifies the instances in which the Director General of the Department of Premier and Cabinet may issue Scheme Directions. Clause 25 is as follows:

- (1) The Director-General may, by order published in the Gazette, issue directions, not inconsistent with this Part or the Act, for or with respect to any or all of the following matters:
 - (a) the carrying out of suitability assessments,
 - (b) the provisions in conduct plans,
 - (c) the training to be undertaken by persons involved in the administration of the scheme (including authorised police officers),
 - (d) the granting of scheme participation approvals,
 - (e) the granting of approvals for the purposes of clause 28,
 - (f) the making of applications to the Children's Court by authorised scheme officers under Part 4A of the Act,
 - (g) the procedure for meetings of Coordination Groups,
 - (h) the functions of Coordination Groups and of members of the Groups in connection with the scheme or the carrying out of suitability assessments,
 - (i) any other matter in respect of which scheme directions are permitted or required by this Part.
- (2) The Director-General may from time to time amend, revoke or replace the scheme directions by further order published in the Gazette.
- (3) Without limiting subclause (1), the scheme directions may include provisions that:
 - (a) apply generally, or
 - (b) apply only in relation to specified persons, courts, groups or other bodies, or
 - (c) apply only in specified circumstances, or
 - (d) do a combination of the things referred to in paragraphs (a), (b) and (c).

Appendix 1: Youth Conduct Orders – Stage One Suitability Assessment Format



Youth Conduct Orders Stage One Suitability Assessment

Introduction

The *Children (Criminal Proceedings) Act 1987* defines suitability assessment as “an assessment as to a child’s capacity and prospects to participate in the (Youth Conduct Orders) Scheme”.

For the purposes of the Youth Conduct Orders (YCO) suitability assessment the terms “capacity” and “prospects” relate to the ability and willingness of the child/young person (and their family/carers) to:

- engage in and understand the YCO assessment and case planning process,
- prioritise the best interests of the child/young person within the family context,
- work with agencies to identify and address the underlying causes of the offending behaviour,
- agree with conduct plan provisions in the knowledge that they are binding and court ordered,
- understand the implications of non-compliance.

Assessment of the suitability of children and/or young people to participate in the YCO Scheme for the advice of the Children’s Court Magistrate is strength based and is a two stage process. The Stage One and Stage Two Assessments are based on the Juvenile Justice (JJ) Bail Assessment Screen and Comprehensive Assessment Format (CAF) currently being piloted in JJ. Stage One is a revised version of the CAF Bail Assessment Screen and Stage Two is the JJ, pilot CAF unchanged.

Stage One relates to the assessment for and development of the short term Interim Conduct Plan (ICP). The duration of an ICP may be for up to two months and outlines the restrictive and case management provisions to be implemented while the more detailed Stage Two Suitability Assessment is conducted to support the development of the longer term Final Conduct Plan (FCP) (up to 12 months).

Unless otherwise determined by the CCSOG, it is the responsibility of the Case Coordinator to complete the Stage One Suitability Assessment and prepare the ICP for approval by the Case Coordination Senior Officers Group (CCSOG) followed by submission of the ICP to the Children’s Court Magistrate.

The Lead Agency as defined by the CCSOG at completion of Stage One is responsible for nominating a suitably qualified person to work with the Case Coordinator on Stage Two.

Unless otherwise determined by the CCSOG, the Case Coordinator in conjunction with the person nominated by the Lead Agency completes the Stage Two Final Youth Conduct Order Suitability Assessment and prepares the FCP for approval by the CCSOG followed by submission of the FCP to the Children's Court Magistrate.

Stage One

The purpose of the Stage One Suitability Assessment is to determine and advise the Children's Court of the viability and benefit to the child/young person (and their family/carers) in participating in the YCO Scheme.

- If assessed as suitable, a completed ICP (up a to two month timeframe) is provided to the Children's Court Magistrate with a recommendation to proceed with the more detailed Stage Two Suitability Assessment and preparation of the FCP.
- If assessed as unsuitable, a recommendation that the child/young person is not suitable for participation in the YCO Scheme is submitted to the Children's Court Magistrate.

The questions posed in Stage One are based on and must be completed in conjunction with the JJ, CAF Explanatory Notes. The Explanatory Notes provide the logic behind the questions asked and give the assessor direction about how to identify and qualify strengths.



Youth Conduct Orders – Stage One Suitability Assessment

DEMOGRAPHICS

Name of Child Young Person:	
YCO Case Number:	
Date of birth:	
Cultural Identification:	
Referring Court Location and Magistrate:	
Date:	

Have the limits of confidentiality been explained to the young person?

Yes No

1. ELIGIBILITY

1.1 Has the young person been charged with (or has pleaded guilty to or been found guilty of) a relevant offence? (A relevant offence is the same kind of offence as covered by the *Young Offenders Act 1997*)

Yes No

1.2 Has the Children's Court not yet imposed a penalty on the young person concerned for the offence or the alleged offence?

Yes No

1.3 Was the young person 14 years old or older (but less than 18 years old) at the time the offence was committed or alleged to have been committed?

Yes No

1.4 Is the young person less than 19 years old at the time it is first proposed to make a Youth Conduct Order?

Yes No

1.5 Does the young person temporarily or permanently reside in, or habitually visit, the area of the participating Local Area Command?

Yes No

1.6 Was a relevant offence that the young person has been charged with, or pleaded guilty to, or been found guilty of, committed, or alleged to have been committed, by the young person in the area of a participating Local Area Command?

Yes No

2 FAMILY CIRCUMSTANCES/AGENCY INVOLVEMENT

2.1 Did any family member accompany the young person at Court? Yes No

Details:
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2.2 Did the intake Court JJ Officer have contact with parents/carers? Yes No

Details (names, contact address, telephone number):
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2.3 Are the family/carers aware of the current court appearance and recommendation for a YCO?
Yes No

2.4 Does the child/young person present as having a disability?

Comment (Response)
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2.5 Are the child/young person and/or their family/carers able to demonstrate an understanding of a YCO, the Suitability Assessment process and Interim and Final Youth Conduct Order Planning processes?
Yes No

2.6 Are the child/young person and/or their family/carers willing to be engaged in the YCO Scheme?
Yes No

3 CURRENT OR PREVIOUS AGENCY INVOLVEMENT

3.1 Has the young person had any previous or current involvement with Community Services (CS) or Juvenile Justice (JJ)?

- Details (CS, JJ and any relevant Orders)
.....
.....
- Has a significant risk of harm report been made to CS?
.....
- Details (including CS Reference Number)
.....
.....
- Is there a current Case Plan? (CS Office Location, Case Worker, Date and attach plan)
.....

3.2 Has the young person had any previous or current involvement with any other government, private or non-government agency?

Details (Govt or non-govt agency, Officer and any relevant Orders)
.....
.....

Are there current Case Plans? Agency, Location, Case Worker, Date and attach plan
.....

NB: All relevant agency reports and assessments must be attached and/or summarised for the information of the Children’s Court Magistrate.

3.3 Are there any supports that could enhance family capacity to assist the young person to meet and comply with the Interim Conduct Plan provisions? Has this been discussed with family?

Comment (Response)
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4 ACCOMMODATION

4.1 Where is the young person currently living and with whom?

Comment (Response)
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4.2 Does the current accommodation appear to be an appropriate placement during the Interim Youth Conduct Order timeframe? If no, please give reason/s.

Comment (Response)

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4.3. What alternative options can be accessed? Is this confirmed?

Details

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Have the rights of the child been considered?

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5 EDUCATION, TRAINING AND EMPLOYMENT

5.1 Is the young person participating in education, training or employment? Yes No

If yes, give details of location, frequency, and duration

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5.2 Does the young person have any special needs in regard to education/employment?
(eg learning disability, ADHD, behavioural issues, expulsion/exclusion)

Details

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5.3 What options could be accessed during the Interim Youth Conduct Order timeframe?

Details

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6 LIFESTYLE

6.1 If the young person is not engaged in education, training or employment, what are the young person's usual daily activities?

Details
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6.2 What programs/activities are available for the young person during the Interim Youth Conduct Order timeframe?

Details
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6.3 What/who are the young person's peer associations or activities within the pilot Local Area Command?

Details
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6.4 How are peer associations likely to impact on the young person's capacity to re-offend?

Details
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6.5 What provisions can be included in the Interim Conduct Plan to address/reduce any negative peer influences?

Details
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7 SUBSTANCE USE

7.1 Complete Alcohol and other Drug (AOD) Screen as follows:

Drug Description	Route	Frequency of use	Age at first use	Last Used	Quantity of use

7.2 Has the young person ever experienced an overdose?

Details

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7.3 What AOD interventions have been previously accessed by the young person (eg detox, rehab, counselling, pharmacotherapy) and with which agencies?

Details

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What supports are available to the child/your person in terms of family/carers/ community/friends?

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7.4 Does the young person appear motivated to address their AOD misuse? (Review young person's current motivation to change their substance misuse, awareness of the impact of substance use, expressed desire to change behaviour)

Details

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7.5 Are the young person's current or prior offences related to AOD use?

Details

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7.6 What provision can be included in the Interim Conduct Plan to reduce the impact of substance use on the young person's capacity to re-offend?

Details

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7.7 What supports/services should be accessed and included as provisions in the Interim Conduct Plan to assist the young person with these issues during the Interim Youth Conduct Order timeframe?

Details

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7.8 Is referral to the Youth Drug and Alcohol Court program appropriate?

Details

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8 HEALTH

8.1 Does the child/young person have any presenting physical, emotional or mental health issues? (eg does the young person have a disability, are they seeing a psychiatrist, psychologist, counsellor; current diagnosis and treatment, name of treatment provider)

Details

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8.2 Do these issues relate to the young person's offending? If so how?

Details

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8.3 If yes to any of the following questions notification must be made to the Lead Agency or JJ immediately:

- a. Has the young person ever felt that things were so bad that it wasn't worth living?
Yes No
- b. Has the young person ever had thoughts of hurting themselves or suicide?
Yes No
- c. Have they had these thoughts recently?
Yes No
- d. If yes, does the young person have a plan?
Yes No

8.4 Comment on the young person's mood, affect/behaviour. Any action required in relation to these observations?

Details

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9 OFFENDING BEHAVIOUR

9.1 Brief comment on previous and current offences (eg pattern, frequency, dynamics, seriousness, context, triggers).

Details

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9.2 Is there a history of previous or current violent, AOD related or sexual offending?

Details

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9.3 Have there been any aggravating factors in the young person’s offending (eg actual or threatened violence, weapon, cruelty, victim vulnerability, committed in company, planned)

Details

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9.4 Previous compliance with bail, community orders or other court orders.

Details

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10 MOTIVATION

10.1 Has the young person ever considered reducing/ceasing offending? Yes No

10.2 What strategies have been used previously? Which have helped/not helped and who supported the young person in implementing them?

Details

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10.3 Does the young person appear motivated to address factors influencing their offending?

Yes No

10.4 What provisions in the Interim Youth Conduct Order does the young person consider would be needed to contain/reduce their risk of re-offending? (eg specific conditions/actions)

<p>Details</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
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11 RECOMMENDATION

As discussed in the Introduction, the Stage One and Stage Two assessments of children/young people for participation in the YCO Scheme are strengths based. This means that during the assessment, priority is given to identifying and analysing the strengths that can be built upon to plan intervention strategies that can assist the child/young person to address the underlying causes of their offending behaviour and prevent re-offending.

The Assessment and Interim Conduct planning processes are interactive and involve participation of the child/young person, their family and/or carer. A key is that the child/ young person is listened to in this process. Interim Conduct Plans must be documented and identify goals, objectives and tasks with clearly identified responsibilities and timeframes. Agreed outcomes (goals) must be realistic and achievable within available resources. Agreed outcomes should be communicated to the child/young person as well as other key stakeholders.

Is the child/young person considered suitable for participation in the YCO Scheme?

Yes No

If Yes, outline the Interim Conduct Plan restrictive conditions and case management provisions in the attached Interim Conduct Plan Format.

If No, outline the reasons why the child/young person is considered inappropriate to participate in the YCO Scheme.

<p>Reasons:</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>

11 LEAD AGENCY

Recommended Lead Agency:

Reasons:

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.....

Approved:

Chair (or delegate):

(Insert LAC) CCSOG

Date:

Approved:

CCSOG Member (Lead Agency)

Date:

12 COURT OUTCOME

Client Name:	
Date of birth:	
YCO Case No:	

Next Court Date:	
Location:	
Suitability Assessment Report Submitted:	Yes <input type="checkbox"/> Date Submitted: No <input type="checkbox"/>
Interim Conduct Plan Submitted:	Yes <input type="checkbox"/> Date Submitted: No <input type="checkbox"/>
Representing Solicitor if any:	
Phone/Contact details:	
Magistrate Name:	

Interim Conduct Plan granted Yes No

Records updated: Yes No

Reasons why Interim Conduct Plan not granted:

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Placement Address Details:

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Follow up by Receiving Office of Lead Agency: _____

Allocated Officer: _____

Comments:

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Signature: _____

Lead Agency Officer: _____

Office: _____

Date: _____

Signature: _____

Receiving Manager: _____

Office: _____

Date: _____

Appendix 2: Youth Conduct Orders – Stage Two Suitability Assessment Format



Youth Conduct Orders Stage Two Final Suitability Assessment

Introduction:

The *Children (Criminal Proceedings) Act 1987* defines suitability assessment as “an assessment as to a child’s capacity and prospects to participate in the (Youth Conduct Orders) Scheme”.

For the purposes of the Youth Conduct Orders (YCO) suitability assessment the terms “capacity” and “prospects” relate to the ability and willingness of the child/young person (and their family/careers) to:

- engage in and understand the YCO assessment and case planning process,
- prioritise the best interests of the child/young person within the family context,
- work with agencies to identify and address the underlying causes of the offending behaviour,
- agree with conduct plan provisions in the knowledge that they are binding and court ordered,
- understand the implications of non-compliance.

Assessment of the suitability of children and/or young people to participate in the YCO Scheme for the advice of the Children’s Court Magistrate is strength based and is a two stage process. The Stage One and Stage Two Assessments are based on the Juvenile Justice (JJ) Bail Assessment Screen and Comprehensive Assessment Format (CAF) currently being piloted in JJ. Stage One is a revised version of the CAF Bail Assessment Screen and Stage Two is the JJ, pilot CAF unchanged.

Stage One relates to the assessment for and development of the short term Interim Conduct Plan (ICP). The duration of an ICP may be for up to two months and outlines the restrictive and case management provisions to be implemented while the more detailed Stage Two Suitability Assessment is conducted to support the development of the longer term Final Conduct Plan (FCP) (up to 12 months).

Unless otherwise determined by the CCSOG, it is the responsibility of the Case Coordinator to complete the Stage One Suitability Assessment and prepare the ICP for approval by the Case Coordination Senior Officers Group (CCSOG) followed by submission of the ICP to the Children’s Court Magistrate.

Stage Two

Appendix 2: Youth Conduct Orders – Stage Two Suitability Assessment Format

The purpose of the Stage Two Final Youth Conduct Order Suitability Assessment is to assess and analyse in detail the strengths, risks and needs of the child/young person and family/carers in order to develop the Final Conduct Plan (FCP).

The Lead Agency as defined by the CCSOG at completion of Stage One is responsible for nominating a suitably qualified person to work with the Case Coordinator on Stage Two.

Unless otherwise determined by the CCSOG, the Case Coordinator in conjunction with the person nominated by the Lead Agency completes the Stage Two Final Youth Conduct Order Suitability Assessment and prepares the FCP for approval by the CCSOG followed by submission of the FCP to the Children's Court Magistrate. The time frame for FCP is up to 12 months.

Stage Two assessments of children/young people for development of the FCP are strengths based. This means that during the assessment, priority is given to identifying and analysing the strengths that can be built upon to plan intervention strategies that can assist the child/young person to address the underlying causes of their offending behaviour and prevent re-offending.

The Assessment and Final Youth Conduct planning processes are interactive and involve participation of the child/young person, their family and/or carer. A key is that the child/young person is listened to in this process.

In conducting the Stage Two Final Youth Conduct Order Suitability Assessment and developing the FCP, the CCSOG Chairperson will ensure that arrangements are made for one or more meetings with the child/young person in order to prepare the FCP for the child. Where appropriate, the CCSOG will endeavour to ensure that a parent of the child is present at all times during any such meetings.

The Case Coordinator and the Lead Agency nominee will also consult face-to-face with all key agencies involved with the child/young person.

FCPs must be documented and identify goals, objectives and tasks with clearly identified responsibilities and timeframes. Goals must be realistic and achievable within available resources. Goals must be communicated to the child/young person as well as other key stakeholders.

The child/young person must be given an opportunity by the Case Coordinator and the person nominated by the Lead Agency to review the FCP. The FCP must be signed by the child/young person to confirm that they have been given an opportunity to review the FCP prior to submission to Court.

The Stage Two Assessment (i.e CAF Format) must be completed in conjunction with the JJ CAF Explanatory Notes. The Explanatory Notes provide the logic behind the questions asked and give the assessor direction about how to identify and qualify strengths.

Appendix 2: Youth Conduct Orders – Stage Two Suitability Assessment Format

NSW DEPARTMENT OF
juvenile
Jjustice

COMPREHENSIVE
ASSESSMENT FORMAT

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This Comprehensive Assessment Format (CAF) has been developed by a collection of staff of various designations from across Juvenile Justice, who formed the Effective Practice Working Group, as part of the Community Integration Project

1 Confidentiality and Consent

See YCO/ASBPP Privacy Guidelines

2 Demographics

(Please affix copy of CIMS "Details" Screen and review with client for accuracy)

Client Name: _____ **Client Date of Birth:** _____

CIMS No: _____ Gender: Male Female

CIMS Alerts: _____

Cultural Identification: _____ Language/s spoken: _____

Interpreter required: Yes No

Family Address: _____

Current Address (if different to above): _____

Phone contact details: _____

Any additional demographic Information:

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Interview Dates:

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3 Prior and Current Offences

(Please attach Court antecedents)

1. Criminal history

What previous convictions does the young person identify?

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2. First offence

At what age does the young person identify their first formal contact with the police. What was the nature of the contact and the outcome?

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3. Previous Juvenile Justice Involvement

Obtain from the young person their perspective regarding previous Juvenile Justice involvement in the community and custody (if relevant).

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4. Circumstances regarding the current offence:

Obtain from the young person their perspective regarding their offence. Possible areas of enquiry may include: The what, where, when and with whom did the offence occur and congruence with police facts. Level of planning and impulsivity. The use of weapons. The choice of victims. The presence of violence and intimidation. The influence of substance use. The presence of co-offenders. The young person's role in the offence (were they a leader or follower)?

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Question 4 Continued

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5. Motives

What does the young person offer as a motive for the offence? What were the young person's aims? Did the offence go as the young person expected?

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6. Offence Build-up

Explore with the young person what was happening in their life around the time of the offence (eg, family, school, peers, finances, relationships).

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7. Offence Patterns

Are there similarities/ differences with previous offending behaviour, increase/decrease in seriousness and or frequency, specialisation/diversity of offences (eg proven or alleged violent, AOD or sexual offending), gaps in offending patterns, aggravating factors eg violence, weapons, cruelty, victim vulnerability, committed in company, planned.

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8. Beliefs and attitudes to offending

Explore with the young person their positive and negative attitudes and beliefs regarding their offending. The analysis should include any denial or acceptance of the seriousness of his or her behaviour. Any acceptance or reluctance to accept responsibility for involvement in the most recent offence/s. An understanding or lack of understanding regarding the effect of his/her behaviour on victims (if victimless, on society). The experience of remorse if present. An understanding regarding the effects of his/her behaviour on family/carers. The belief that certain types of offences are acceptable. S/he thinks that further offending is inevitable.

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9. Strengths and Protective factors

Identify any strength's identified with regard to current and prior offences section.

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10. Evidence sources

Identify all sources of information utilised in completing this section

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..... Name and Position Title Signature/...../..... Date of Assessment
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4 Family and Living Circumstances

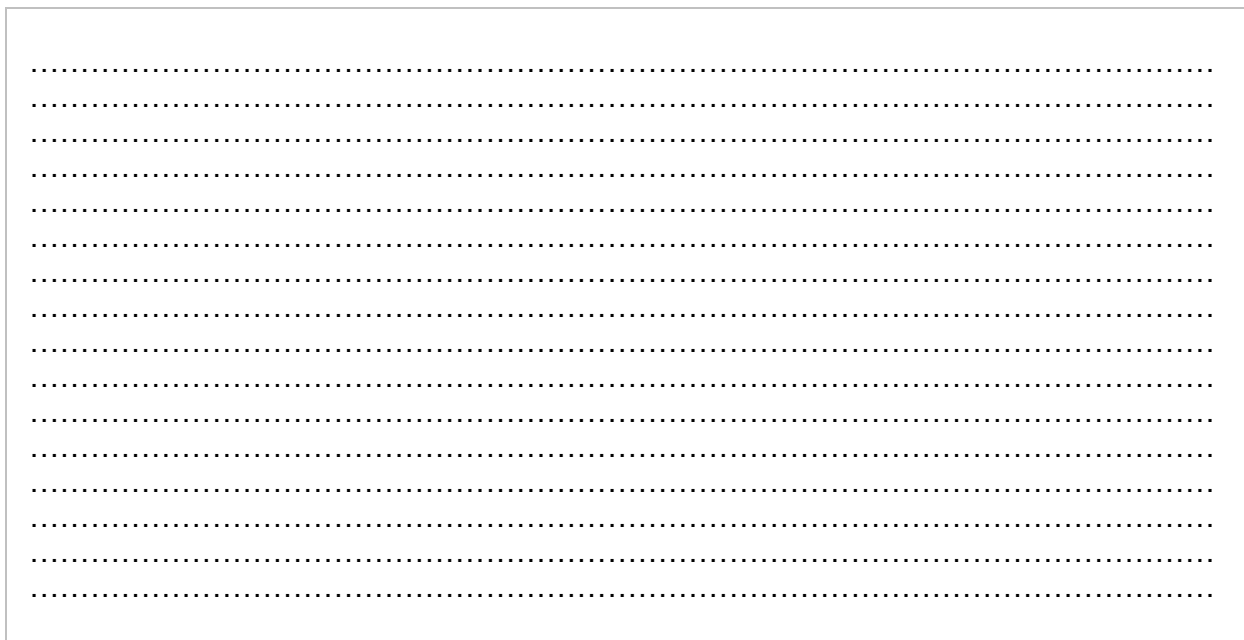
1. Complete Genogram or circle of influence.

Identify significant caregivers, extended family members and significant others. Include detail regarding the relationship dynamics between these individuals.



2. Family History

Please outline family history details including significant family events both positive and negative.



3. Culture

Explore the significance of culture to the young person and their attachment or lack of attachment to their culture?

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4. Community Services involvement

Explore any involvement or intervention by with Community Services? (Obtain permission to access information from Community Services if relevant)

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5. Abuse and Domestic Violence

Explore any personal history of abuse and or violence in the family (including physical, sexual, emotional)?

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6. Trauma and significant incidents

Does the young person or their family identify any significant events or trauma that continues to impact on their lives (eg death, illness, family break-up, negative refugee experiences)

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7. Family history of health, psychiatric, disability and substance use

Is there any psychiatric disorders, chronic emotional instability or intellectually disability, substance misuse or problem gambling amongst the family?

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8. Offending history

Do any of the young person’s family or significant others have, or previously had, involvement in criminal justice system? Does the family present as having pro-criminal attitudes or values?

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9. Family strengths and protective factors

Family promotes pro-social values (eg clear behaviour guidelines, encourages education or employment)? Family supports young person? Young person has ongoing emotional support from, an/or attachment to, a parent and/or long-term caregiver or girlfriend/boyfriend, whether young person is living at home or independently? Family or caregiver income has legitimately provided for young person’s basic needs. Professional help/support (eg receiving support/counselling, other agency involvement with family?)

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10. Evidence sources

Identify all sources of information utilised in completing this section

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11. Offence relevance

Identify key offending issues relating to family and living circumstances or issues requiring immediate intervention.

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Name and Position Title	Signature	Date of Assessment

5 Education and Employment

1. School performance

Obtain the young person's, family's and school's perspective as to young person's educational performance. Some areas of inquiry may include: current and past school performance, areas of education interest and success, contact with school counsellors and special classes, general behaviour, truancy, suspensions and expulsions, school based peer networks, literacy and numeracy abilities

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2. Employment history

Obtain the young person's employment history. Some areas of inquiry may include: nature and frequency of current employment, any previous employment completed, relationships with employers and co-workers, explanations for unemployment, contact with TAFE colleges, recent attempts to find employment, areas of interest and expertise.

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3. Goals

What goals does the young person have regarding their education or working future. How do they intend to achieve this?

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4. Strengths and Protective factors

Identify any strengths identified with regard to Education and Vocation section. School is interested in the young person's progress, keen to get involved and help? In secure employment or developed goals to gain employment.

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5. Evidence sources

Identify all sources of information utilised in completing this section

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6. Offence relevance

Identify key offending issues relating to education and employment or issues requiring immediate intervention.

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Name and Position Title	Signature	Date of Assessment

6 Peer Relations

1. Peer Structure

Explore the structure and make up of the young person’s peer networks. Some areas of enquiry may include: age differences, cultural make up, offending history, substance use.

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2. Peer dynamics

Explore the dynamics of the young person’s peer networks including the level of attachment to peers or the significance peers have for the young person, the position of the young person within the group and the impact the young person’s offending has had on his peer group.

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3. Strengths and Protective factors

Identify any strengths identified with regard to Peers section. Possible strengths may include some pro-social friends who are not involved in offending and model positive social behaviours (eg sporting groups, attend school, are employed) Young person appears socially competent and demonstrates social skills and engages appropriately with adults/peers. Strong, stable relationship with an adult outside of the family home (eg teacher, youth club leader, neighbour).

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4. Evidence sources

Identify key offence related issues or issues requiring immediate intervention.

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5. Offence relevance

Identify key offending issues relating to peers or issues requiring immediate intervention.

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...../...../.....
Name and Position Title	Signature	Date of Assessment

7 Neighbourhood

1. Neighbourhood dynamics

Explore the dynamics of the young person's neighbourhood. Some areas of enquiry may include, substance misuse, gang involvement, and presence or absence of resources.

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2. Strengths and Protective factors

Identify any strengths with regard to neighbourhood section. Possible strengths may include: Community offers opportunities for the young person to get involved with activities (eg youth centre, sports facility that caters for the young person's interests, other interest groups? If applicable, young person received strong support from cultural and ethnic communities

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3. Evidence sources

Identify all sources of information utilised in completing this section

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4. Offence relevance

Identify key offending issues relating to the young persons neighbourhood or issues requiring immediate intervention.

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..... Name and Position Title Signature/...../..... Date of Assessment
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8 Leisure and Recreation

1. Community affiliations

Explore the young person's involvement or interest in any clubs, organisations or sporting team at school or in the community?

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2. Individual interests

Explore the young person's interest or involvement in any individual hobbies, and sports

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3. Evidence sources

Identify all sources of information utilised in completing this section

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4. Offence relevance

Identify key offending issues relating to leisure and recreation or issues requiring immediate intervention.

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Name and Position Title	Signature	Date of Assessment

9 Substance Use

1. Substance use history

	Ever used	Currently used	Frequency of use	Age at first use	Time since last use	Quantity of use	Mode of use
Tobacco							
Alcohol							
Solvents							
Cannabis							
Ecstasy							
Speed							
Meth amphetamines							
LSD							
Cocaine							
Heroin							
Methadone							
Tranquilisers							
Steroids							
Other							

2. Dynamics of substance use

Explore with the young person the circumstances that relate to their drug use. Possible areas of enquiry may include: What, when and with whom that substance use occurs. Any adverse health effects. Impact of substance use has on behaviour. Perceptions of parents/carers regarding the young persons substance use. The young person’s motives for substance use and any overdose history

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3. Previous interventions

Explore with young person any previous or current attempts to moderate/cease substance use

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4. Motivation to change.

Review the young person’s current motivation to change their substance misuse. Possible areas of enquiry may include: the young person’s awareness regarding the impact of substance use and any expressed desire to change their behaviour?

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5. Harm Minimisation Awareness

Review young person awareness regarding harm-minimisation strategies

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6. Evidence sources

Identify all sources of information utilised in completing this section

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7. Offence relevance

Identify key offending issues relating to the young persons substance use history or issues requiring immediate intervention.

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..... Name and Position Title Signature/...../..... Date of Assessment
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10 Thinking and Behaviour

1. Self Esteem

Does the young person appear to have a negative view of themselves and lack any confidence in their abilities?

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2. Anger and Emotional management

Does the young person appear to have the ability to regulate their emotions effectively (e.g. anger, sadness, happiness)?

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3. Concentration/ Attention

Does the young person appear to have the ability to concentrate on tasks and maintain their attention?

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4. Impulse control

Does the young person appear to act without forethought and provocation?

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5. Planning and problem solving

Does the young person demonstrate an ability to plan and problem solve? Do they recognise the possible consequences of their behaviour?

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6. Evidence sources

Identify all sources of information utilised in completing this section

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7. Offence relevance

Identify key offending issues relating to the young persons thinking and behaviour or issues requiring immediate intervention.

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Name and Position Title	Signature	Date of Assessment

11 Motivation to Change

1. Explore the young person’s motivation to change their offending behaviour. Does the young person demonstrate an understanding of the problematic aspects of his/her own behaviour and any insight regarding long term consequences of this behaviour?

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2. Explore the young person’s demonstrated desire to address their offending behaviour and their confidence in their ability to change.

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Please ask the young person to rate their feelings on the following scales (please circle)

How much does the young person want to stop all their offending behaviour.

Not at all interested Extremely Interested
1 2 3 4 5 6 7 8 9 10

How confident is the young person in their ability to stop offending

Not at all confident Extremely Confident
1 2 3 4 5 6 7 8 9 10

3. Explore the young persons capacity to identify strategies and supports to make the change.

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4. Explore the young person's current or previous attempts to make a positive change and their expressed willingness to co-operate with others to achieve change.

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5. Evidence sources
Identify all sources of information utilised in completing this section

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6. Offence relevance
Identify key offending issues relating to the young persons motivation to change or issues requiring immediate intervention.

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..... Name and Position Title Signature/...../..... Date of Assessment
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12 Health

Young persons reports regarding their health status are subject to NSW legislation regarding disclosure. Explicit and Informed consent is required prior to this information being reported to a secondary source.

1. Health issues

Explore if any major health issues are present for the young person eg pregnancy, epilepsy, asthma, history of major head injury and diabetes.

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2. Health risks

Explore if any of the following relate to the young person: unprotected sex, sharing drug-using equipment, poly drug use, binge drinking and exposure to violence

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3. Access to Health Care

Explore whether the young person accesses medical services regularly. Do they have a Medicare card? Also consider the young person's ability to access appropriate health care services (eg dentist).

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4. Evidence sources

Identify all sources of information utilised in completing this section

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5. Offence relevance

Identify key offending issues relating to the young persons health or issues requiring immediate intervention.

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..... Name and Position Title Signature/...../..... Date of Assessment
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13 Mental Health

1. Is there a history of mental health issues for the young person? Has the young person seen a psychiatrist, psychologist or counsellor? Does the young have any current mental health diagnosis?

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3. Has young person ever felt that things were so bad that it wasn't worth living? Yes No

4. Has young person ever had thoughts of hurting themselves or suicide? Yes No

5. Have they had these thoughts recently? Yes No

6. If yes, does the young person have a plan? Yes No

7. Comment on young person's mood, affect/behaviour. Any action required in relation to observations?

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If yes to any of the above, a notification is to be made to Local Management

8. Evidence sources

Identify all sources of information utilised in completing this section.

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9. Offence relevance

Identify key offending issues relating to the young persons mental health or issues requiring immediate intervention.

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..... Name and Position Title Signature/...../..... Date of Assessment
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14 Disability

1. Does the young person have difficulty understanding ordinary language, including instructions and questions (is he or she slow to react or respond, not sure what to do)?

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2. Is there anything unusual about the way they speak (e.g., more than usually reluctant to talk, slow speech, unusual emphasis in tone, limited vocabulary)?

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3. Does he or she have trouble remembering what you just told them? (Once or twice in the interview, ask them to repeat what you just said).

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4. Does he or she have trouble using the concept of time in a practical way? (Yesterday, tomorrow, next week).

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5. Is he or she capable of paying attention, or easily distractible?

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6. Is there anything about the way they look, walk, hold a pencil or glass of water, which suggests something is 'not quite right' (e.g., lack of physical coordination)?

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7. Is their social behaviour more like that of a much younger person; e.g., are they too friendly, more comfortable with someone younger than their age appropriate peers, or acting in a younger way than their age group? This may be disguised if a person is a follower. Otherwise the person may be easily stood over or bullied.

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If you have responses to any of the above questions, ask the person, or their carer/parent:

8. Did this person meet age appropriate milestones? (learn to walk, talk, read, dress or care for themselves at around the usual ages)

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9. Has the person ever been to a special school, or a special class at school? If so, what sort?

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10. Has the person ever been to a service for people with disabilities?

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11. Other Disability issues

Does the young person have a hearing, visual (or other) impairment?

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12. Evidence sources

Identify all sources of information utilised in completing this section

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13. Offence relevance

Identify key offending issues relating to disability or issues requiring immediate intervention.

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..... Name and Position Title Signature/...../..... Date of Assessment
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15 Positive Protective factors

1. Individual protective factors: In addition to the positive and protective factors identified previously within the Comprehensive Assessment Format, is the young person characterised by any of the following individual protective factors:

Resilience: where young person has capacity to spring back from adversity, cope with difficulties, be adaptable. Has a positive future outlook characterised by a sense of direction, pro-social goals, optimistic views? Has engaged well with support service and has been responsive to previous interventions?

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2. Evidence sources
Identify all sources of information utilised in completing this section

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Name and Position Title	Signature	Date of Assessment

16 Comprehensive Assessment Formulation

1. Are there any immediate interventions required?

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2. What offence specific factors require specialist attention? (eg Sexual Offending, Violent Offending or Alcohol and Other Drug related Offending)

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3. What specific criminogenic/offending related needs require immediate or ongoing intervention (See offence relevance sections).

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4. What issues do we need to consider that may impact on the young person's ability to address their identified criminogenic/ offending needs?

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5. What strengths and protective factors exist that will assist the young person in addressing their needs?

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Appendix 3: Youth Conduct Order Interim Conduct Plan (ICP)



YOUTH CONDUCT ORDER Suitability Assessment

Name of Child / Young Person	
YCO Case Number	
Date of birth	
Date	

Recommendation

[insert name] was assessed on [insert date].

The assessment included identifying and analysing the strengths that can be built upon to plan intervention strategies that can assist the child/young person to address the underlying causes of their behaviour.

The child/young person is suitable for participation in the Youth Conduct Orders Scheme.

An Interim Conduct Plan has been developed by the Case Co-Ordination Group and was endorsed by that Group on [insert date].

A copy of the Interim Conduct Plan is attached.

Or

[insert name] was assessed on [insert date].

The child/young person is not suitable for participation in the Youth Conduct Orders Scheme.

[Outline the reasons why the child/young person is considered inappropriate to participate in the YCO Scheme.]

An Interim Conduct Plan is not attached.

Recommended Lead Agency:

Approved:
CCSOG Member (Lead Agency)
Date



Appendix 3: Youth Conduct Order Interim Conduct Plan (ICP)

Name of Child / Young Person	
YCO Case Number	
Date of birth	
Gender	
Home Address	
Date approved by CCSOG	
Date approved by Magistrate	

LEAD & PARTNER AGENCIES

Name	Organisation	Role
Lead		

FAMILY COMPOSITION

Family Member	Name	Age	Address
Mother			
Father			
Child 1			
Child 2			
Child 3			
Child 4			
Other			

FAMILY SUPPORT NETWORK (Significant supports – Non agency):

Name	Relationship	Contact Details



Appendix 3: Youth Conduct Order Interim Conduct Plan (ICP)

ICP Positive Conduct Provisions	Responsibility	Timeframe Start/End
ICP Conduct Restriction Provisions	Responsibility	Timeframe Start/End



Appendix 3: Youth Conduct Order Interim Conduct Plan (ICP)

1 Accommodation

Current issues for the child or young person:

Outcomes	Actions to Achieve Outcomes	Agency Responsible	Timeframe Start/End



Appendix 3: Youth Conduct Order Interim Conduct Plan (ICP)

2 Health/ Clinical Services

Current issues for the child or young person:

Outcomes	Actions to Achieve Outcomes	Agency Responsible	Timeframe Start/End



Appendix 3: Youth Conduct Order Interim Conduct Plan (ICP)

3 Education/ Vocation

Current issues for the child or young person:

Outcomes	Actions to Achieve Outcomes	Agency Responsible	Timeframe Start/End



Appendix 3: Youth Conduct Order Interim Conduct Plan (ICP)

4 Emotional and Social Functioning

Current issues for the child or young person:

Outcomes	Actions to Achieve Outcomes	Agency Responsible	Timeframe Start/End



Appendix 3: Youth Conduct Order Interim Conduct Plan (ICP)

5 Family Relationships and Functioning

Current issues for the child or young person:

Outcomes	Actions to Achieve Outcomes	Agency Responsible	Timeframe Start/End



Appendix 3: Youth Conduct Order Interim Conduct Plan (ICP)

6 Motivation to participate in a Youth Conduct Order

Current issues for the child or young person:

Outcomes	Actions to Achieve Outcomes	Agency Responsible	Timeframe Start/End

Approved:
CCSOG Chair (or delegate)
Date:

Signature:
Child/Young Person
Date:



Appendix 4: Youth Conduct Order Final Conduct Plan (FCP)

Name of Child / Young Person	
YCO Case Number	
Date of birth	
Gender	
Home Address	
Date approved by CCSOG	
Date approved by Magistrate	

LEAD & PARTNER AGENCIES

Name	Organisation	Role
Lead		

FAMILY COMPOSITION

Family Member	Name	Age	Address
Mother			
Father			
Child 1			
Child 2			
Child 3			
Child 4			
Other			

FAMILY SUPPORT NETWORK (Significant supports – Non agency):

Name	Relationship	Contact Details



Appendix 4: Youth Conduct Order Final Conduct Plan (FCP)

FCP Positive Conduct Provisions	Responsibility	Timeframe Start/ End
FCP Conduct Restriction Provisions	Responsibility	Timeframe Start/ End

Youth Conduct Orders Scheme Directions



Appendix 4: Youth Conduct Order Final Conduct Plan (FCP)

1 Accommodation

Current issues for the child or young person:

Outcomes	Actions to Achieve Outcome	Agency Responsible	Timeframe Start/End



2 Health/ Clinical Services

Appendix 4: Youth Conduct Order Final Conduct Plan (FCP)

Current issues for the child or young person:

Outcomes	Actions to Achieve Outcome	Agency Responsible	Timeframe Start/End



Appendix 4: Youth Conduct Order Final Conduct Plan (FCP)

3 Education/ Vocation

Current issues for the child or young person:

Outcomes	Actions to Achieve Outcome	Agency Responsible	Timeframe Start/End



Appendix 4: Youth Conduct Order Final Conduct Plan (FCP)

4 Emotional and Social Functioning

Current issues for the child or young person:

Outcomes	Actions to Achieve Outcome	Agency Responsible	Timeframe Start/End



Appendix 4: Youth Conduct Order Final Conduct Plan (FCP)

5 Family Relationships and Functioning

Current issues for the child or young person:

Outcomes	Actions to Achieve Outcome	Agency Responsible	Timeframe Start/End



Appendix 4: Youth Conduct Order Final Conduct Plan (FCP)

6 Motivation to participate in a Youth Conduct Order

Current issues for the child or young person:

Outcomes	Actions to Achieve Outcomes	Agency Responsible	Timeframe Start/End

Approved:
CCSOG Chair (or delegate)
Date:

Signature:
Child/Young Person
Date FCP reviewed:



Appendix 5: Youth Conduct Order Compliance Report

Name of Child / Young Person	
YCO Case Number	
Date of birth	
Gender	
Home Address	
Date approved by CCSOG	
Date approved by Magistrate	

Is this Compliance Report in support of an application relating to non-compliance with a Youth Conduct Order?	Yes/No: Provide Details
Is this Compliance Report in support of an application relating to compliance with a Youth Conduct Order?	Yes/No: Provide Details
Is the recommendation that the child/young person exit the Youth Conduct Orders Scheme?	Yes: An Exit Plan must be completed – see Appendix 1: Exit Plan
Is the recommendation that the child/young person remain on the Youth Conduct Order with same and/or changed conduct provisions?	Yes: Conduct Provisions must be entered – see Appendix 2: Conduct Provisions

Youth Conduct Orders Scheme Directions



Appendix 5: Youth Conduct Order Compliance Report

LEAD & PARTNER AGENCIES

Name	Organisation	Role
Lead		

FAMILY COMPOSITION

Family Member	Name	Age	Address
Mother			
Father			
Child 1			
Child 2			
Child 3			
Child 4			
Other			

FAMILY SUPPORT NETWORK (Significant supports – Non agency):

Name	Relationship	Contact Details



Appendix 5: Youth Conduct Order Compliance Report

Current Youth Conduct Order Positive Conduct Provisions	Responsibility	Timeframe Start/End	Complied/Not Complied Provide Details
Current Youth Conduct Order Conduct Restriction Provisions	Responsibility	Timeframe Start/End	Complied/Not Complied Provide Details



Appendix 5: Youth Conduct Order Compliance Report

Compliance Report Progress Update:	Details:
Has the child/young person made progress?	This may be in relation to the positive conduct and/or conduct restriction provisions in the Youth Conduct Order and/or may be in relation to other goals and plans identified or observed by the Lead Agency? Describe.
Does the child/young person have involvement in pro social relationships? What is the assessment of these in relation to the child/young person's future?	
Is the child/young person involved in positive recreational activities and or organised community groups?	
Is the child/young person attending Education and or Training Programs? Attach Progress Report if available:	
Has the child/young person participated in counselling and/or groups?	
Please note progress around problem solving skills, self awareness, empathy and motivation.	



Appendix 5: Youth Conduct Order Compliance Report

Compliance Report Progress Update:	Details:
Has the child/young person addressed issues around health and wellbeing?	
Has the child/young person and family/significant others participated in a program or service?	
Recommendation: If recommending that the child/young person exits from the Youth Conduct Orders Scheme please complete the attached Exit Plan.	Outline the Reasons for Recommendation:
If recommending that the child/young person continue on the Youth Conduct Order please complete the Agreed Conduct Provisions.	Outline the Reasons for Recommendation:
Please note your name, service or program provider and signature.	Name: Sign: Position/program: Child/Young Person name: Sign:



Appendix 5: Youth Conduct Order Compliance Report

EXIT PLAN:

Exit Plan Strategy	Responsibility	Timeframe



Appendix 5: Youth Conduct Order Compliance Report

CONDUCT PROVISIONS:

Current Youth Conduct Order Positive Conduct Provisions	Responsibility	Timeframe Start/End
Current Youth Conduct Order Conduct Restriction Provisions	Responsibility	Timeframe Start/End

Appendix 6: Case Coordination Senior Officers Group Meeting Guidelines



Case Coordination Senior Officers Group Meeting Guidelines

Introduction

The following Case Coordination Senior Officers Group (CCSOG) Meeting Guidelines have been developed to provide guidance and direction to CCSOG members in fulfilling their role and responsibilities within the Youth Conduct Orders (YCO) Scheme and the requirements of the *Children (Criminal Proceedings) Act 1987* and the *Children (Criminal Proceedings) Regulation 2005*.

Some sections of these Guidelines are based on legislative Scheme Directions for the operations of the CCSOG and therefore use the word “must”. Any section that uses the word “must” is a procedure rather than a guideline and must be adhered to.

1 CCSOG Membership:

1.1 For the purposes of transacting any of its business, each CCSOG must be constituted as follows:

- a) one Police officer nominated in writing by the Commissioner of Police (or his or her delegate) to represent the NSW Police Force (NSWPF);
- b) at least two persons (but not more than 5) nominated in writing by the Director – General of the Department of Human Services (or his or her delegate) to represent the Department;
- c) one person nominated in writing by the Director General of the Department of Education and Training (DET) (or his or her delegate) to represent DET;
- d) one person nominated in writing by the Director-General of DET (or his or her delegate) to represent the TAFE Commission, but only if the Director-General considers it appropriate to have a representative from TAFE Commission on the particular CCSOG;
- e) one person nominated in writing by the Chief Executive of an area health service (or his or her delegate), being an area health service that is designated by the Director General of DPC as the appropriate area health service to make the nomination for the Group; and

- f) such other persons (if any) as may be nominated in writing by the following heads of government agencies (or their delegates) to represent the agency of which they are the head:
- Director-General of Communities NSW;
 - Director-General of the Department of Justice and Attorney General;
 - Director-General of Premier and Cabinet;
 - Director-General of the Department of Health;
 - Chief Executive of Justice Health.

1.2 The Chairperson must keep copies of the written nominations of persons to be members.

1.3 The Quorum for a meeting of the CCSOG is at least the following five members of the group (as per 1.1)

- NSW Police Force
- Department of Education and Training
- NSW Area Health
- Two members from the Department of Human Services

2 CCSOG Chairperson

2.1 Meetings of the CCSOG must be chaired by the Chairperson.

2.2 The Chairperson of the CCSOG is appointed by the Director-General of DPC from the members of the group.

2.3 If the Chairperson is unable to attend or is temporarily absent, the position of “presiding member” is nominated by the CCSOG meeting members present and minuted.

3 Role and Functions

3.1 The role of the CCSOG is to oversee the development, implementation, monitoring and review of an integrated case management response to children and young people and their families or carers who are subject to the YCO Scheme or the Anti-Social Behaviour Pilot Project (ASBPP).

3.2 The CCSOG membership comprises senior officers from the relevant human services and justice agencies operating locally. Both the YCO Scheme and the ASBPP which operates concurrently are managed by the same CCSOG. The YCO Scheme focuses on children and young people who have progressed further along the offending path than those involved in the ASBPP.

3.3 The functions of the CCSOG are to oversee:

- Preparation and approval of Stage One and Two Suitability Assessments
- Preparation and approval of Interim Conduct Plans
- Preparation and approval of Final Conduct Plans

- Preparation and approval of Compliance Reports
- Preparation and approval of Scheme Operation Reports
- Monitoring and review of the YCO Scheme and the ASBPP

4 Secretariat Role

4.1 Unless otherwise determined by the CCSOG, the Secretariat support to the CCSOG will be provided by the Case Coordinator.

5 Convening Meetings

5.1: The Chairperson of the CCSOG must ensure that the CCSOG meeting is convened as soon as is possible following notification from the Children's Court Magistrate that a Referral for a Suitability Assessment Order has been made.

5.2: NB: The Suitability Assessment must be completed within 7 days (or such further period as the Children's Court may allow) after the CCSOG is notified of the Suitability Assessment Order.

6 Suitability Assessments

6.1 Unless otherwise determined by the CCSOG, the Stage One Suitability Assessment and the Draft Interim Conduct Plan (ICP) are prepared for the approval of the CCSOG by the Case Coordinator and must be submitted to the CCSOG within a timeframe stipulated by the CCSOG and prior to the CCSOG meeting.

6.2 It is the responsibility of the CCSOG to identify the Lead Agency as part of the Stage One Assessment.

6.3 Unless otherwise determined by the CCSOG, the Stage Two Suitability Assessment and Draft Final Conduct Plan (FCP) are prepared by the Case Coordinator in conjunction with a suitably qualified person nominated by the Lead Agency for the approval of the CCSOG. These documents must be submitted within a timeframe stipulated by the CCSOG and prior to the CCSOG meeting.

6.4 The CCSOG agenda and briefing notes for each agenda item are prepared by the Secretariat. These briefing notes take into account all last-minute additional information and are provided to the Chairperson shortly before the CCSOG meeting. If the Chairperson requires, a briefing meeting is arranged by the Secretariat at a convenient time prior to the meeting.

6.5 CCSOG members who wish to raise an issue in relation to a proposed ICP or FCP must provide case documentation to support the discussion.

7 Preliminary procedural matters

7.1 The Chairperson, prior to the conduct of formal business, attends to the following preliminary matters:

- Opening remarks, including welcoming new members and recording apologies.
- Confirmation of the Minutes of the previous meeting and any other unconfirmed Minutes or out-of-session authorisations.
- Confirmation that all matters arising from Minutes of previous meetings have been dealt with.
- Adoption of the agenda and seeking special requests from members regarding placement of items.

8 Decision making

- 8.1** The preferred decision making method is that CCSOG members will reach decisions by consensus. It is the role of the Chairperson to facilitate decision making by consensus where possible.
- 8.2** It is important to note that all decisions in relation to ICPs and FCPs must be made and be justifiable as being made in the best interests and well being of the child or young person and their family, based on the evidence contained in the Stage One and Stage Two Assessment.
- 8.3** The CCSOG must only be considered to have reached a decision if the decision is supported by the majority of the votes cast at a meeting where the Quorum (as outlined in 1.3) is present.
- 8.4** Where decision making by consensus is not possible, the Chairperson must have a deliberative vote and, in the event of an equality of votes, has a second or casting vote.

9 Media

- 9.1** The Chairperson of the CCSOG and members of the CCSOG are not designated spokespersons for the YCO Scheme or ASBPP. Any media related queries and/or incidents or issues with media interest must be referred to the Program Delivery Branch, Government Coordination Division, DPC for coordination of a response.

10 Minuting and follow-up actions

- 10.1** The Secretariat is responsible for the production and distribution of draft Minutes to CCSOG members within ten working days of the meeting.
- 10.2** The Chairperson must ensure that the name of each person attending the CCSOG meeting is noted in the Minutes.
- 10.3** Comments and suggested amendments to the draft Minutes are then provided to the Secretariat. On receipt of comments and suggested amendments, the Secretariat liaises with the Chairperson regarding revised draft Minutes, which are forwarded as final Minutes to CCSOG members according to the normal distribution formula.
- 10.4** For formal confirmation, the final version is included in the set of agenda papers for the subsequent major meeting of the CCSOG.



Independent Pricing and Regulatory Tribunal

Review of fares for rural and regional buses from January 2010

Maximum fares for regular bus passenger services in rural and regional areas

Transport — Determination
December 2009

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The Tribunal members for this review are:

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Independent Pricing and Regulatory Tribunal

Rural and Regional Bus Services

Determination No. 11, 2009

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Preliminary

1 Background

1.1 Passenger Transport Act 1990 (NSW)

- (a) Section 28J(2) of the *Passenger Transport Act 1990* (NSW) (the **Passenger Transport Act**) permits IPART to conduct investigations and make reports to the Minister on the determination of maximum fares for Regular Bus Services supplied under a Bus Service Contract.
- (b) Rural Bus Services and Country Town Bus Services are supplied under a Bus Service Contract (**Regulated Bus Services**).
- (c) In investigating and reporting on the maximum fares for Regulated Bus Services, IPART has had regard to a broad range of matters, including the criteria set out in section 28J(5) of the Passenger Transport Act.
- (d) By section 28J(6) of the Passenger Transport Act, a Bus Service Contract is taken to include a term that a passenger must not be charged a fare exceeding the relevant maximum fare determined under section 28J of the Passenger Transport Act.

2 Application of this determination

This determination:

- (a) sets the maximum fares for all Regulated Bus Services;
- (b) commences on the later of 3 January 2010 and the date that it is published in the NSW Government Gazette (**Commencement Date**); and
- (c) applies from the Commencement Date to the date on which this determination is replaced.

3 Schedules

- (a) Schedule 1 and the table in that schedule set out the maximum fares for Rural Bus Services.
- (b) Schedule 2 and the table in that schedule set out the maximum fares for Country Town Bus Services.
- (c) Schedule 3 sets out the definitions and interpretation provisions.

Schedule 1 Maximum fares for Rural Bus Services

1 Application

This schedule sets the maximum fares for Rural Bus Services.

2 Maximum fares for Rural Bus Services

The maximum fares that may be charged by Bus Operators for Rural Bus Services are set out in Table 1.

Table 1

Table 1 Maximum fares^a for tickets for Rural Bus Services

Single Ride Ticket	Adult Fare	Concession Fare
1 Section	\$2.60	\$1.30
2 Sections	\$3.80	\$1.90
3 Sections	\$4.80	\$2.40
4 Sections	\$5.70	\$2.80
5 Sections	\$6.40	\$3.20
6 Sections	\$7.10	\$3.50
7 Sections	\$7.70	\$3.80
8 Sections	\$8.30	\$4.10
9 Sections	\$8.90	\$4.40
10 Sections	\$9.40	\$4.70
11 Sections	\$9.90	\$4.90
12 Sections	\$10.40	\$5.20
13 Sections	\$10.90	\$5.40
14 Sections	\$11.30	\$5.60
15 Sections	\$11.80	\$5.90
16 Sections	\$12.20	\$6.10
17 Sections	\$12.60	\$6.30
18 Sections	\$13.00	\$6.50
19 Sections	\$13.50	\$6.70
20 Sections	\$13.80	\$6.90
21 Sections	\$14.20	\$7.10
22 Sections	\$14.60	\$7.30
23 Sections	\$15.00	\$7.50
24 Sections	\$15.30	\$7.60
25 Sections	\$15.70	\$7.80
26 Sections	\$16.00	\$8.00
27 Sections	\$16.40	\$8.20
28 Sections	\$16.70	\$8.30
29 Sections	\$17.00	\$8.50
30 Sections	\$17.30	\$8.60
31 Sections	\$17.60	\$8.80
32 Sections	\$18.00	\$9.00
33 Sections	\$18.30	\$9.10
34 Sections	\$18.60	\$9.30
35 Sections	\$18.90	\$9.40
36 Sections	\$19.20	\$9.60
37 Sections	\$19.50	\$9.70
38 Sections	\$19.80	\$9.90

Table 1

39 Sections	\$20.10	\$10.00
40 Sections	\$20.30	\$10.10
41 Sections	\$20.60	\$10.30
42 Sections	\$20.90	\$10.40
43 Sections	\$21.20	\$10.60
44 Sections	\$21.50	\$10.70
45 Sections	\$21.70	\$10.80
46 Sections	\$22.00	\$11.00
47 Sections	\$22.20	\$11.10
48 Sections	\$22.50	\$11.20
49 Sections	\$22.80	\$11.40
50 Sections	\$23.00	\$11.50
51 Sections	\$23.30	\$11.60
52 Sections	\$23.50	\$11.70
53 Sections	\$23.80	\$11.90
54 Sections	\$24.00	\$12.00
55 Sections	\$24.30	\$12.10
56 Sections	\$24.50	\$12.20
57 Sections	\$24.80	\$12.40
58 Sections	\$25.00	\$12.50
59 Sections	\$25.20	\$12.60
60 Sections	\$25.50	\$12.70
61 Sections	\$25.70	\$12.80
62 Sections	\$25.90	\$12.90
63 Sections	\$26.10	\$13.00
64 Sections	\$26.40	\$13.20
65 Sections	\$26.60	\$13.30
66 Sections	\$26.90	\$13.40
67 Sections	\$27.10	\$13.50
68 Sections	\$27.30	\$13.60
69 Sections	\$27.50	\$13.70
70 Sections	\$27.70	\$13.80

^a Children under the age of 4 years are entitled to travel free on all Rural Bus Services.

Schedule 2 Maximum fares for Country Town Bus Services

1 Application

This schedule sets the maximum fares for Country Town Bus Services.

2 Maximum fares for Country Town Bus Services

The maximum fares that may be charged by Bus Operators for Country Town Bus Services are set out in Table 2.

Table 2

Table 2 Maximum fares^a for tickets for Country Town Bus Services

Single Ride Ticket	Adult Fare	Concession Fare
1 Section	\$2.10	\$1.00
2 Sections	\$3.00	\$1.50
3 Sections	\$3.80	\$1.90
4 Sections	\$4.50	\$2.20
5 Sections	\$5.00	\$2.50
6 Sections	\$5.60	\$2.80
7 Sections	\$6.10	\$3.00
8 Sections	\$6.60	\$3.30
9 Sections	\$7.00	\$3.50
10 Sections	\$7.50	\$3.70
11 Sections	\$7.80	\$3.90
12 Sections	\$8.20	\$4.10
13 Sections	\$8.60	\$4.30
14 Sections	\$9.00	\$4.50
15 Sections	\$9.30	\$4.60
16 Sections	\$9.60	\$4.80
17 Sections	\$10.00	\$5.00
18 Sections	\$10.30	\$5.10
19 Sections	\$10.60	\$5.30
20 Sections	\$10.90	\$5.40
21 Sections	\$11.20	\$5.60
22 Sections	\$11.60	\$5.80
23 Sections	\$11.80	\$5.90
24 Sections	\$12.10	\$6.00
25 Sections	\$12.40	\$6.20
26 Sections	\$12.60	\$6.30
27 Sections	\$12.90	\$6.40
28 Sections	\$13.20	\$6.60
29 Sections	\$13.40	\$6.70
30 Sections	\$13.70	\$6.80
31 Sections	\$13.90	\$6.90
32 Sections	\$14.20	\$7.10
33 Sections	\$14.40	\$7.20
34 Sections	\$14.70	\$7.30
35 Sections	\$14.90	\$7.40
36 Sections	\$15.20	\$7.60
37 Sections	\$15.40	\$7.70
38 Sections	\$15.60	\$7.80

Table 2

39 Sections	\$15.80	\$7.90
40 Sections	\$16.10	\$8.00
41 Sections	\$16.30	\$8.10
42 Sections	\$16.50	\$8.20
43 Sections	\$16.70	\$8.30
44 Sections	\$16.90	\$8.40
45 Sections	\$17.10	\$8.50
46 Sections	\$17.40	\$8.70
47 Sections	\$17.60	\$8.80
48 Sections	\$17.80	\$8.90
49 Sections	\$18.00	\$9.00
50 Sections	\$18.20	\$9.10
51 Sections	\$18.40	\$9.20
52 Sections	\$18.60	\$9.30
53 Sections	\$18.80	\$9.40
54 Sections	\$19.00	\$9.50
55 Sections	\$19.10	\$9.50
56 Sections	\$19.40	\$9.70
57 Sections	\$19.50	\$9.70
58 Sections	\$19.80	\$9.90
59 Sections	\$19.90	\$9.90
60 Sections	\$20.10	\$10.00
61 Sections	\$20.30	\$10.10
62 Sections	\$20.50	\$10.20
63 Sections	\$20.70	\$10.30
64 Sections	\$20.80	\$10.40
65 Sections	\$21.10	\$10.50
66 Sections	\$21.20	\$10.60
67 Sections	\$21.40	\$10.70
68 Sections	\$21.50	\$10.70
69 Sections	\$21.70	\$10.80
70 Sections	\$21.90	\$10.90

^a Children under the age of 4 years are entitled to travel free on Country Town Bus Services.

Schedule 3 Definitions and interpretation

1 Definitions

1.1 General definitions

In this determination:

Adult Fare means the maximum fare that may be charged to a person who is aged 16 years or over.

Bus Operator means a bus operator who holds a Bus Service Contract.

Bus Service Contract means a contract with the Director-General of NSW Transport and Infrastructure under Division 3 of Part 3 of the Passenger Transport Act for the provision of a Regular Bus Service.

Commencement Date means the Commencement Date defined in clause 2(b) (Application of this determination) of the Preliminary section of this determination.

Concession Fare means the maximum fare that may be charged to a person who:

- (a) is aged between 4 and 15 years; or
- (b) is aged 16 years or over and is the holder of a valid concession card of a type that has been approved by NSW Transport and Infrastructure.

Country Town Contract Region means a region marked as a "Contract B Service Region" in the maps numbered 1 to 51 in Appendix B to this determination.

Country Town Bus Route means a bus service provided pursuant to a Bus Service Contract that travels:

- (a) between Coffs Harbour and Sawtell; or
- (b) between North Nowra and Bomaderry.

Country Town Bus Service means a Regular Bus Service where:

- (a) the origin and destination of the passenger's journey is within the boundary of a Country Town Contract Region; or
- (b) the passenger's journey is solely on a Country Town Bus Route.

GST means the Goods and Services Tax as defined in *A New Tax System (Goods and Services Tax) Act 1999* (Cth).

IPART means the Independent Pricing and Regulatory Tribunal of New South Wales established under the IPART Act.

IPART Act means the *Independent Pricing and Regulatory Tribunal Act 1992* (NSW).

Metro and Outer Metro Contract Region Map means the map attached as Appendix A to this determination.

Metro Bus Contract Region means the regions numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 and labelled "Metro Bus Contract/Region" in the Metro and Outer Metro Contract Region Map.

Ministry of Transport means the New South Wales government department of that name which had primary responsibility for transport policy, planning and coordination prior to the formation of NSW Transport and Infrastructure.

NSW Transport and Infrastructure means the New South Wales government department of that name established on 1 July 2009 with primary responsibility for transport policy, planning and coordination and includes a reference to the Ministry of Transport.

Outer Metro Bus Contract Region means the regions numbered 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 and labelled "Outer Metro Bus Contract/Region" in the Metro and Outer Metro Contract Region Map.

Passenger Transport Act means the *Passenger Transport Act 1990* (NSW).

Regular Bus Service has the meaning given to that term in the Passenger Transport Act.

Regulated Bus Services means the services defined in clause 1.1(b) of the section of this determination entitled "Preliminary".

Rural and Regional Contract Region means all areas of New South Wales other than a Metro Bus Contract Region and an Outer Metro Bus Contract Region.

Rural Bus Service means a Regular Bus Service in a Rural and Regional Contract Region that is not a Country Town Bus Service.

Section means a distance of approximately 1.6 kilometres into which a bus route is divided up for ticketing purposes.

2 Interpretation

2.1 General provisions

In this determination:

- (a) headings are for convenience only and do not affect the interpretation of this determination;
- (b) a reference to a schedule, annexure, clause or table is a reference to a schedule, annexure, clause or table in this determination;
- (c) words importing the singular include the plural and vice versa;
- (d) a reference to a law or statute includes all amendments or replacements of that law or statute;
- (e) a reference to a person includes a company, partnership, joint venture, association, corporation, other body corporate or government agency;
- (f) a reference to an officer includes a reference to the officer who replaces him or her, or who substantially succeeds to his or her powers or functions; and
- (g) a reference to a body, whether statutory or not:
 - (1) which ceases to exist; or
 - (2) whose powers or functions are transferred to another body,

is a reference to the body which replaces it or which substantially succeeds to its powers or functions.

2.2 Explanatory notes and clarification notice

- (a) Explanatory notes do not form part of this determination, but in the case of uncertainty may be relied on for interpretation purposes.
- (b) IPART may publish a clarification notice in the NSW Government Gazette to correct any manifest error in this determination as if that clarification notice formed part of this determination.

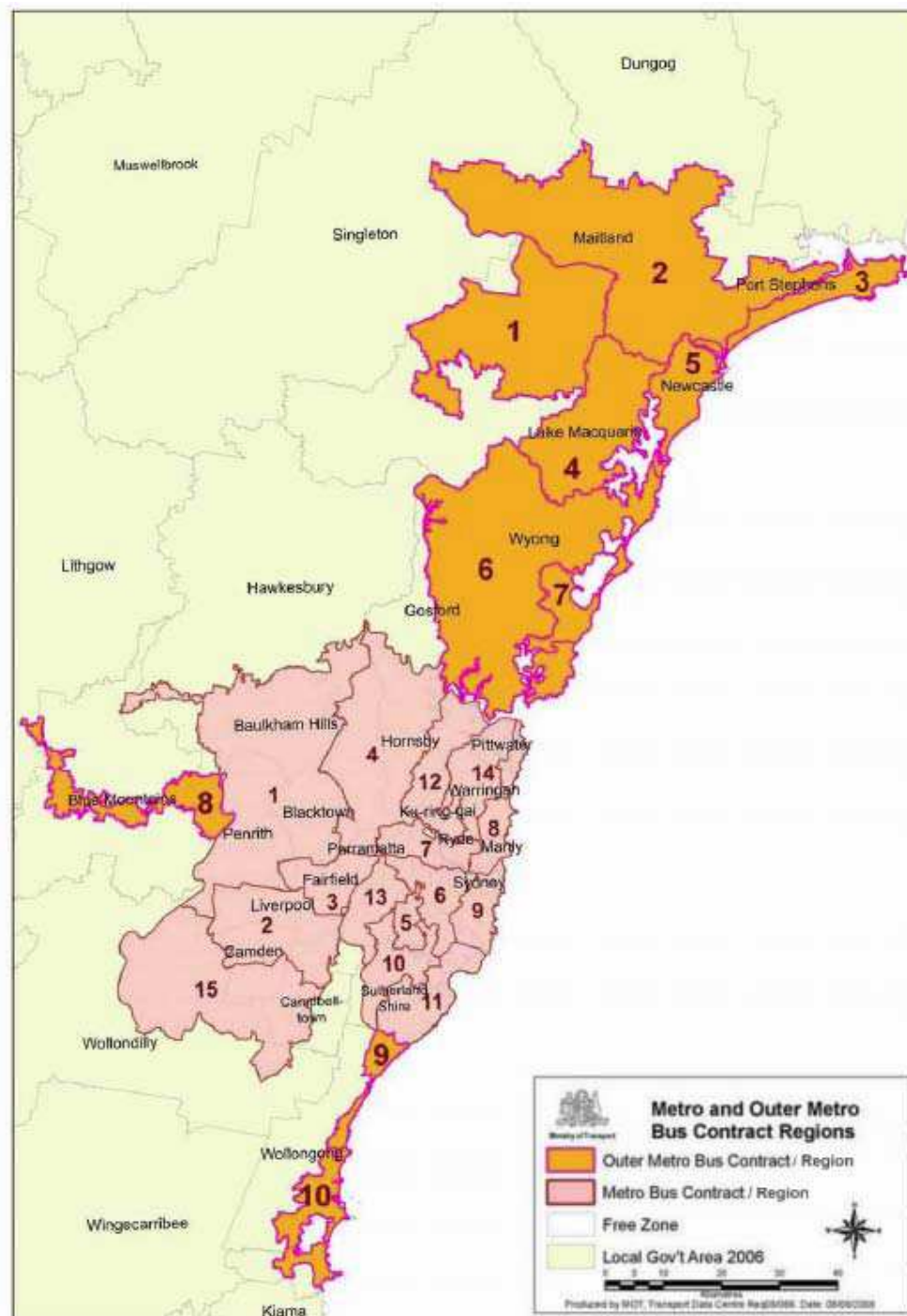
2.3 Fares inclusive of GST

Fares specified in this determination include GST.



Appendices

A Metro and Outer Metro Contract Region Map

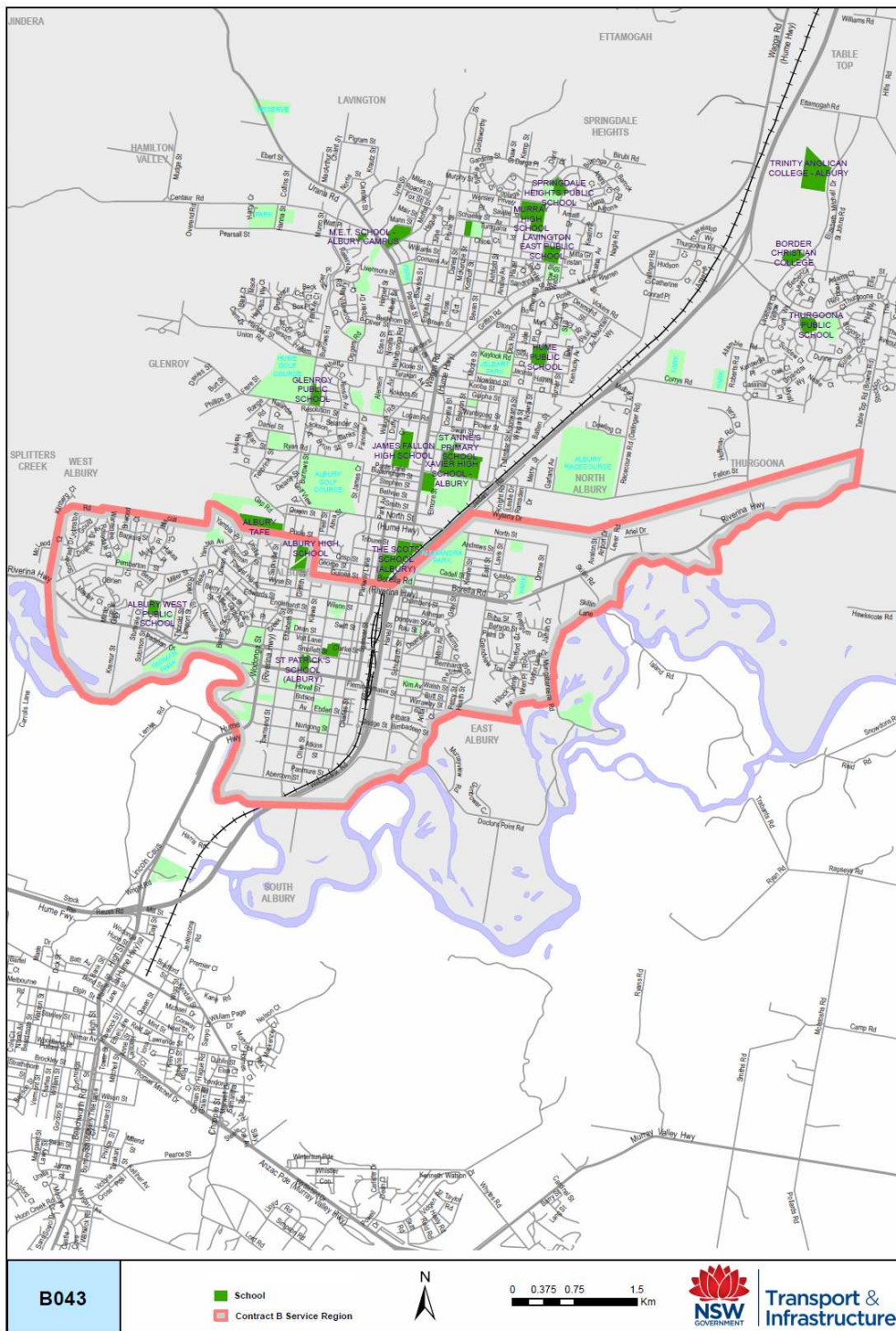


Note: A Rural and Regional Contract Region is an area of New South Wales that is not a Metro Bus Contract Region or an Outer Metro Bus Contract Region.

B Country Town Contract Region Maps

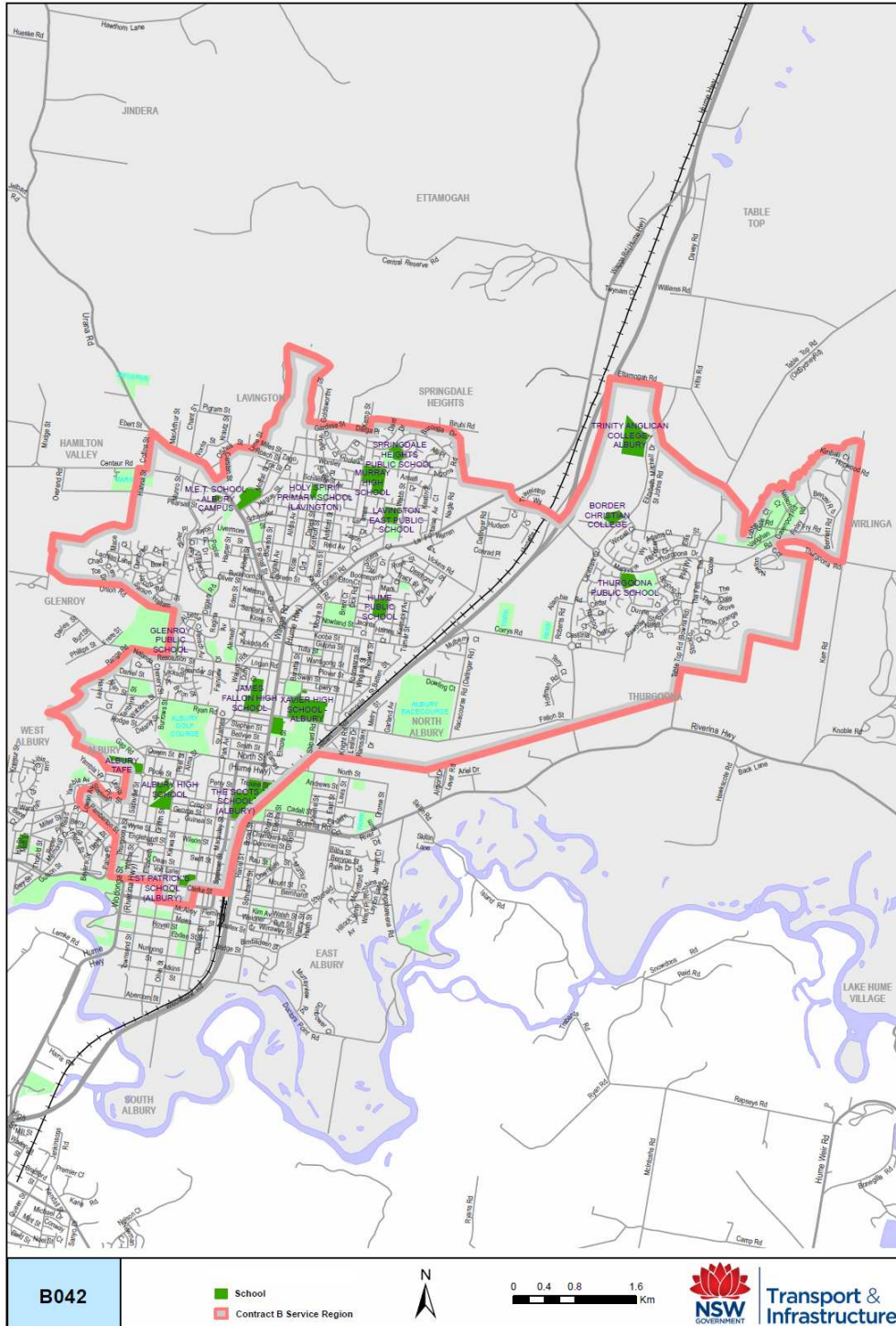
B Country Town Contract Region Maps

Map 1: Albury (A)



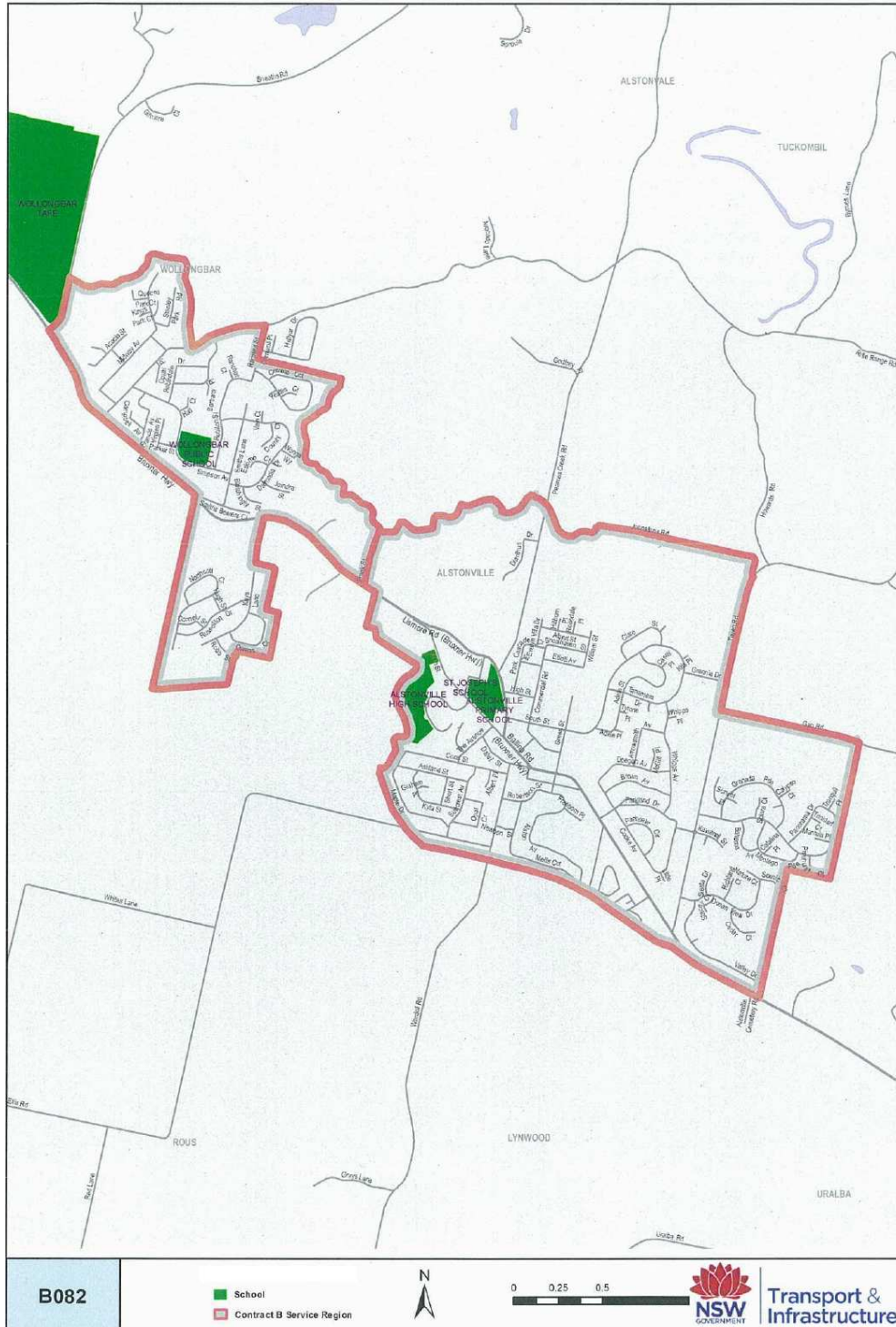
B Country Town Contract Region Maps

Map 2: Albury (B)



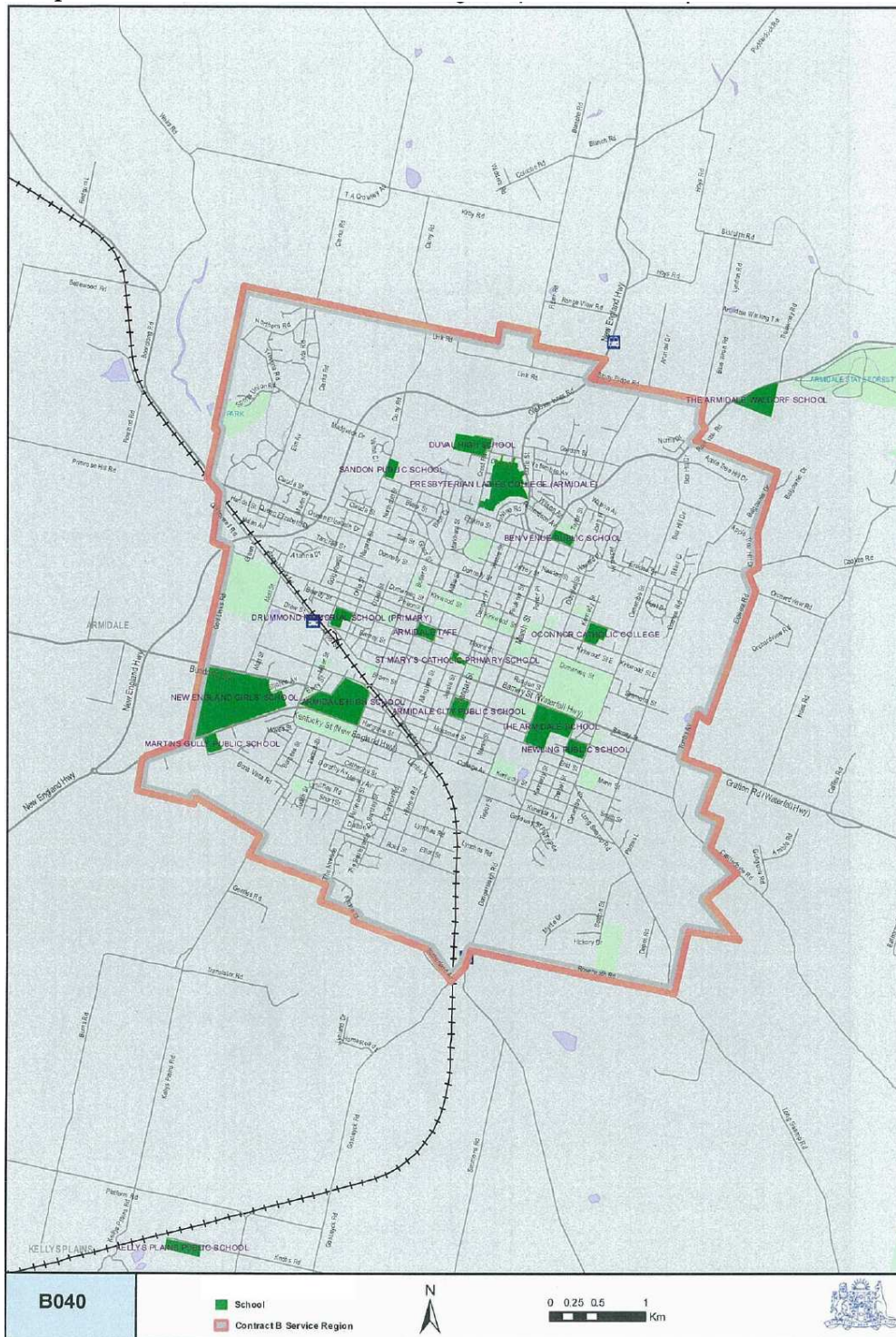
B Country Town Contract Region Maps

Map 3: Alstonville - Wollongbar



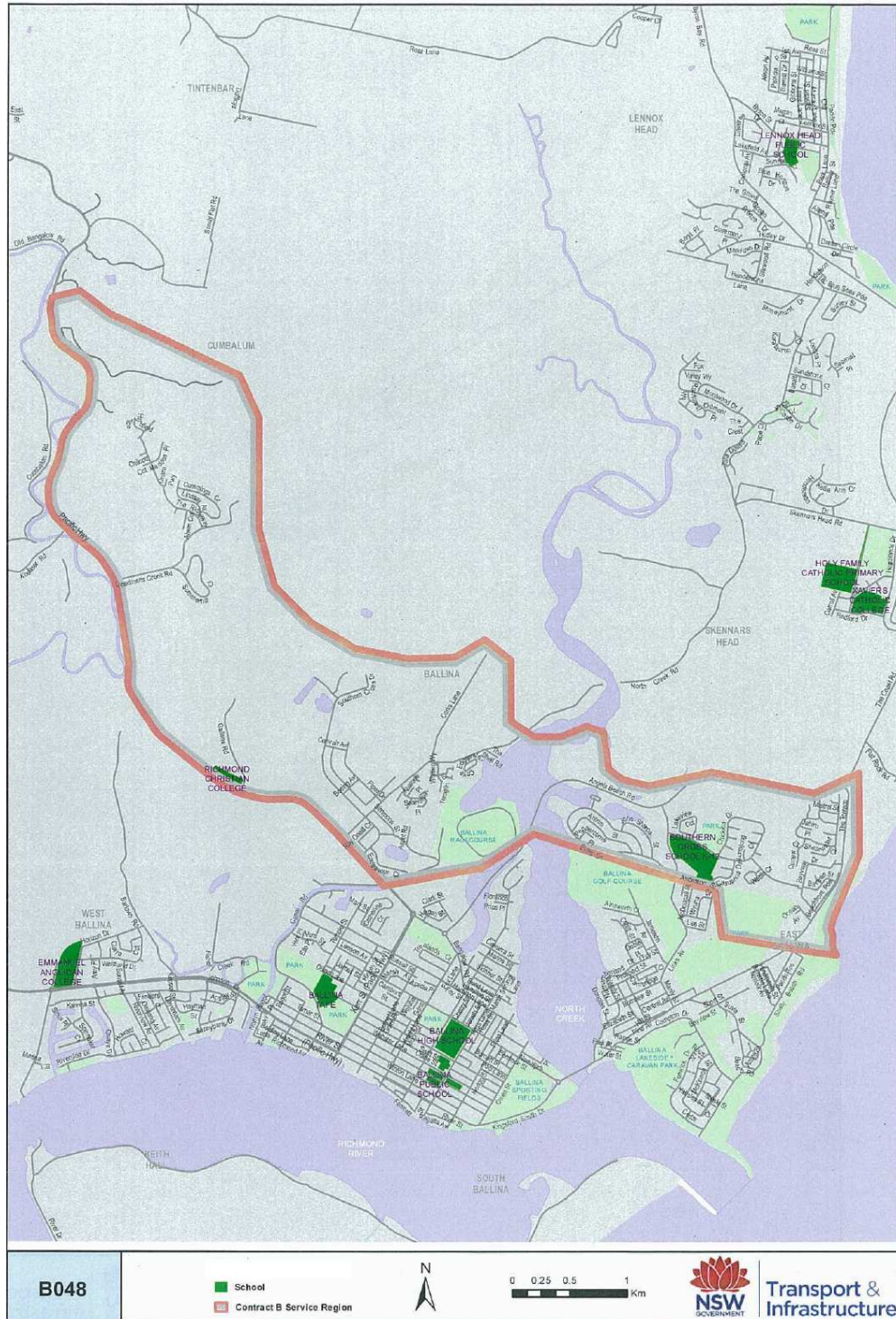
B Country Town Contract Region Maps

Map 4: Armidale



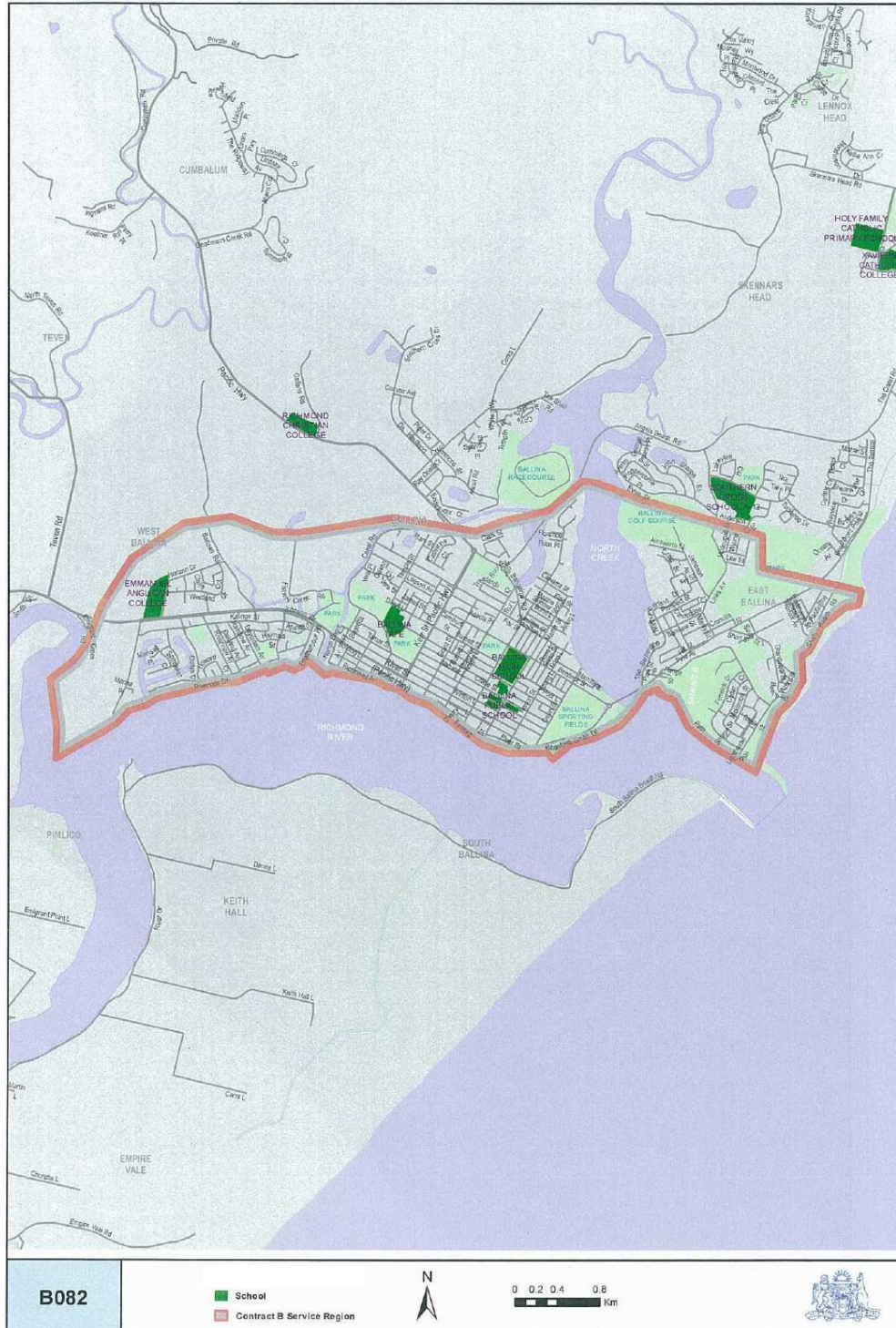
B Country Town Contract Region Maps

Map 5: Ballina (A)



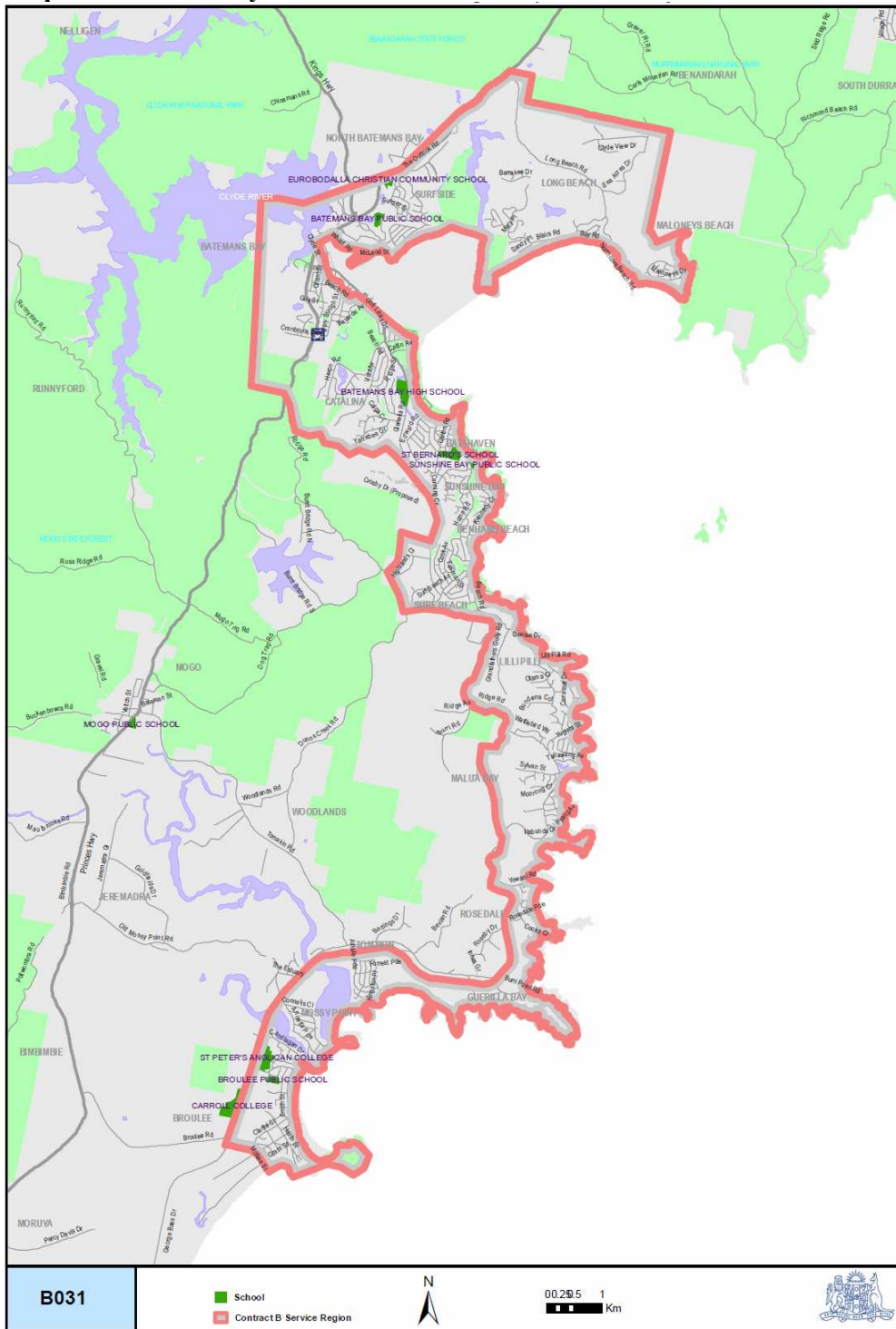
B Country Town Contract Region Maps

Map 6: Ballina (B)



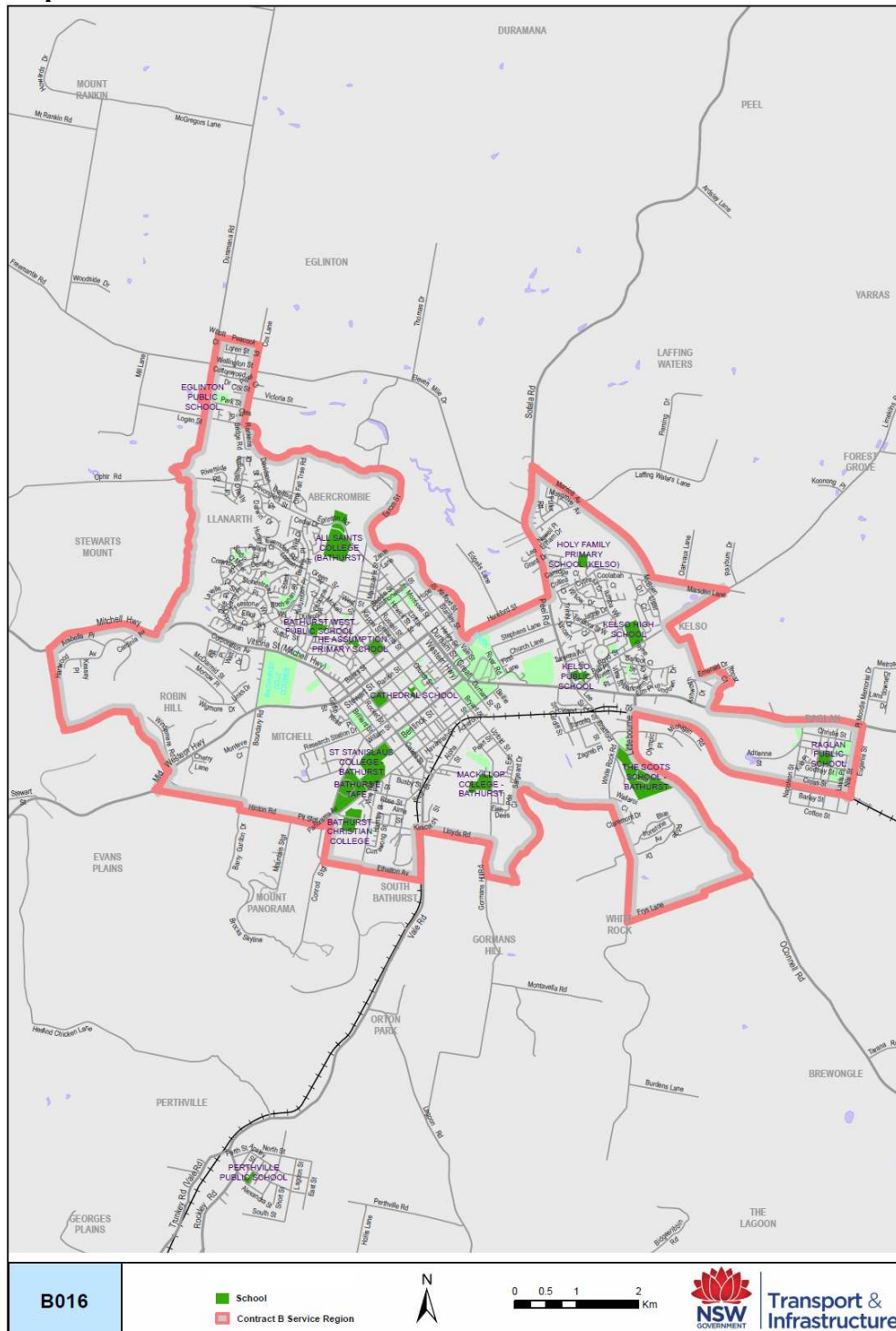
B Country Town Contract Region Maps

Map 7: Batemans Bay



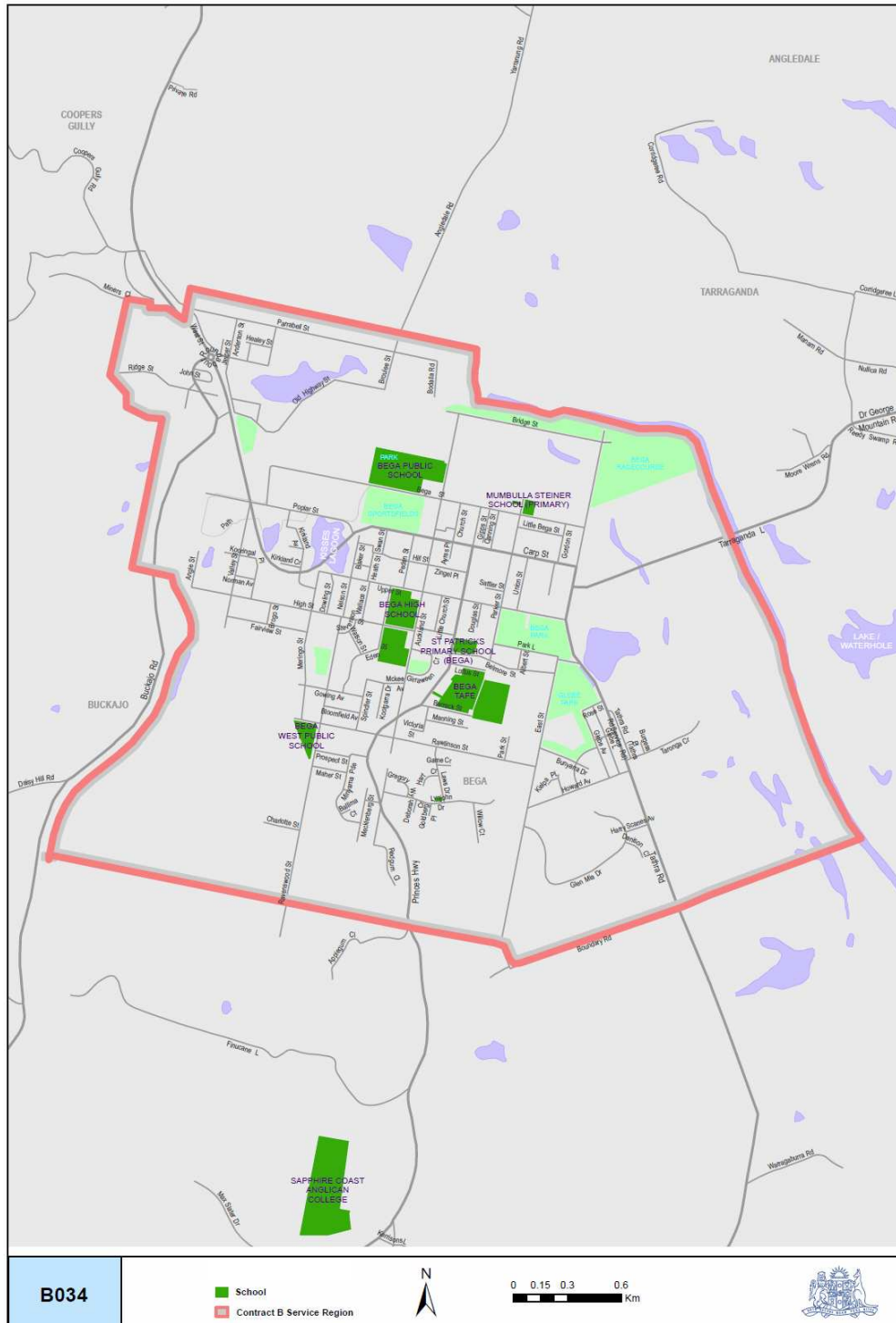
B Country Town Contract Lane Region Maps

Map 8: Bathurst



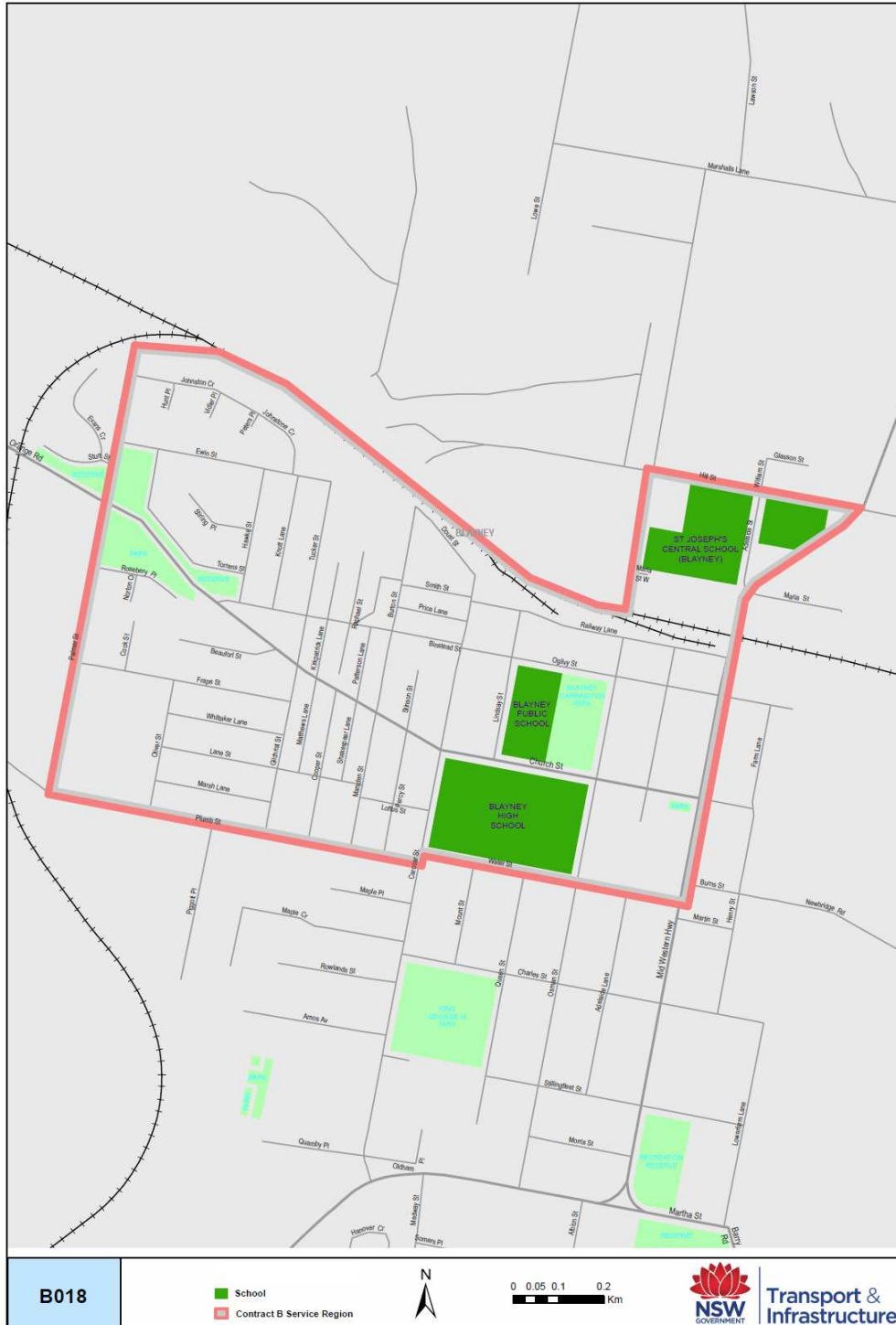
B Country Town Contract Region Maps

Map 9: Bega

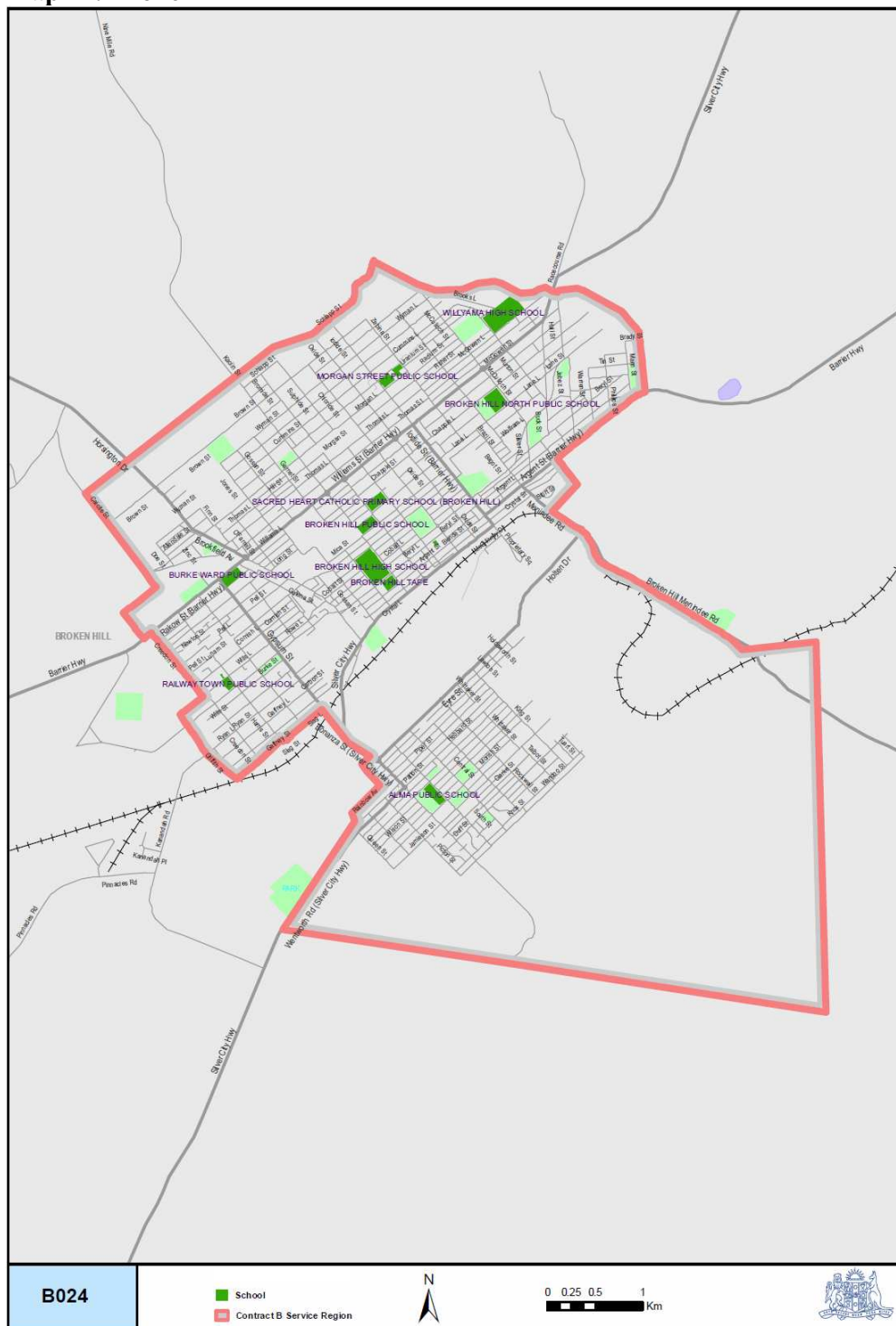


B Country Town Contract Region Maps

Map 10: Blayney

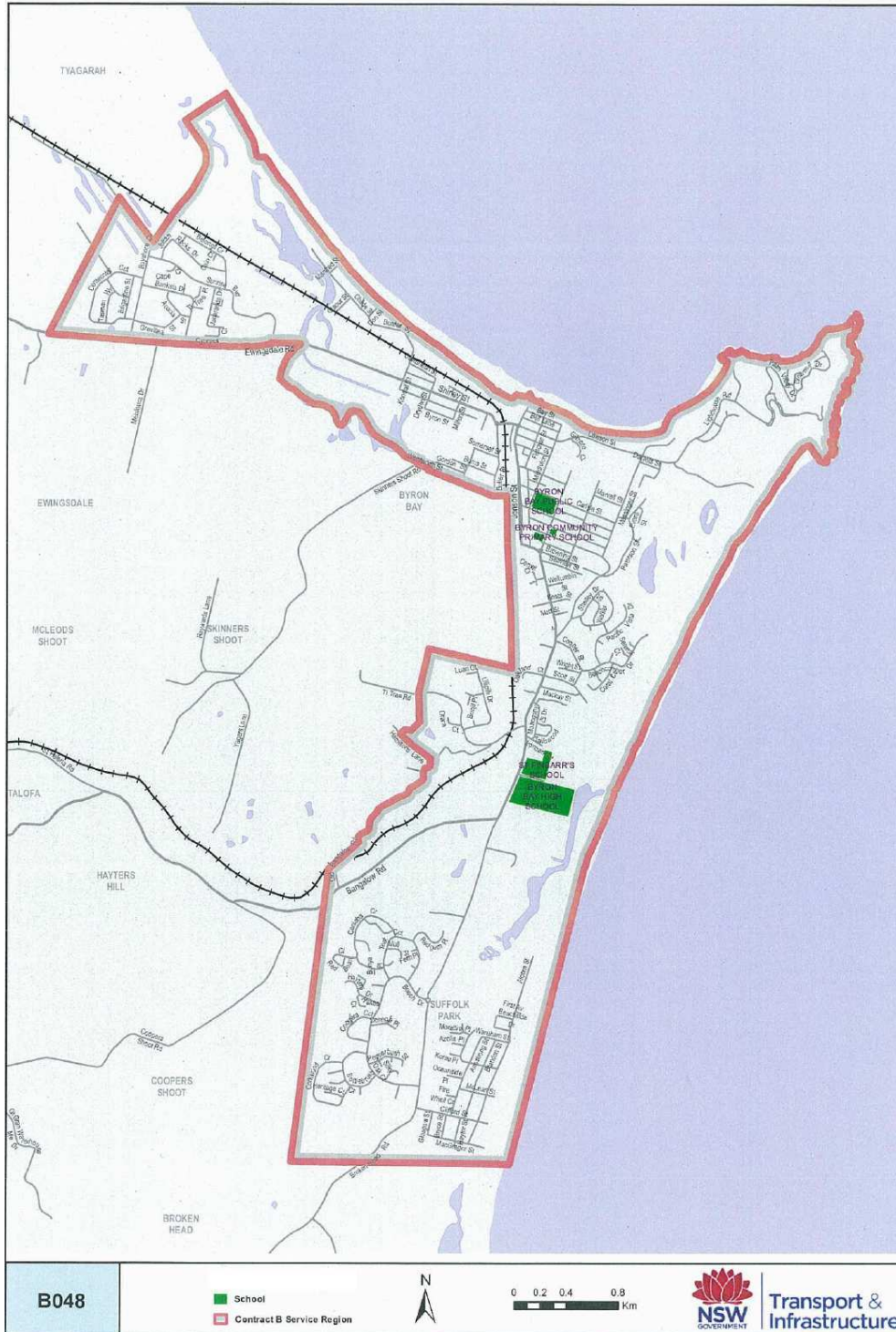


Map 11: Broken Hill

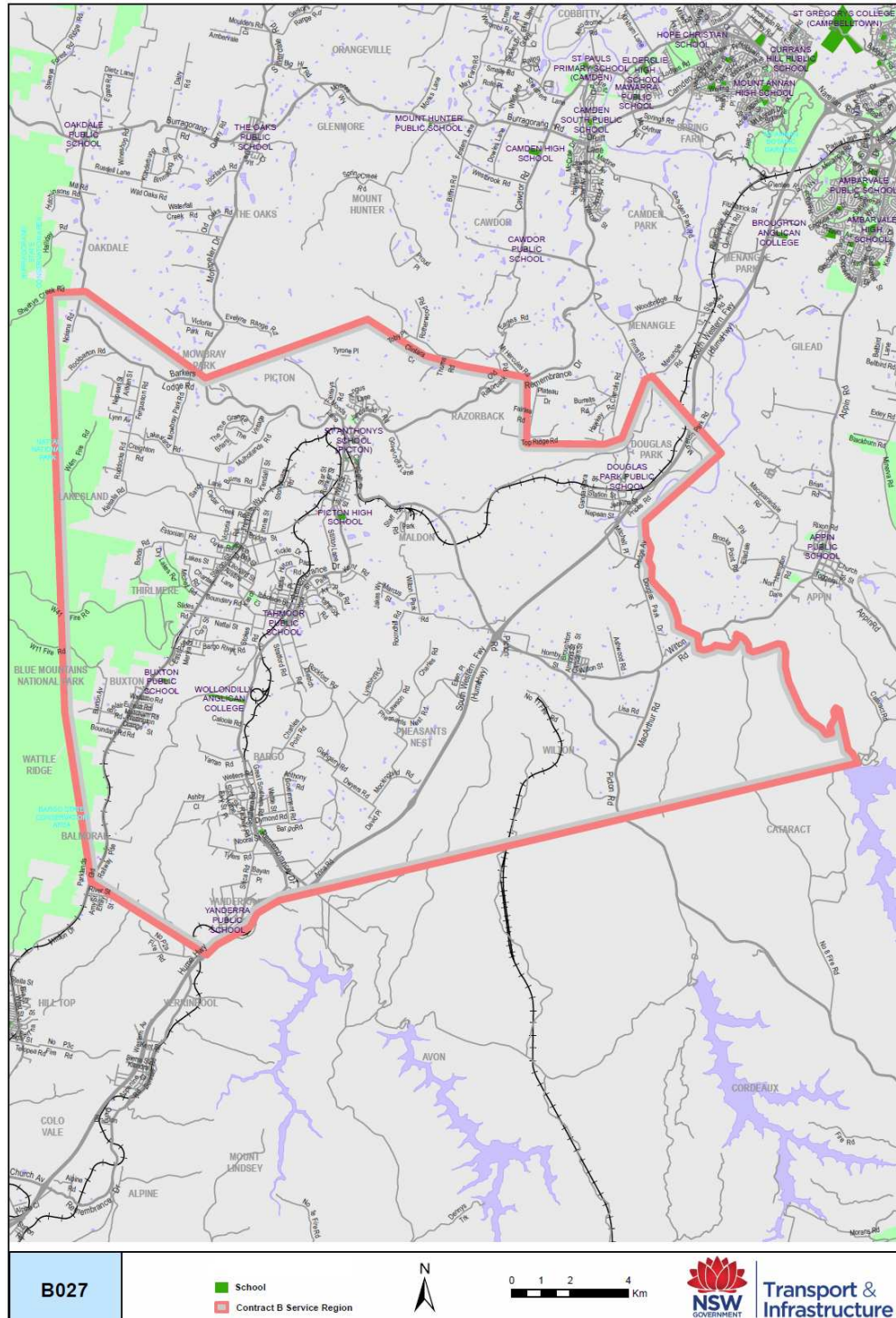


B Country Town Contract Region Maps

Map 12: Byron Bay

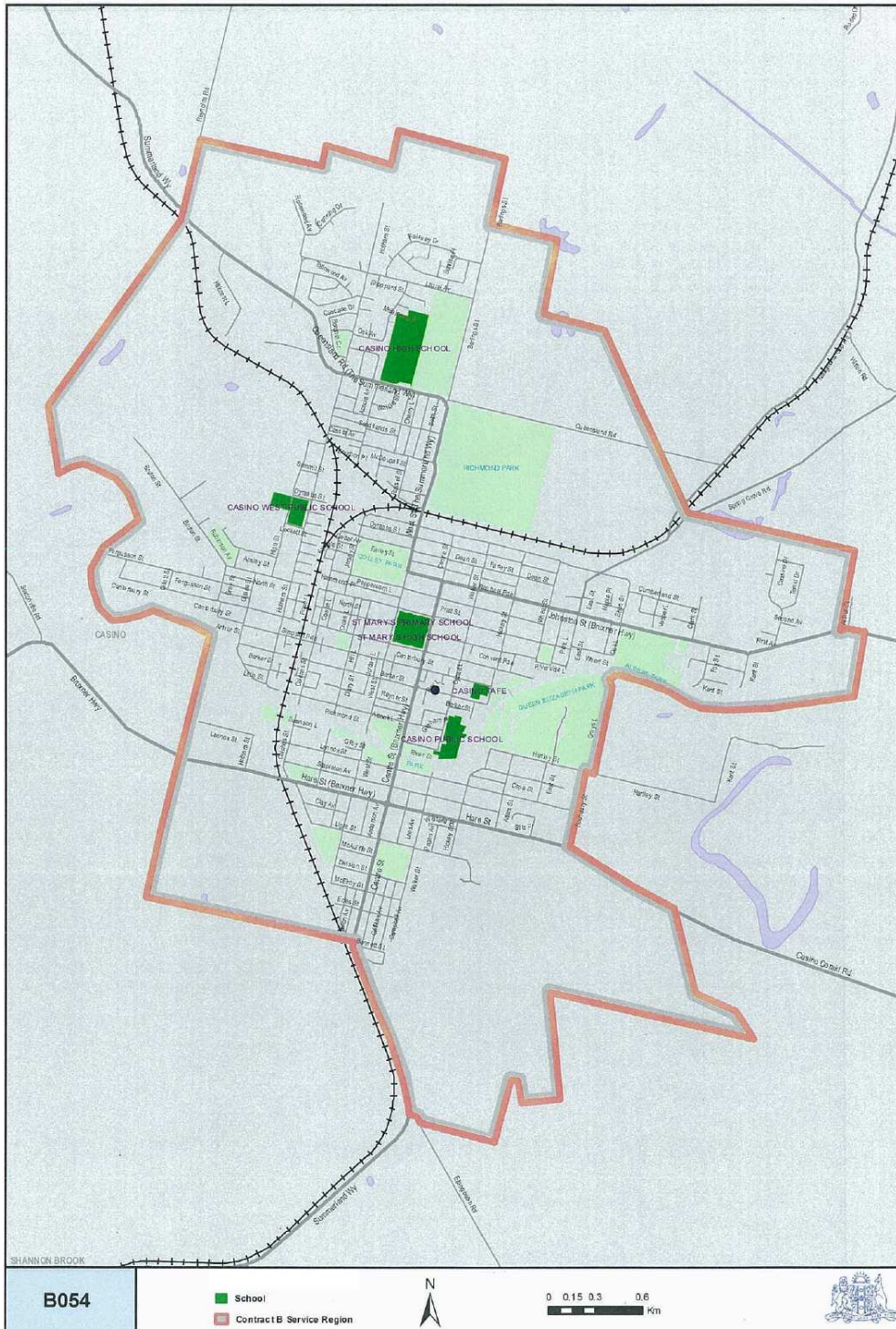


Map 13: Camden – Picton - Campbelltown

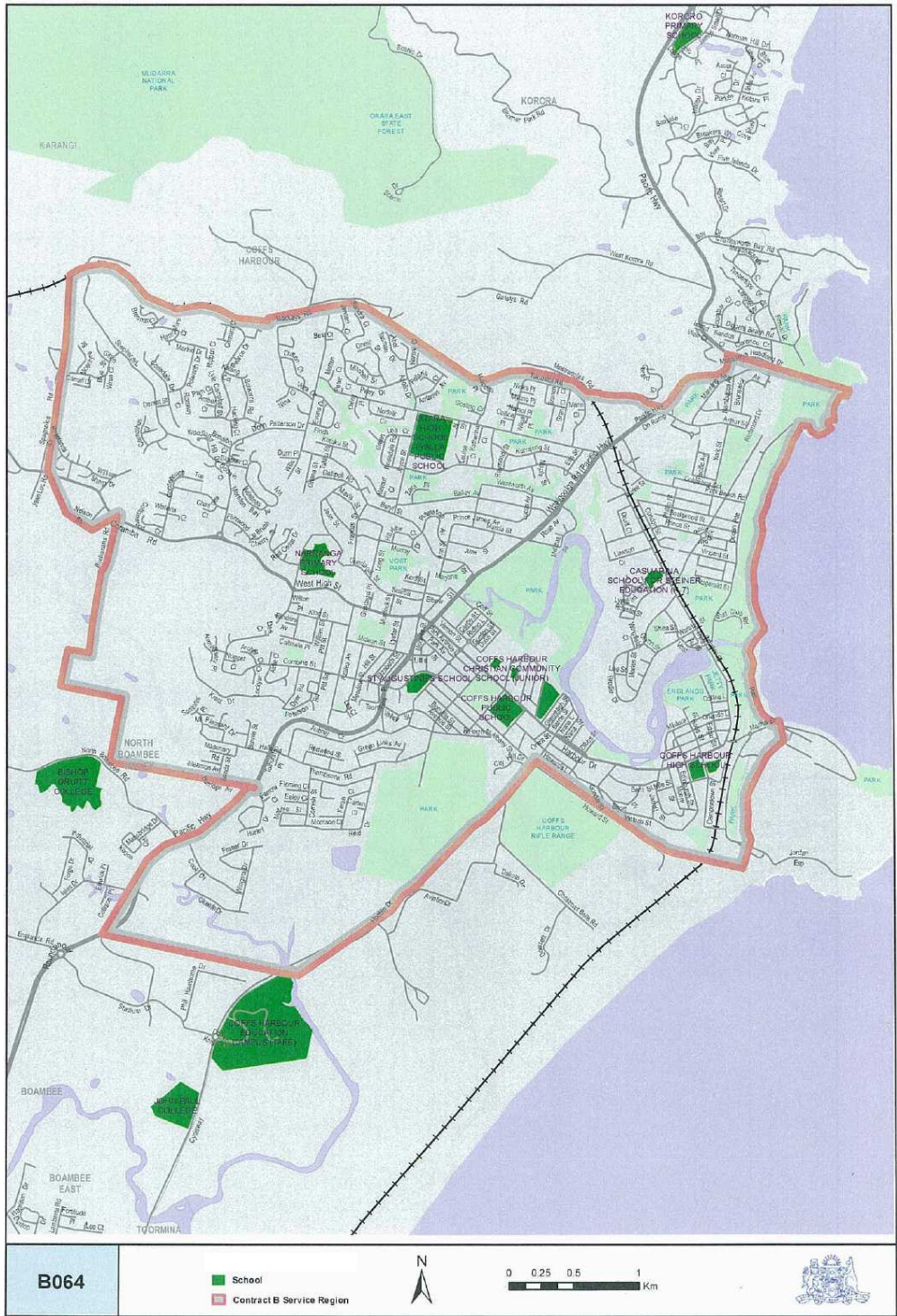


B Country Town Contract Region Maps

Map 14: Casino

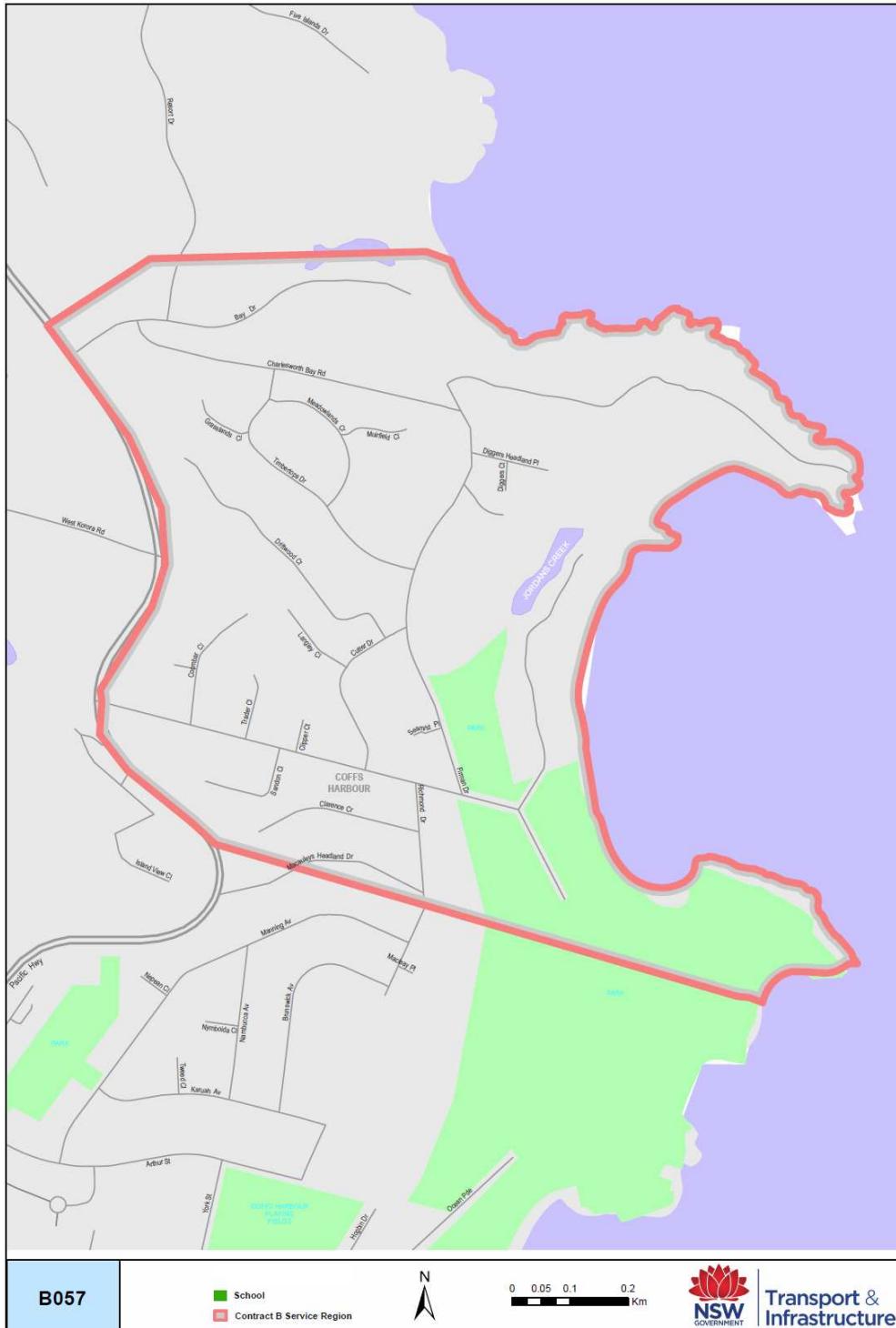


Map 15: Coffs Harbour (A)



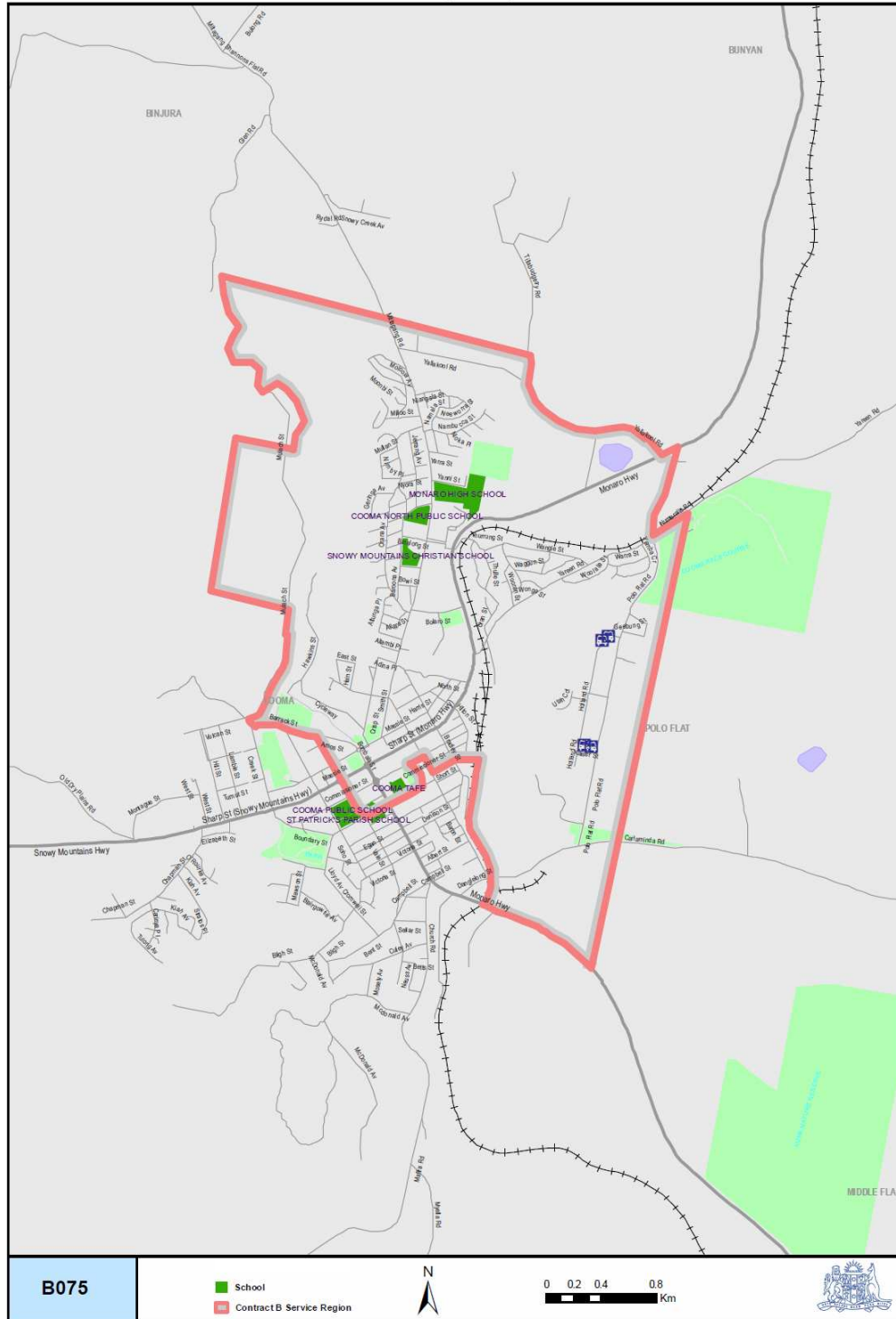
B Country Town Contract Region Maps

Map 16: Coffs Harbour (B)



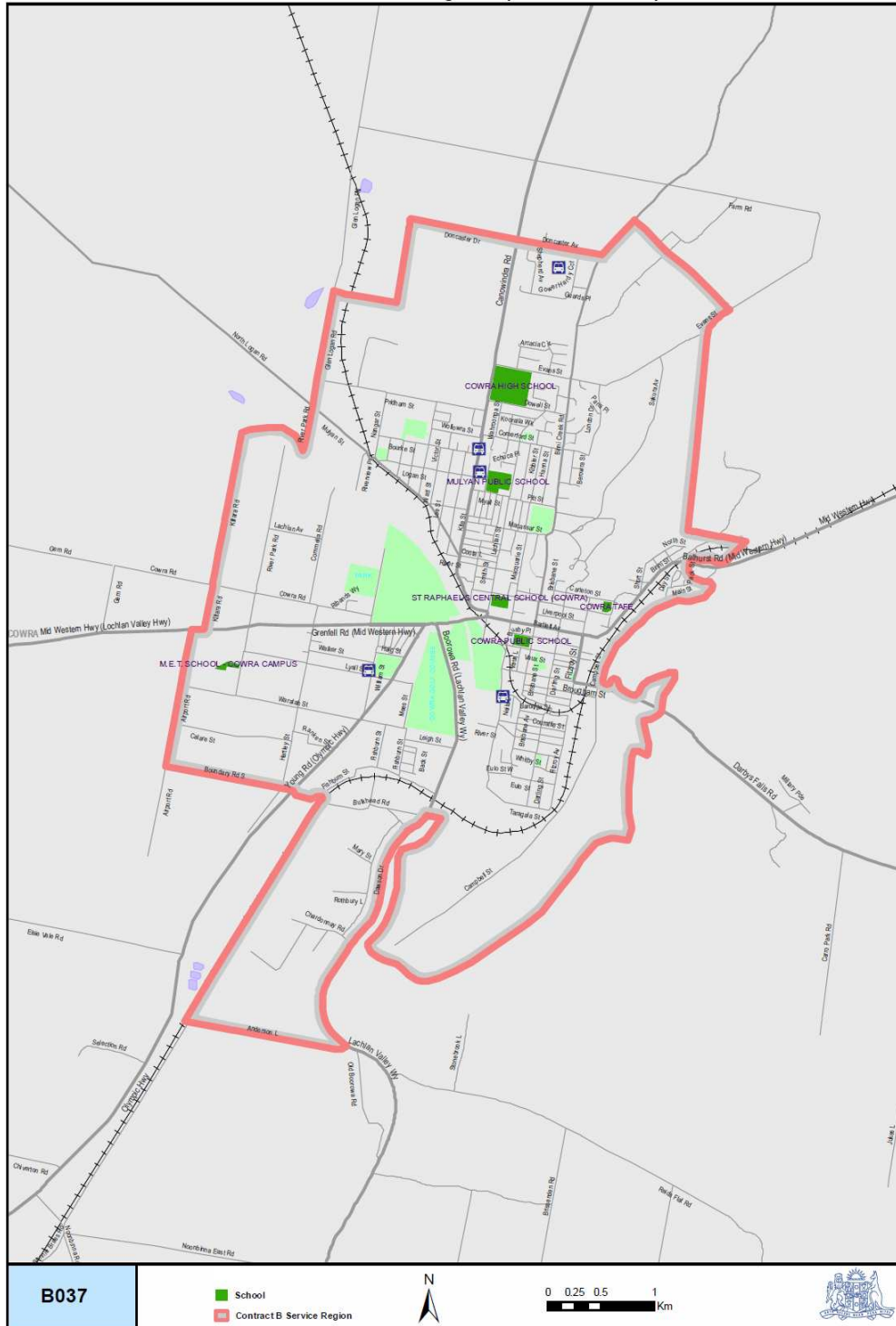
B Country Town Contract Region Maps

Map 17: Cooma

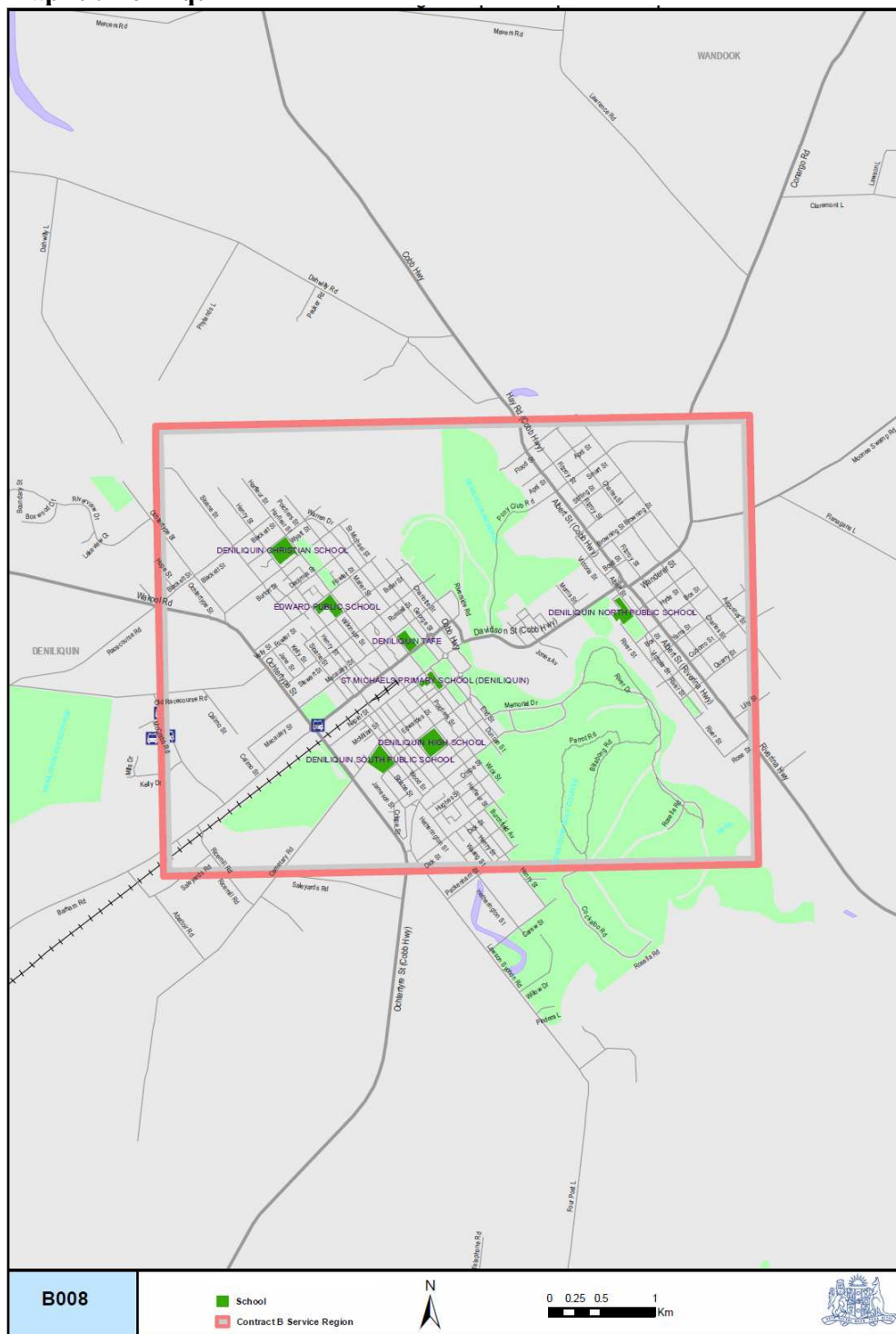


B Country Town Contract Region Maps

Map 18: Cowra

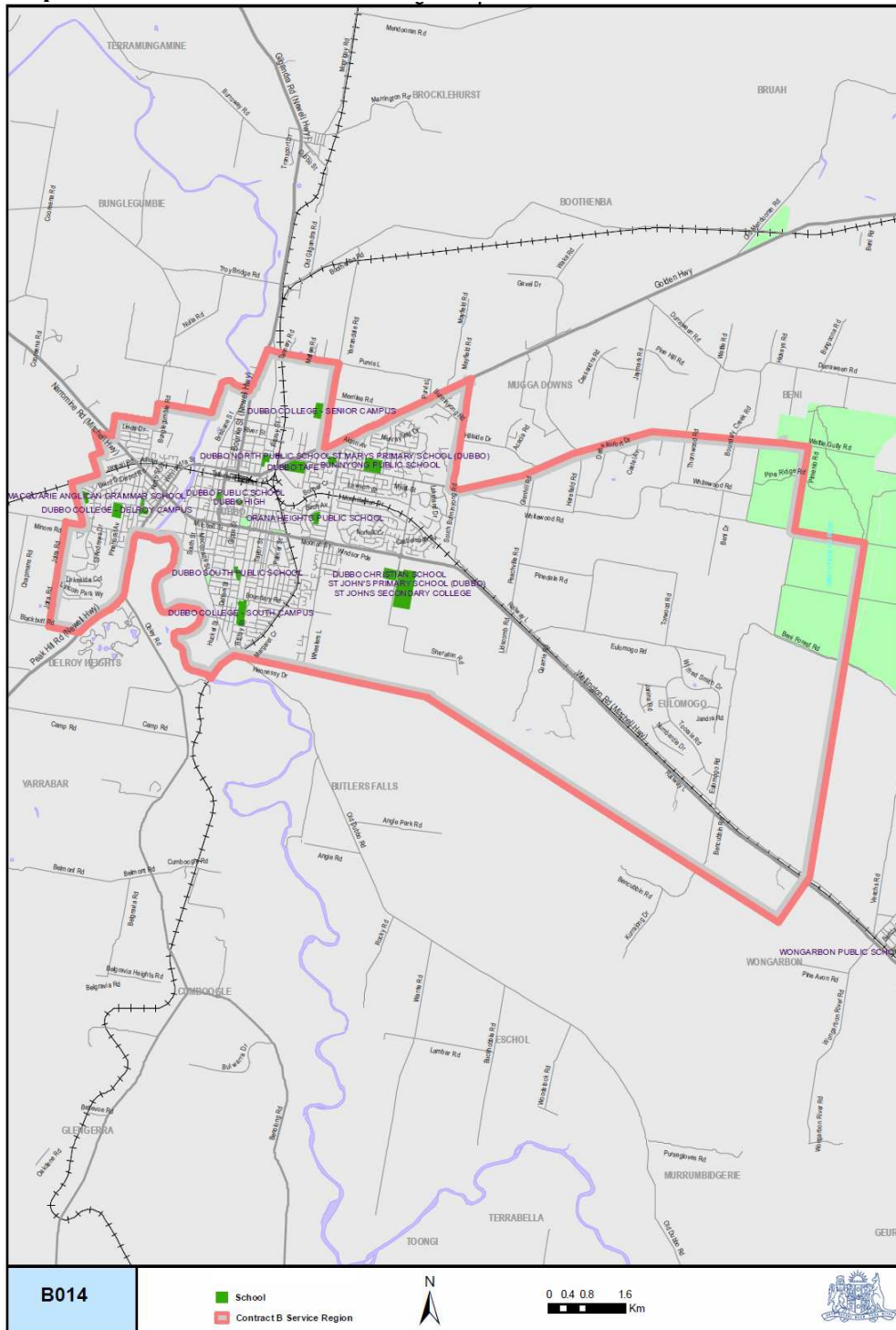


Map 19: Deniliquin



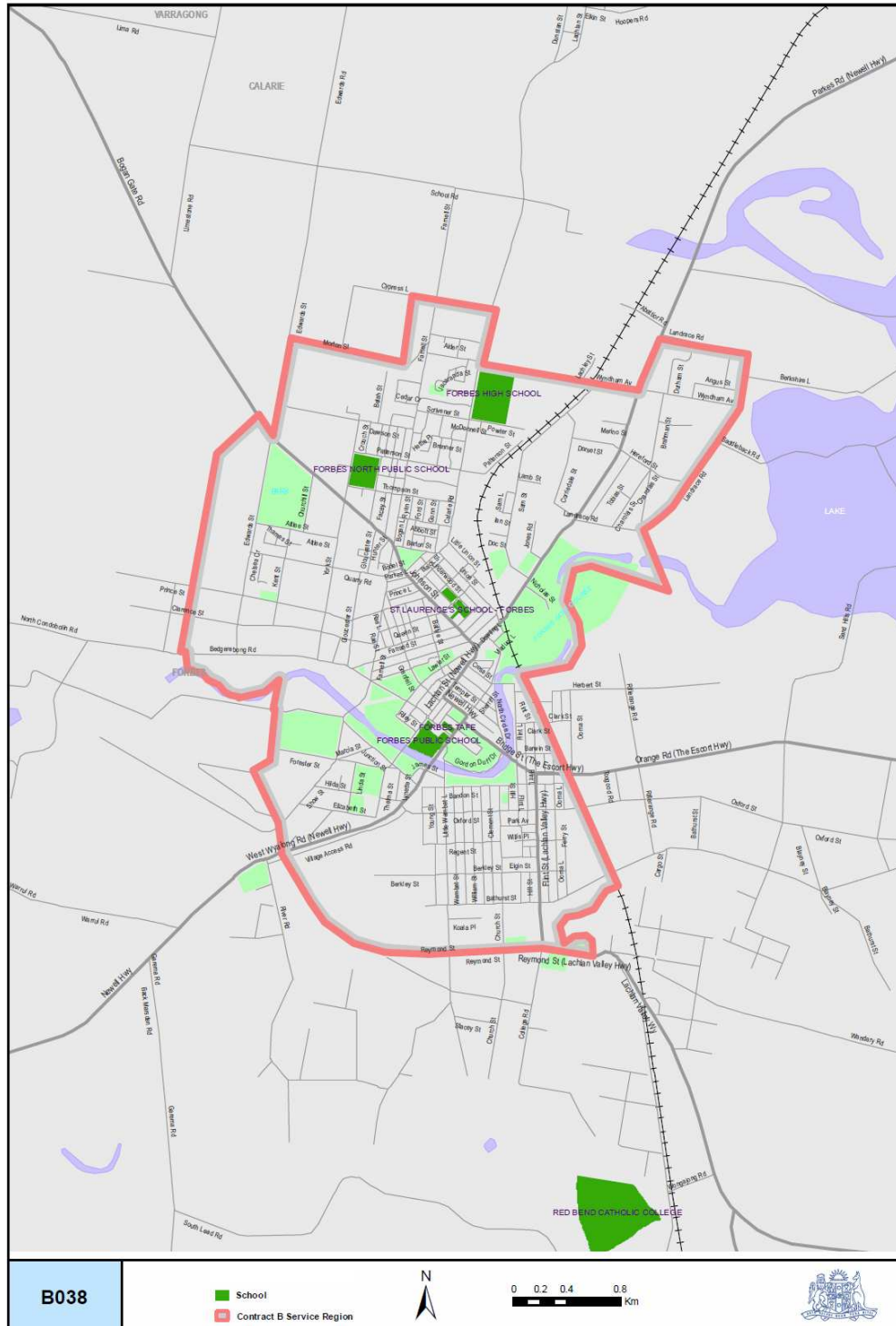
B Country Town Contract Region Maps

Map 20: Dubbo



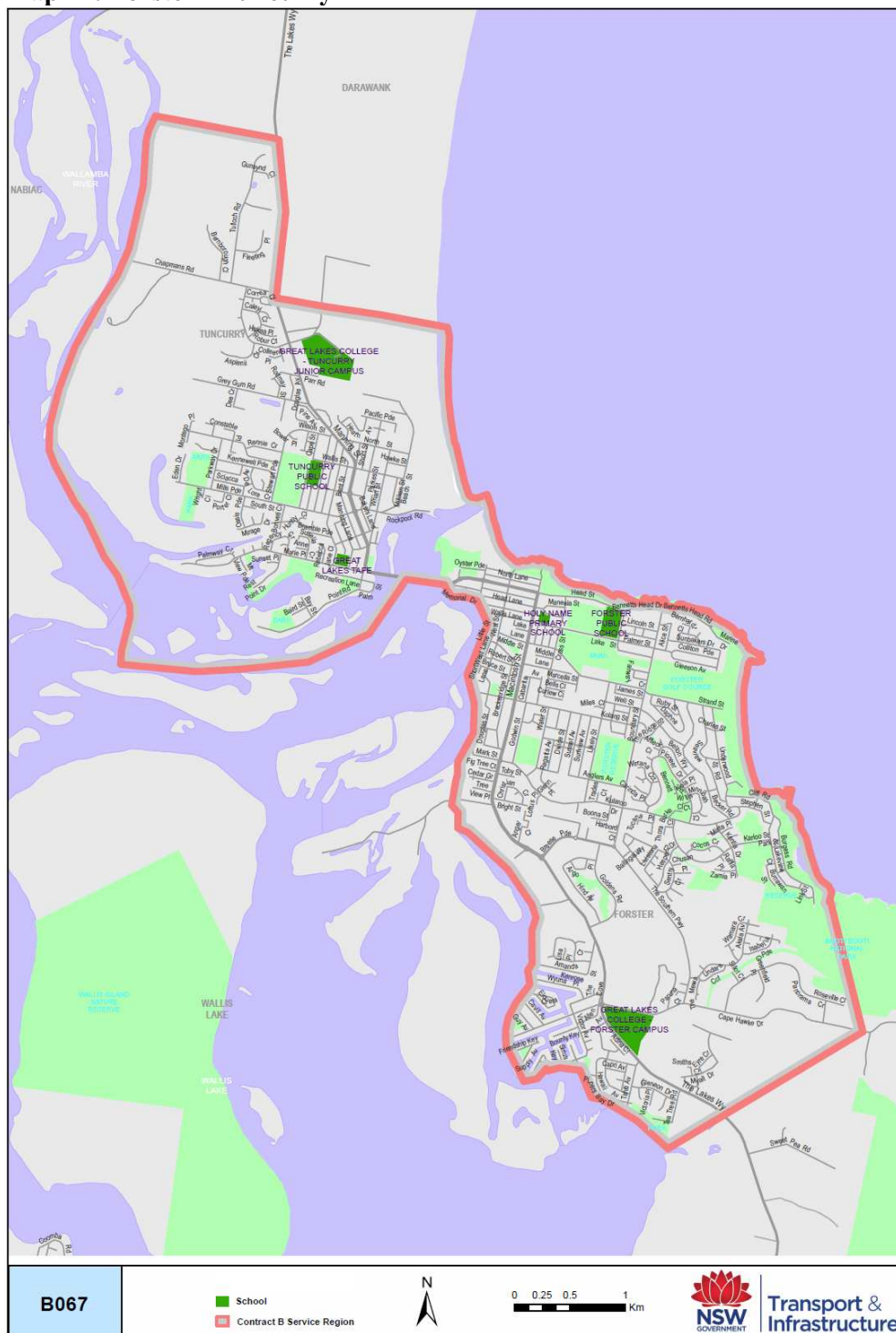
B Country Town Contract Region Maps

Map 21: Forbes

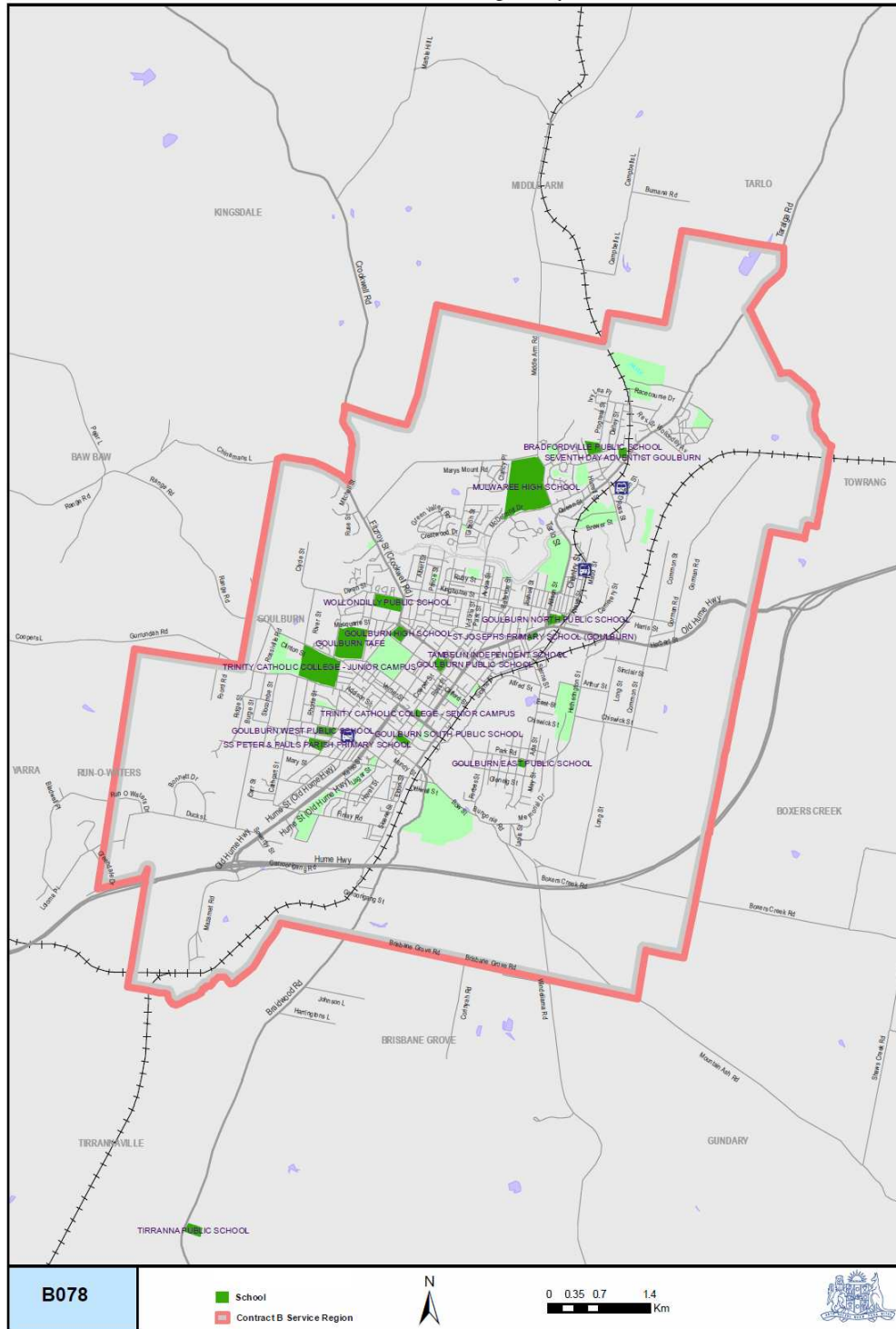


B Country Town Contract Region Maps

Map 22: Forster - Tuncurry

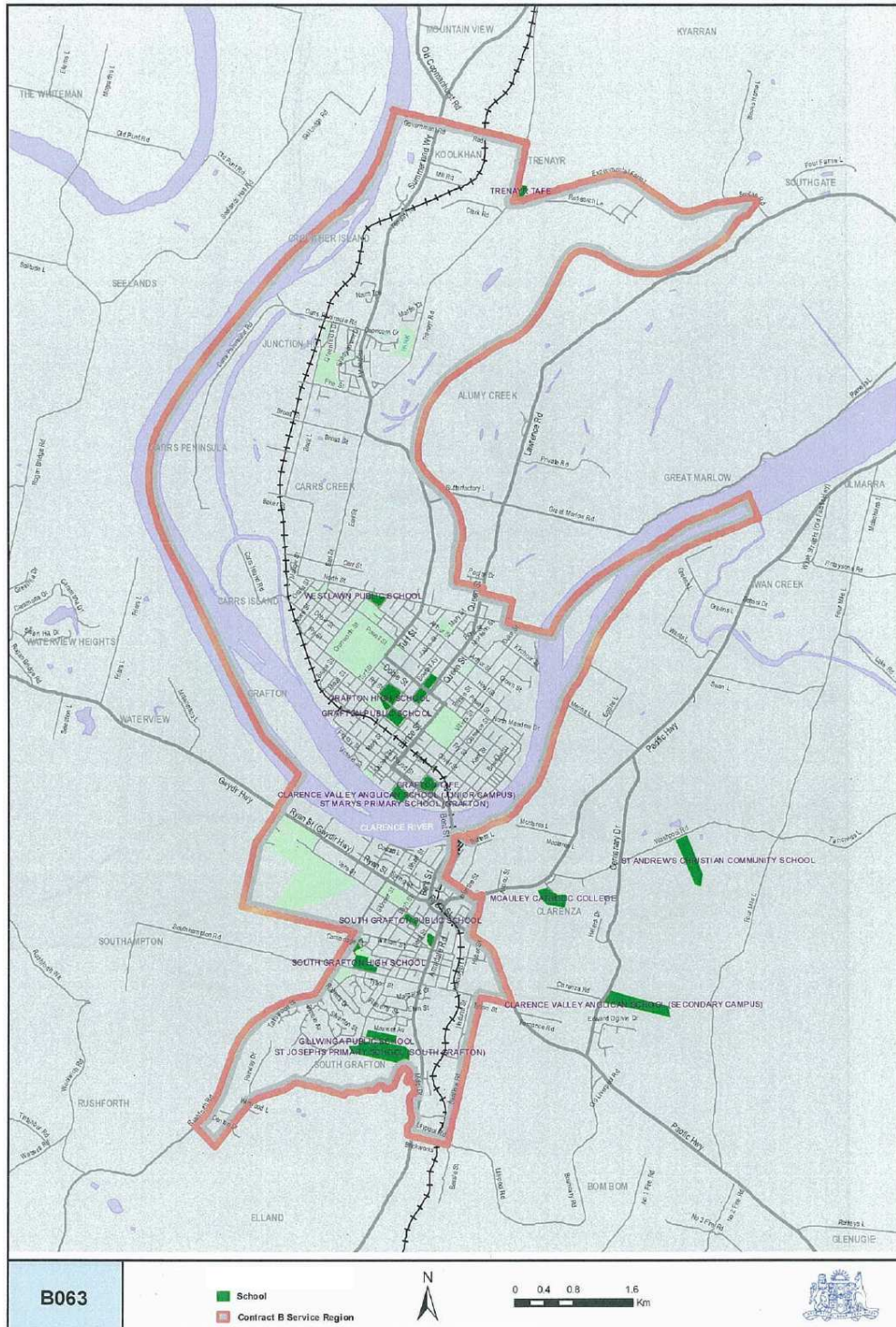


Map 23: Goulburn



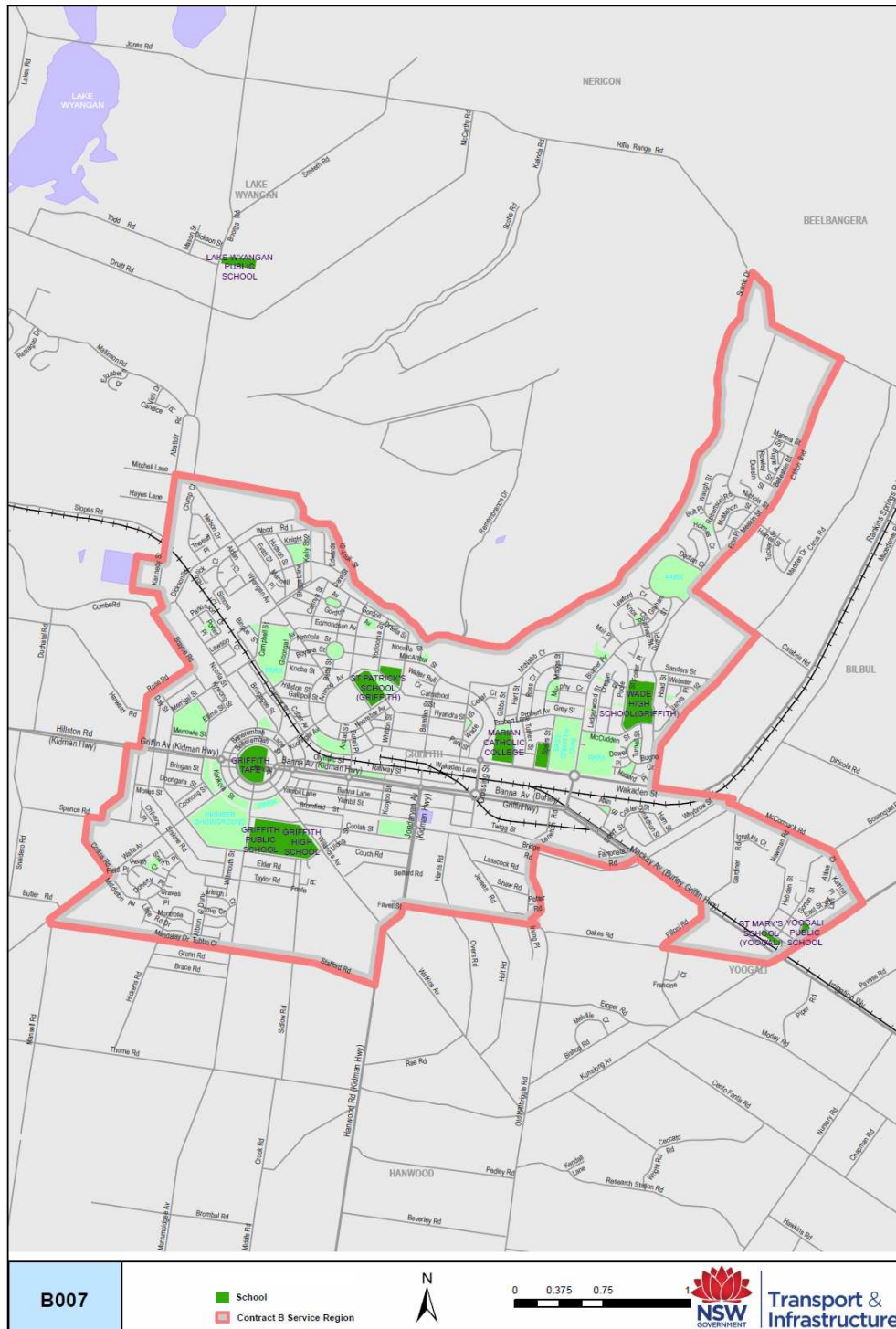
B Country Town Contract Region Maps

Map 24: Grafton



B Country Town Contract Region Maps

Map 25: Griffith

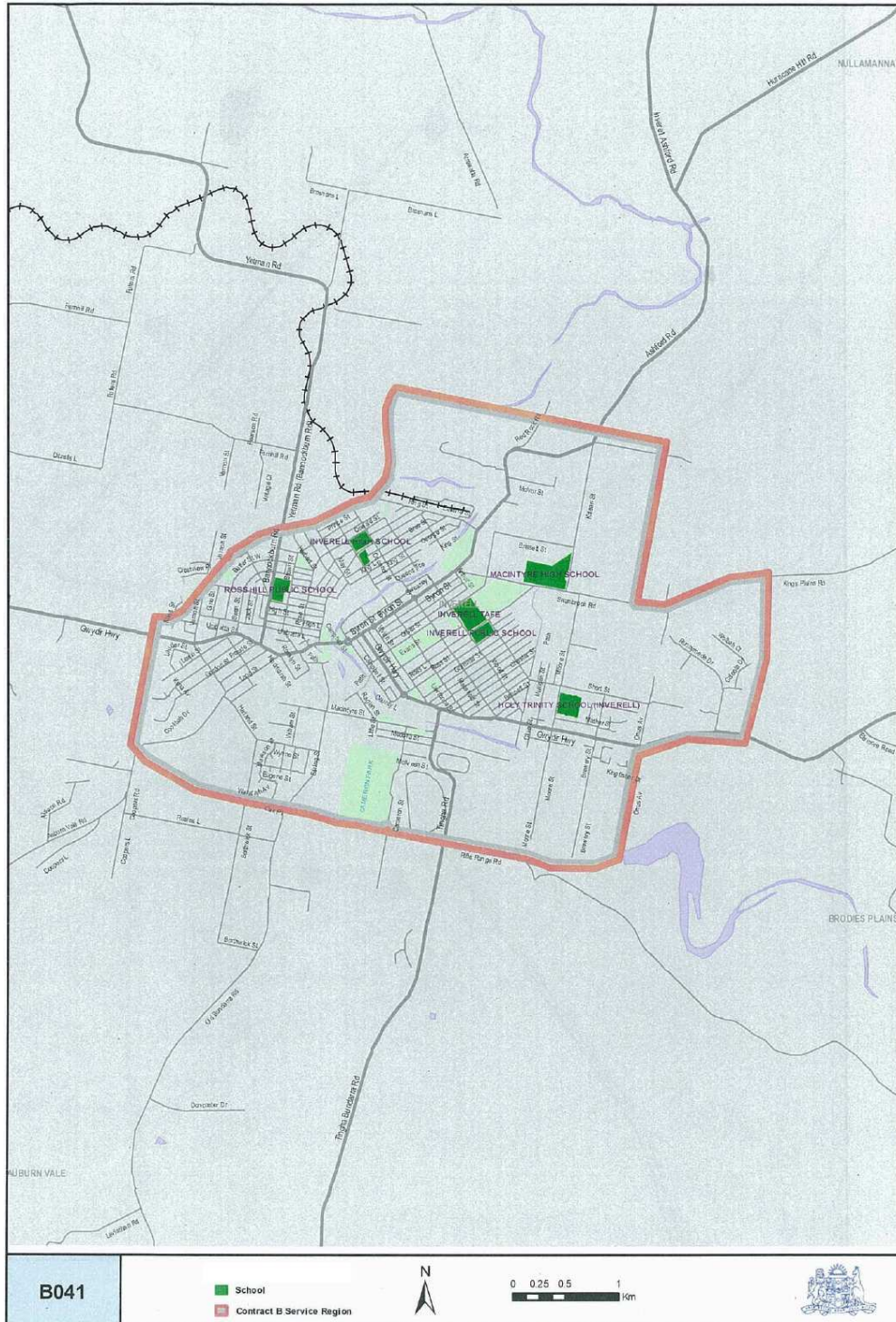


B Country Town Contract Region Maps

Map 26: Gunnedah

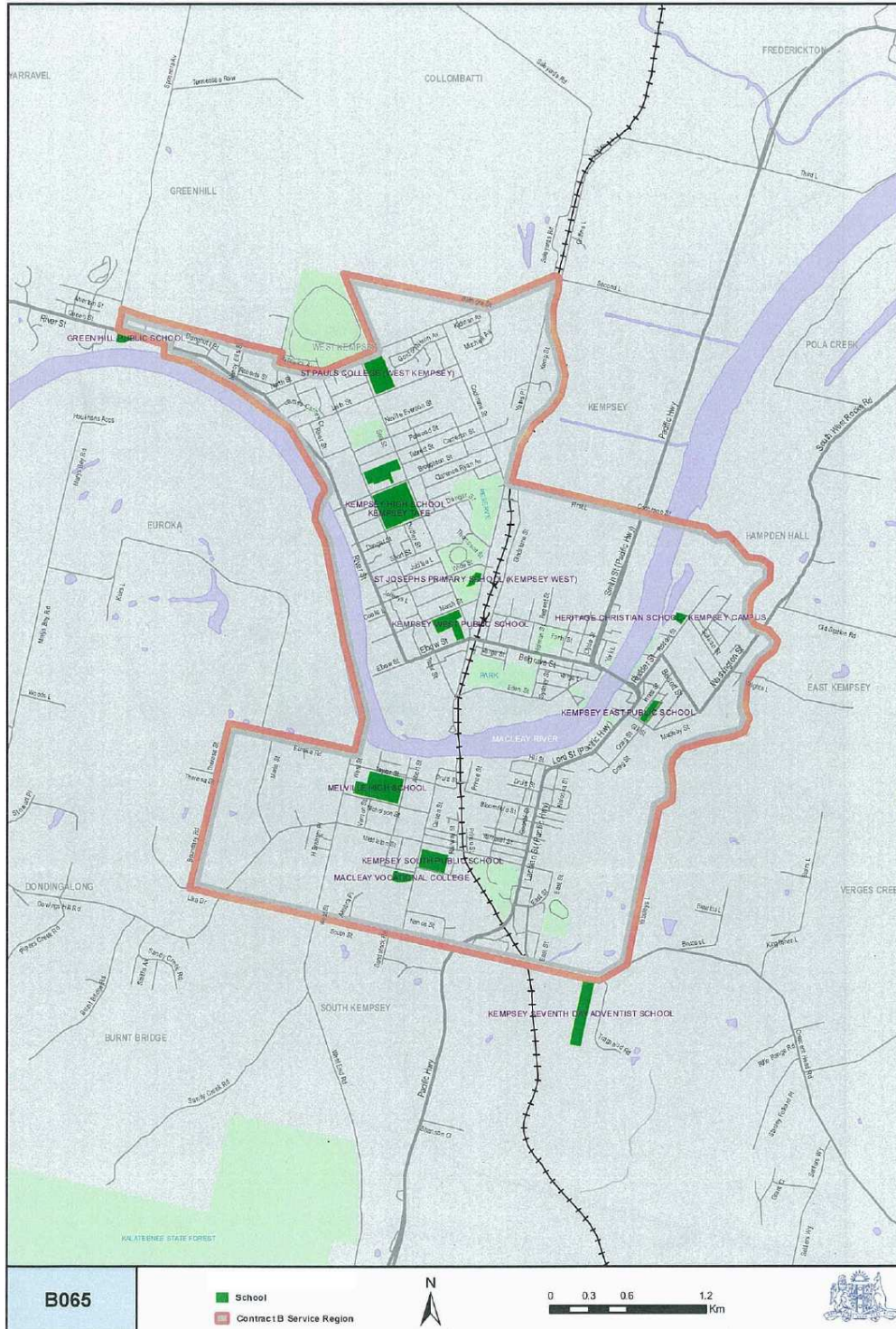


Map 27: Inverell



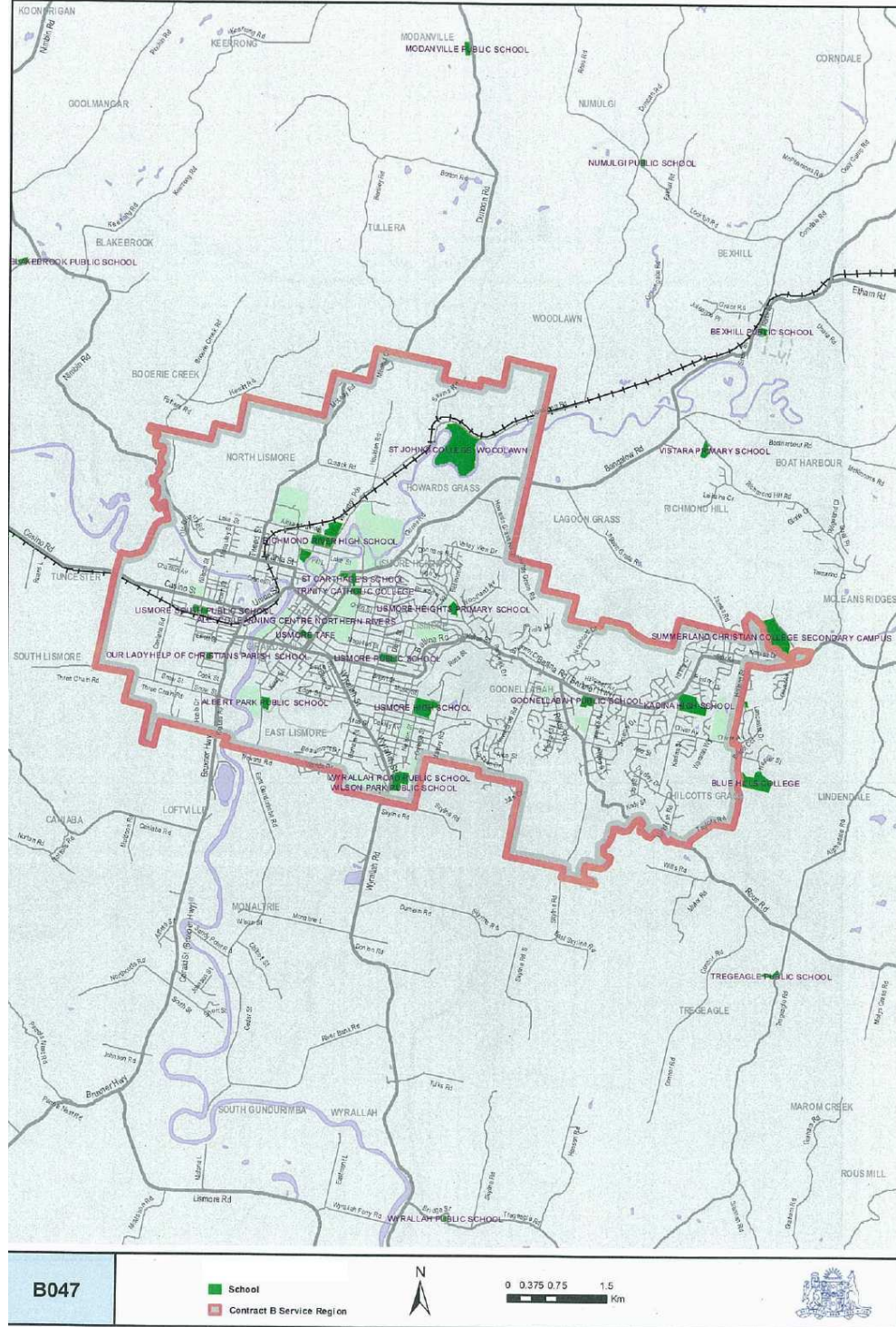
B Country Town Contract Region Maps

Map 28: Kempsey



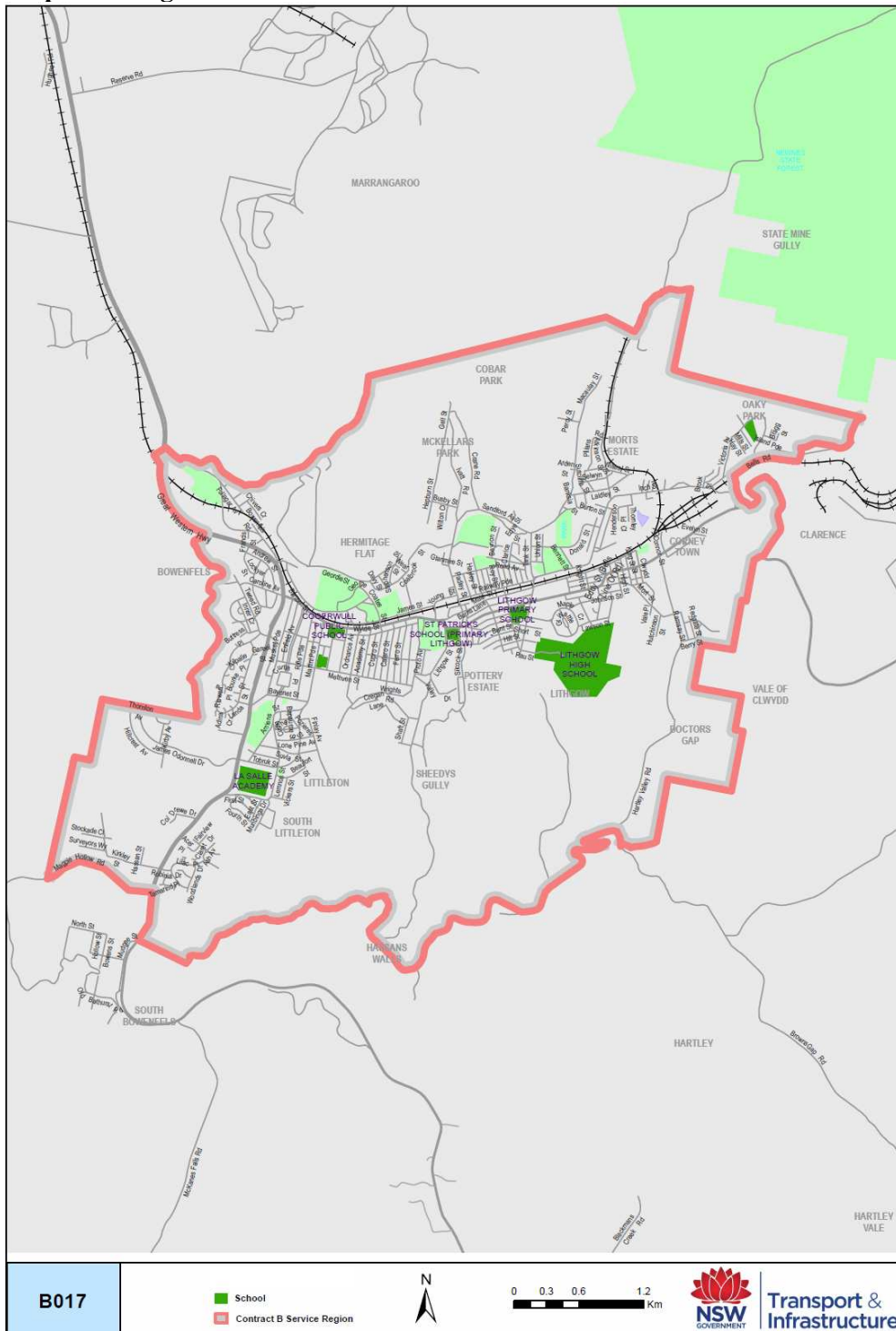
B Country Town Contract Region Maps

Map 29: Lismore

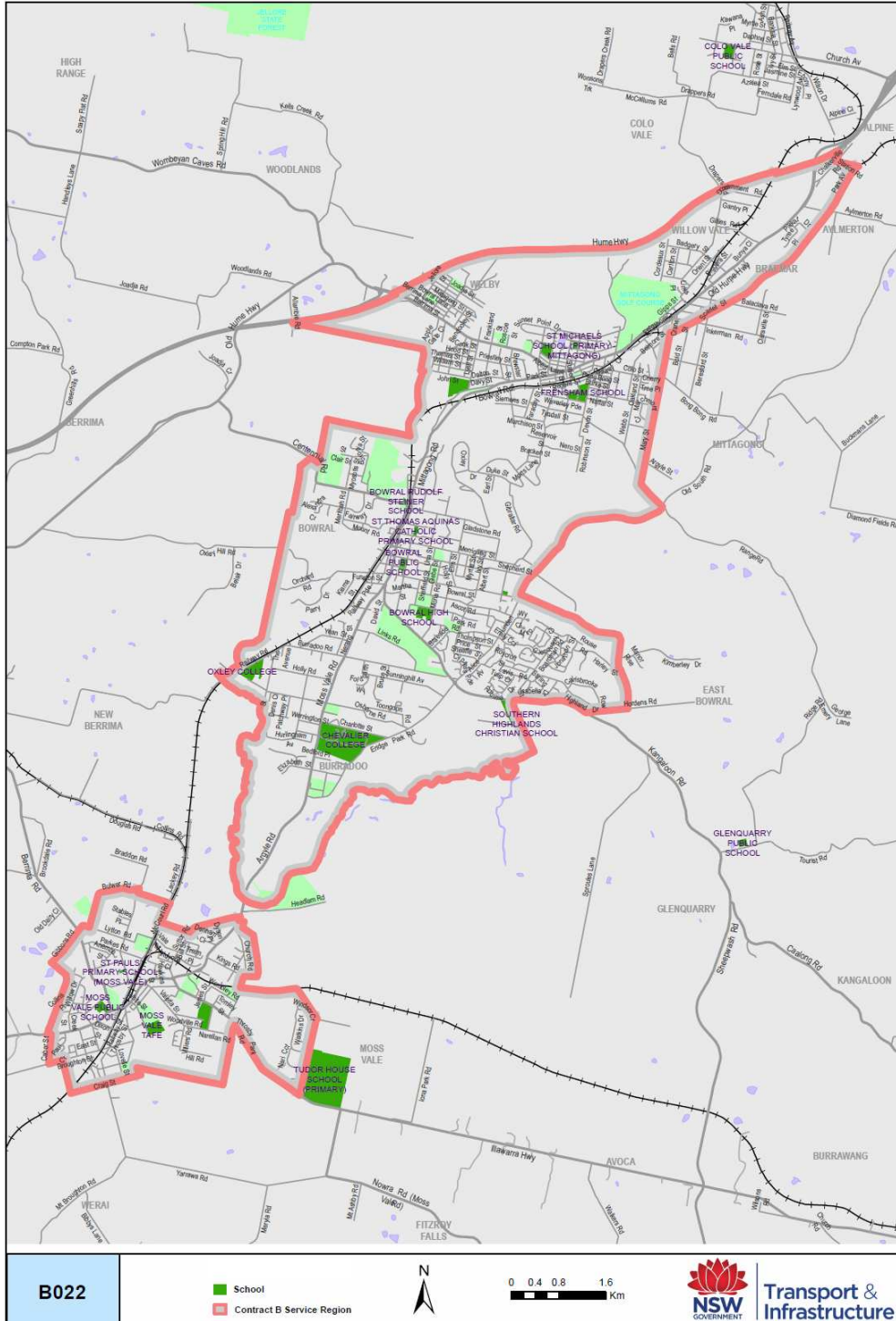


B Country Town Contract Region Maps

Map 30: Lithgow

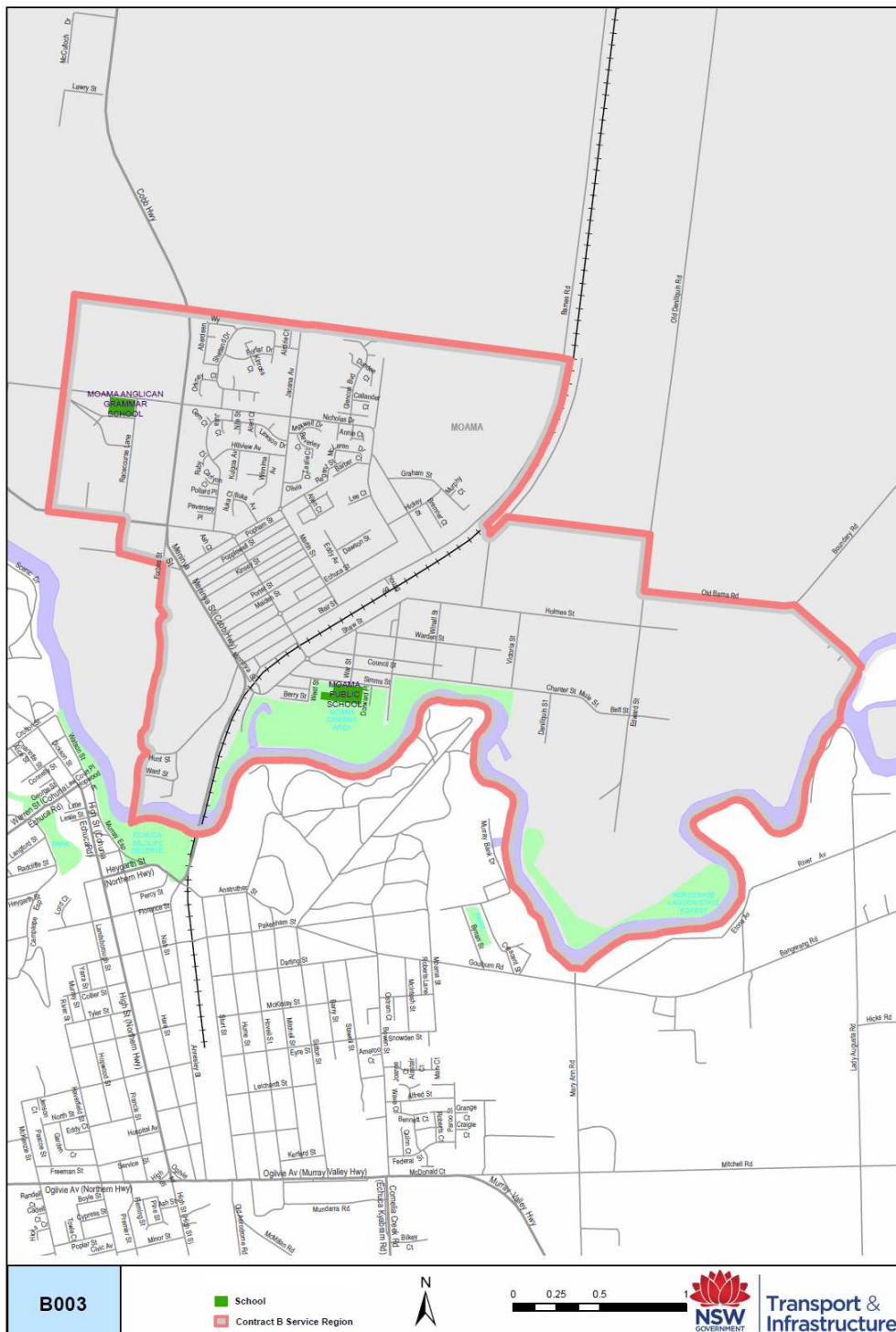


Map 31: Mittagong - Bowral - Moss Vale



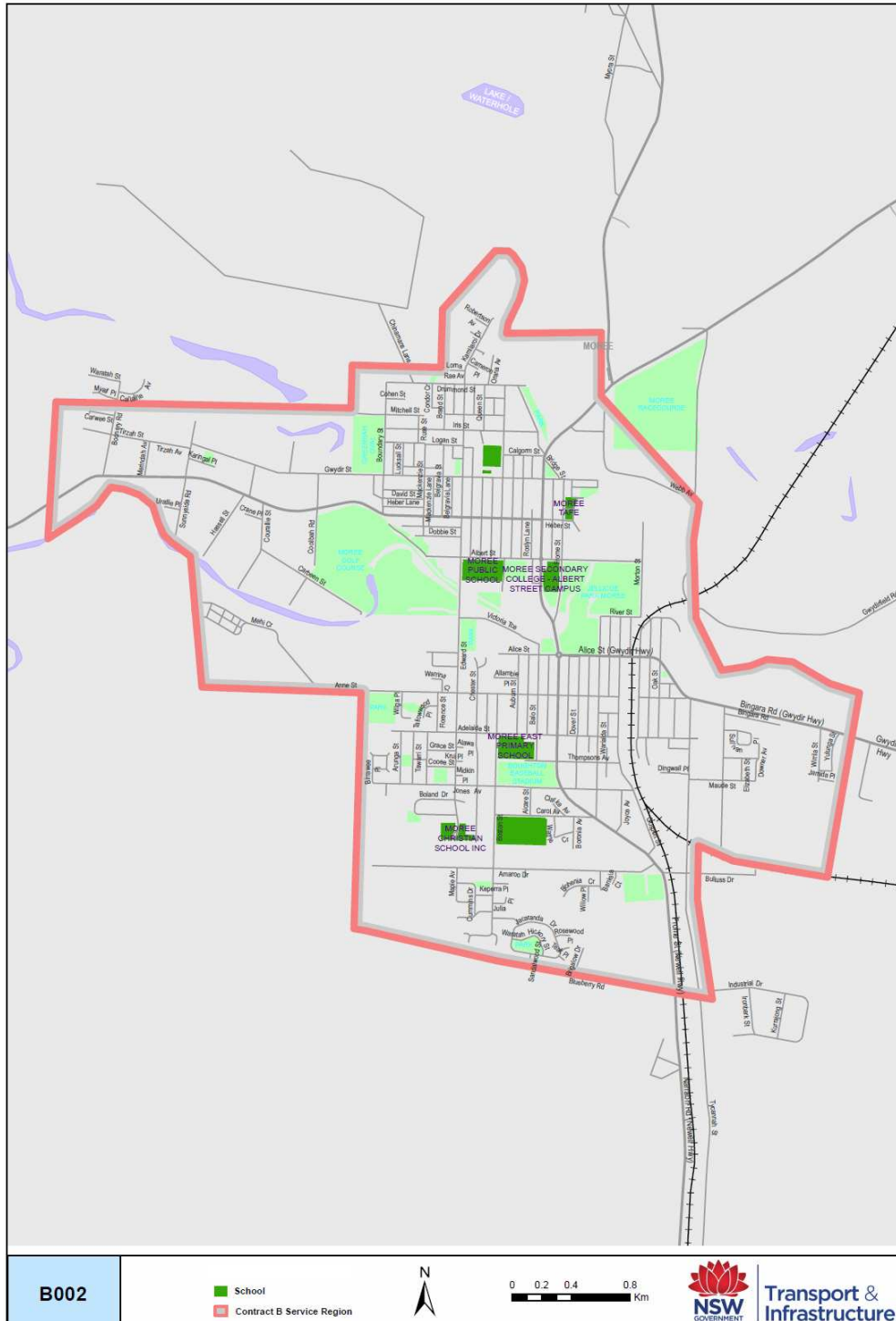
B Country Town Contract Region Maps

Map 32: Moama



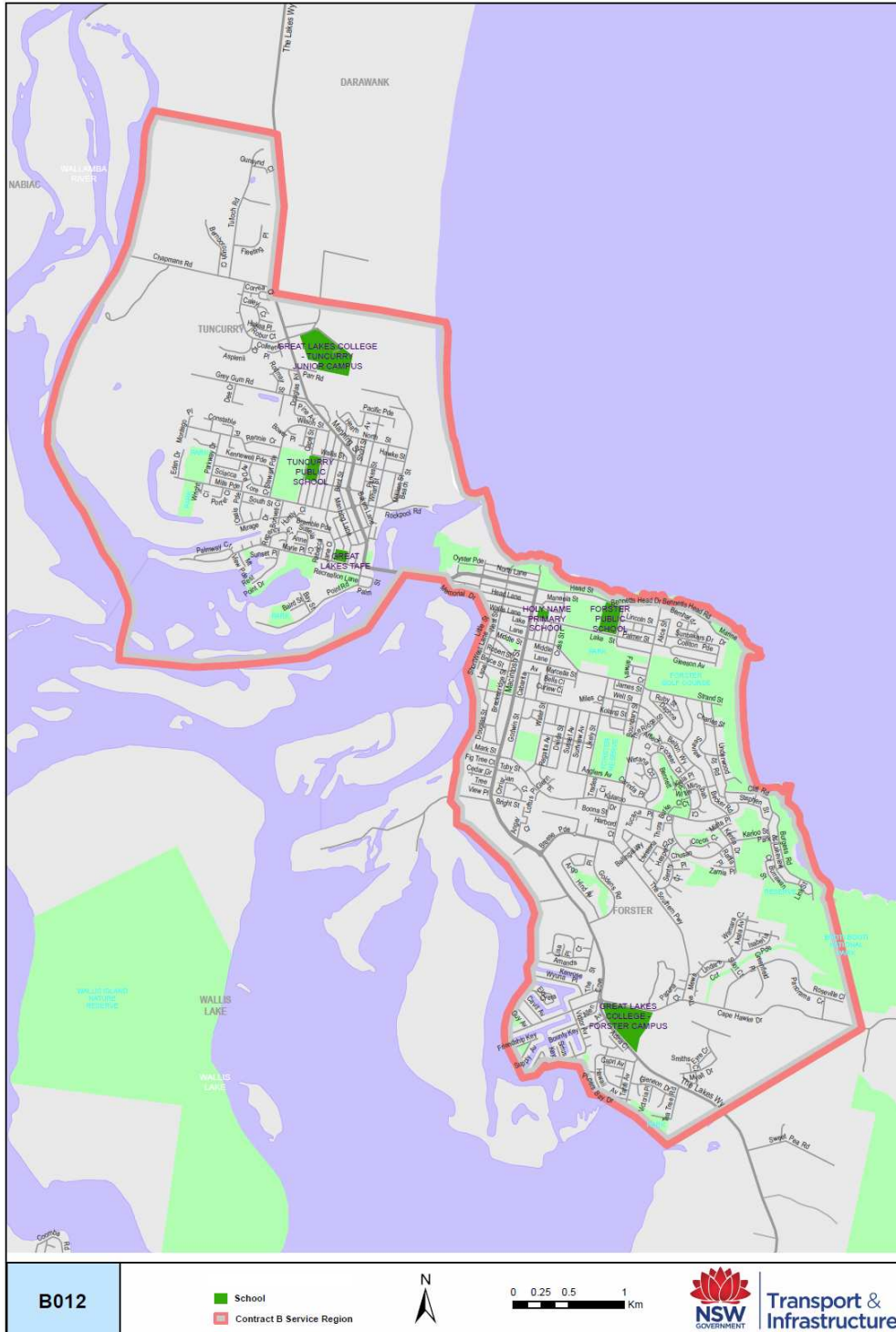
B Country Town Contract Region Maps

Map 33: Moree



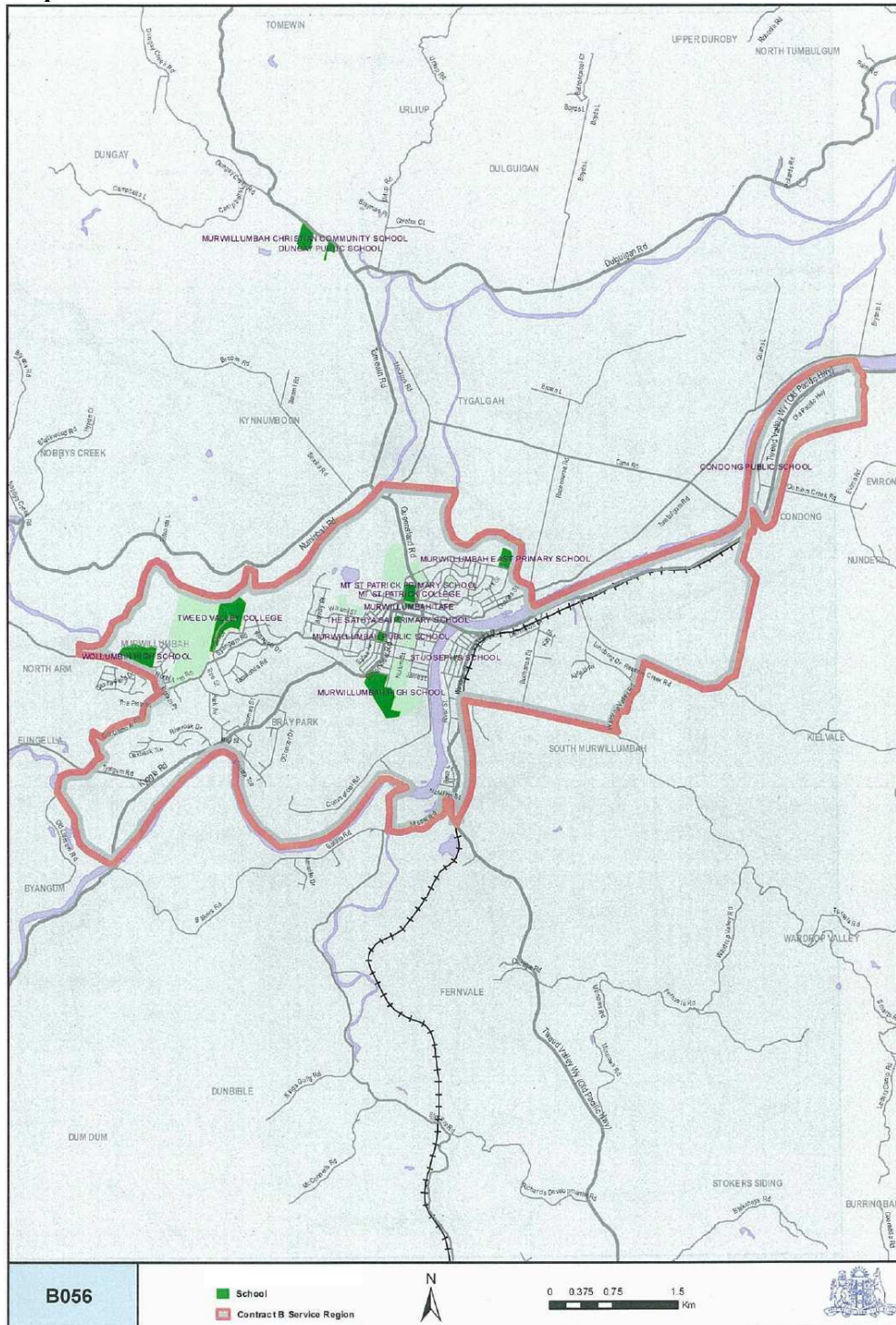
B Country Town Contract Region Maps

Map 34: Mudgee



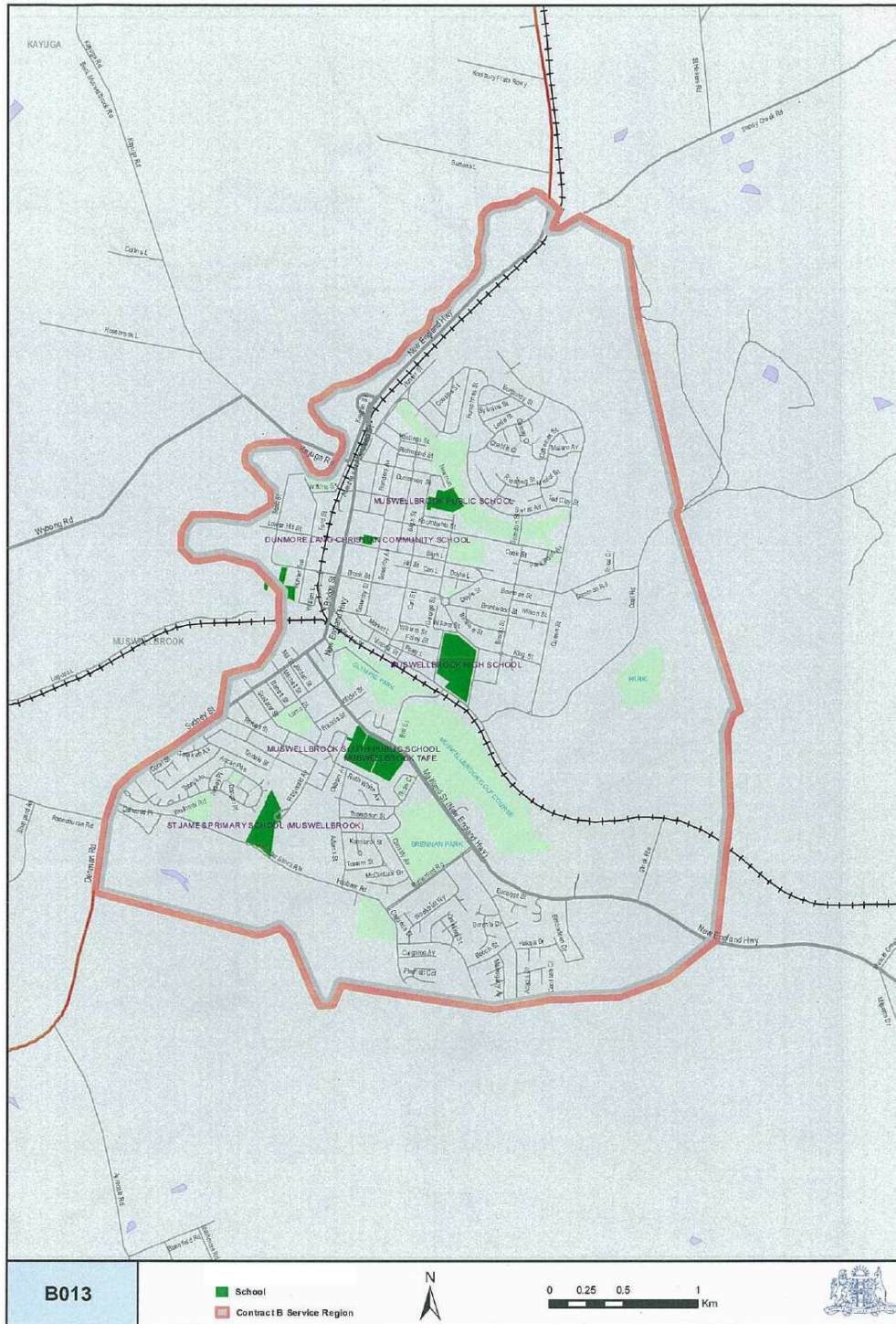
B Country Town Contract Region Maps

Map 35: Murwillumbah

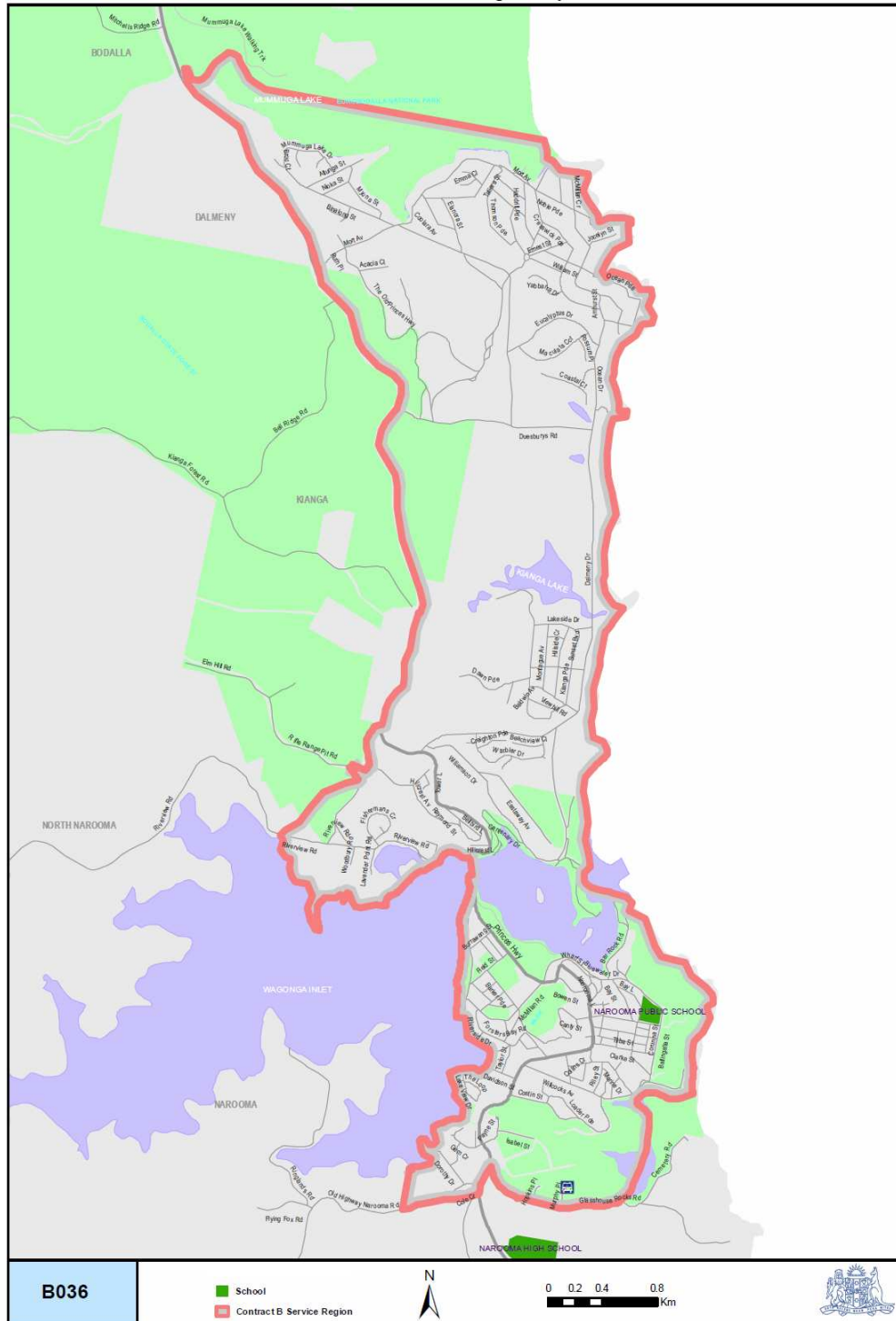


B Country Town Contract Region Maps

Map 36: Muswellbrook – Scone - Aberdeen

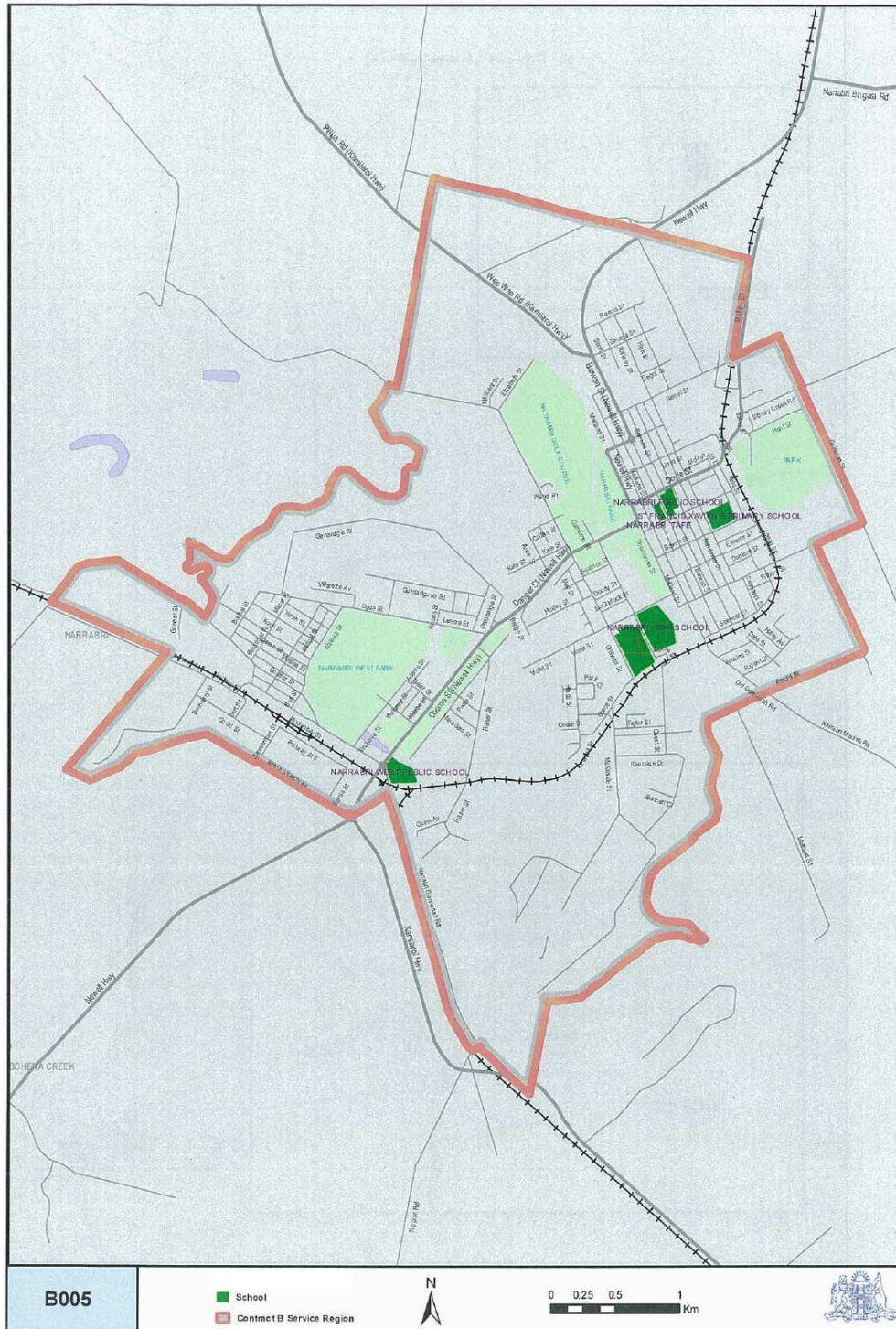


Map 37: Narooma



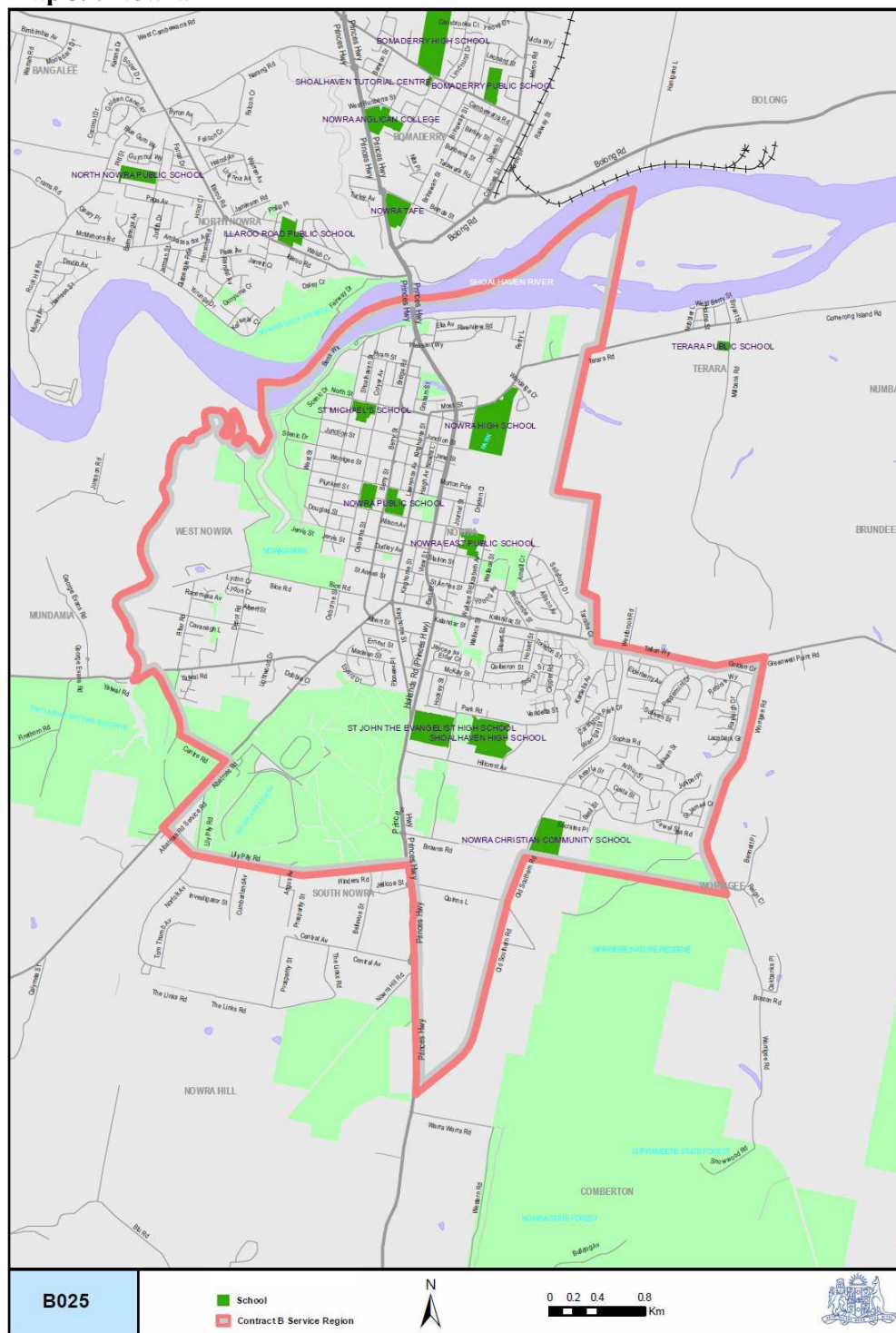
B Country Town Contract Region Maps

Map 38: Narrabri



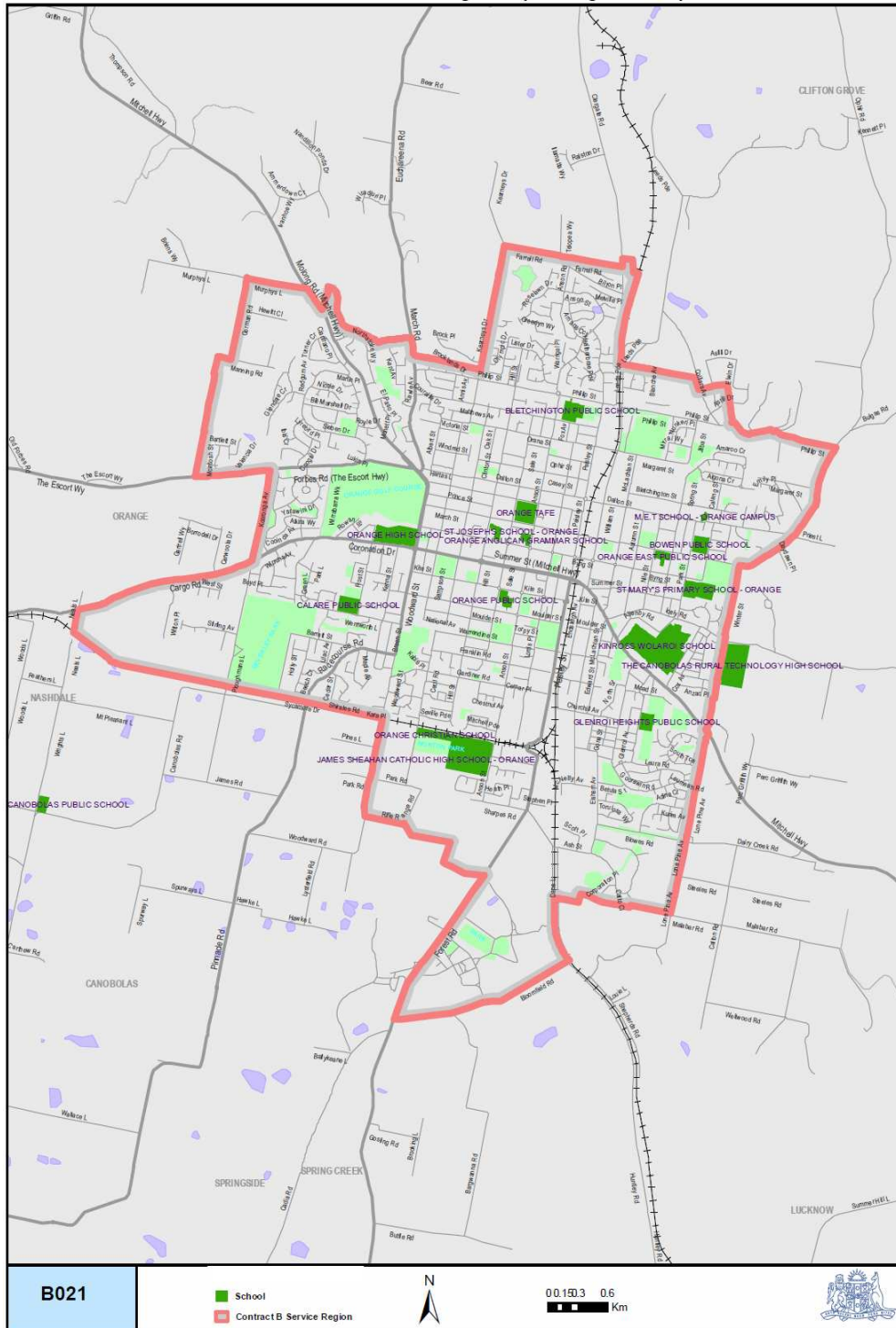
B Country Town Contract Region Maps

Map 39: Nowra

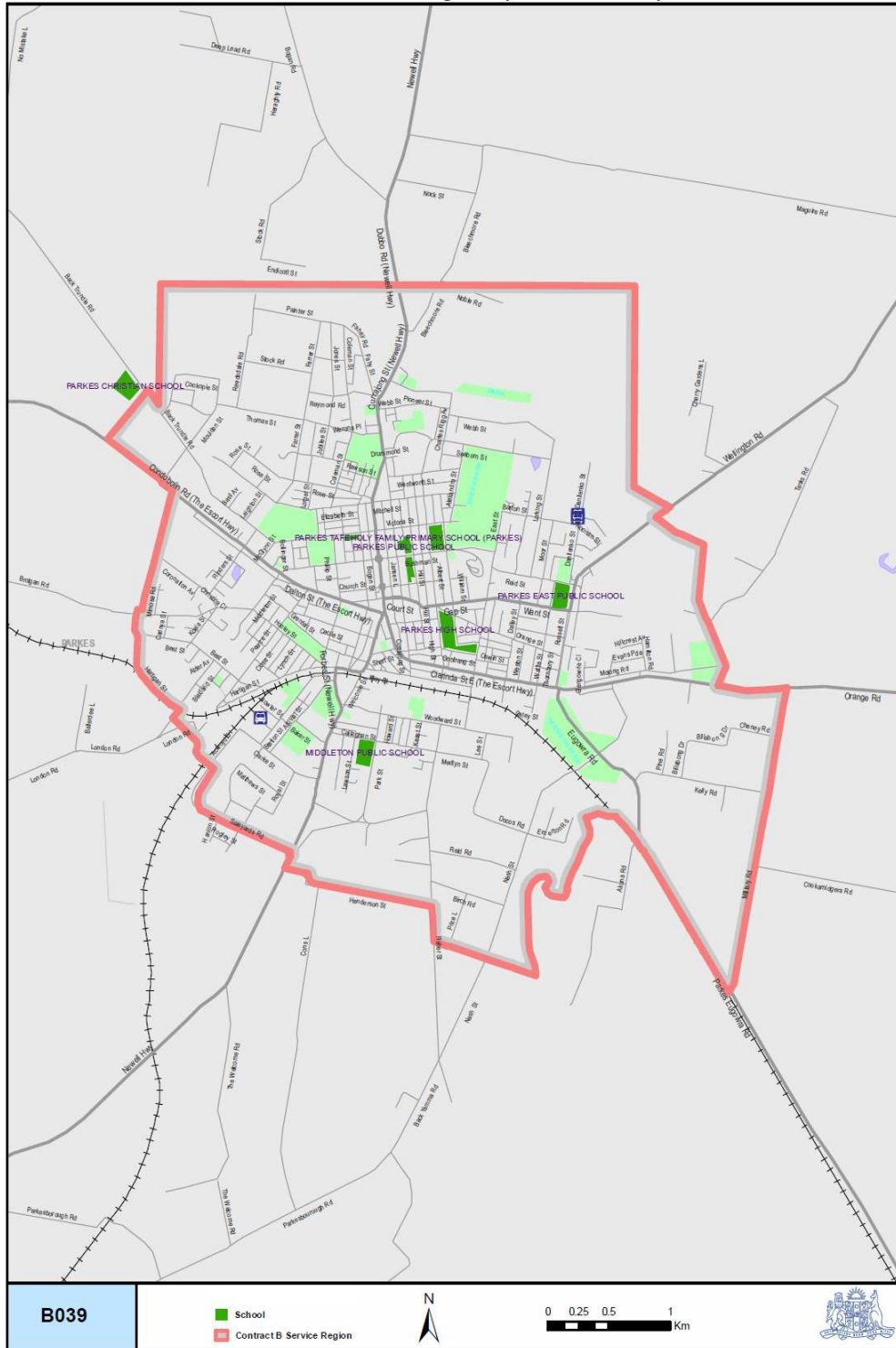


B Country Town Contract Region Maps

Map 40: Orange

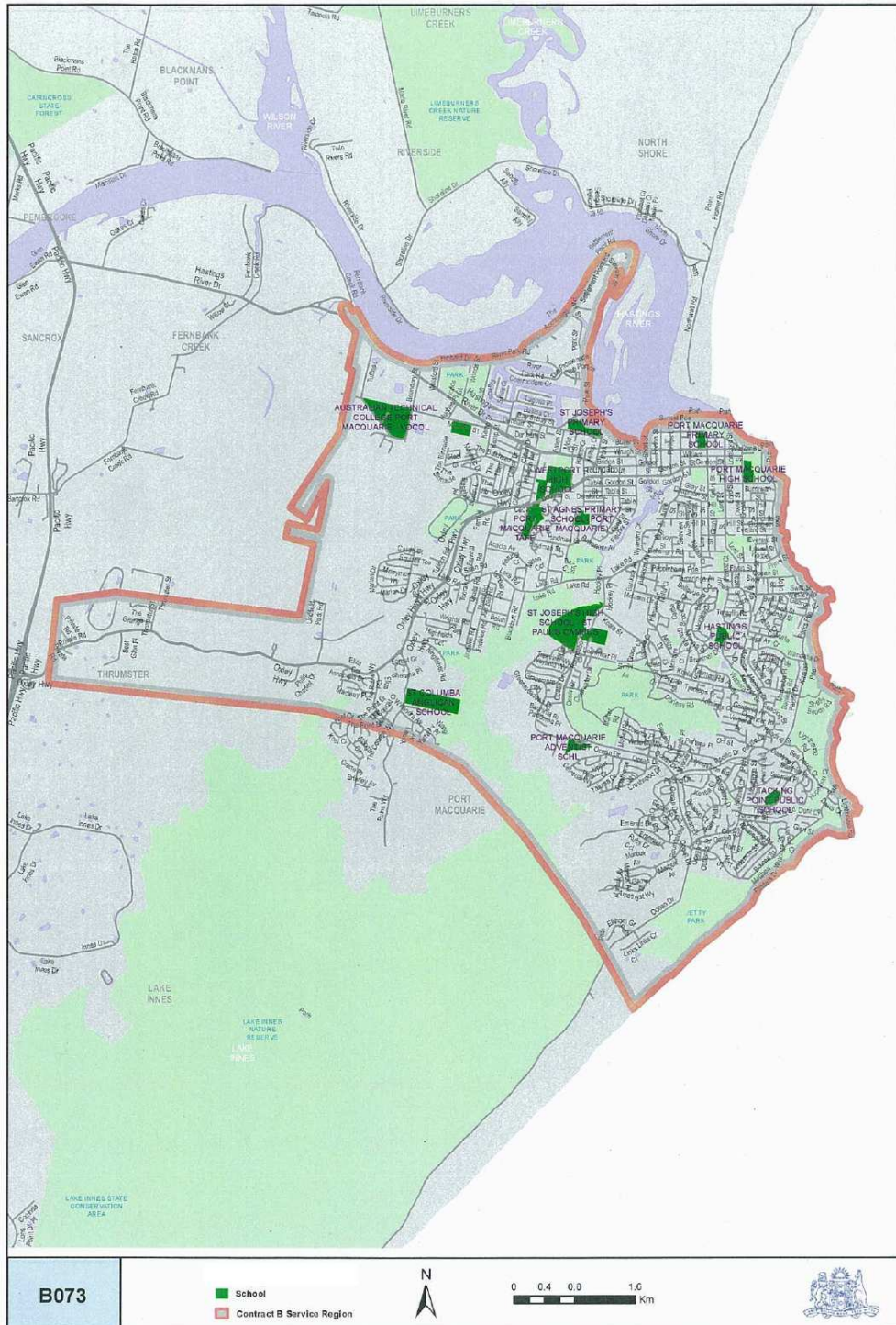


Map 41: Parkes

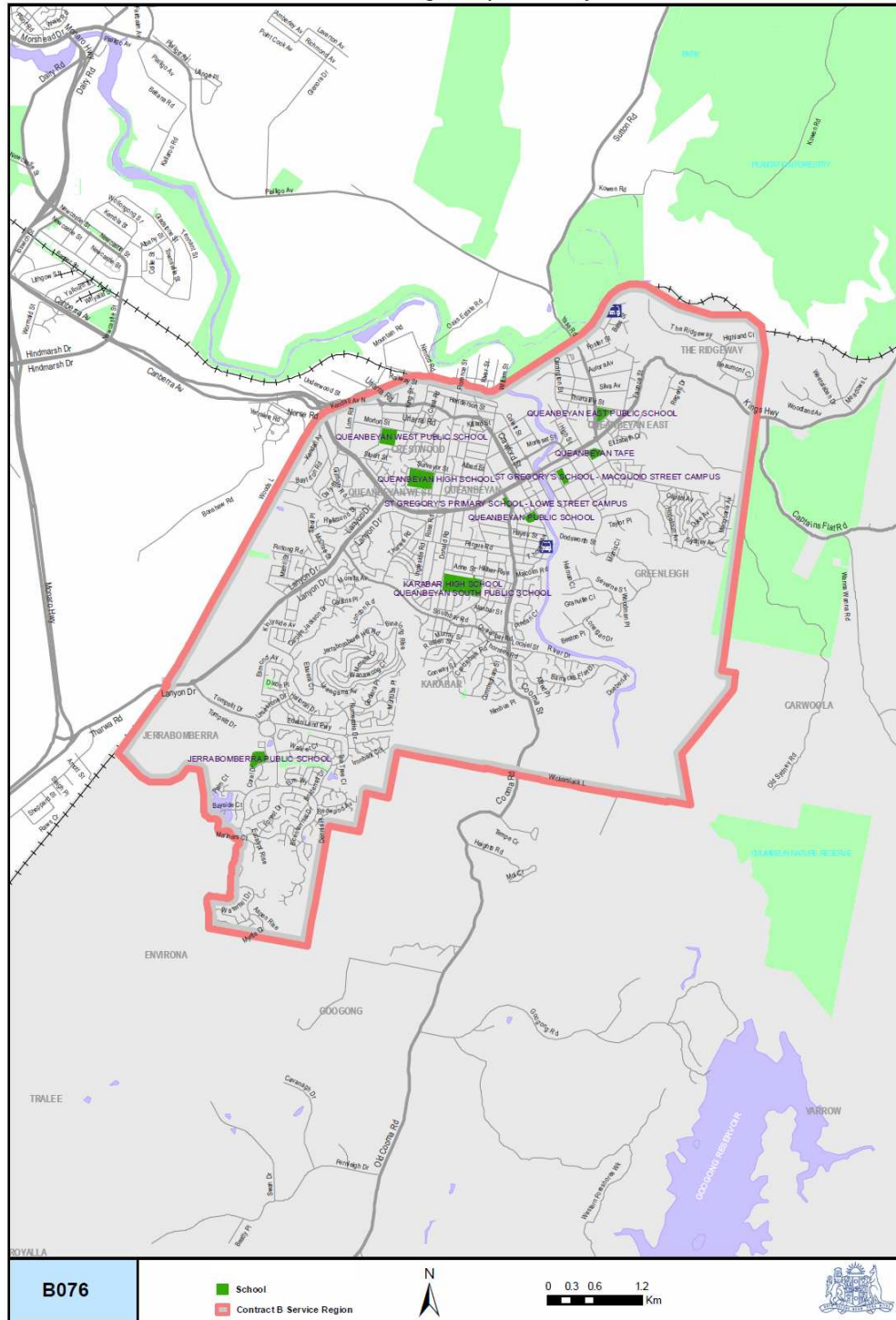


B Country Town Contract Region Maps

Map 42: Port Macquarie

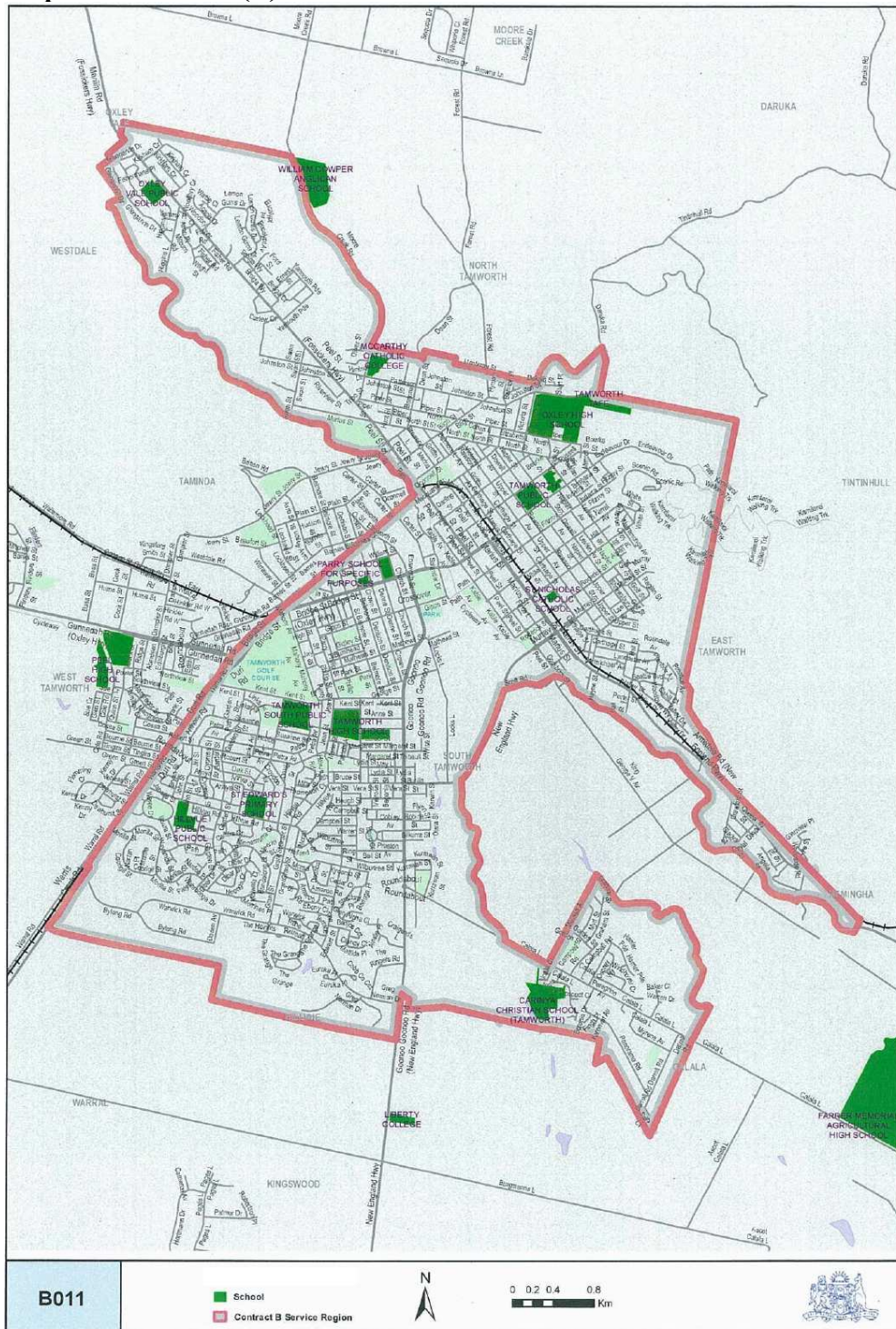


Map 43: Queanbeyan



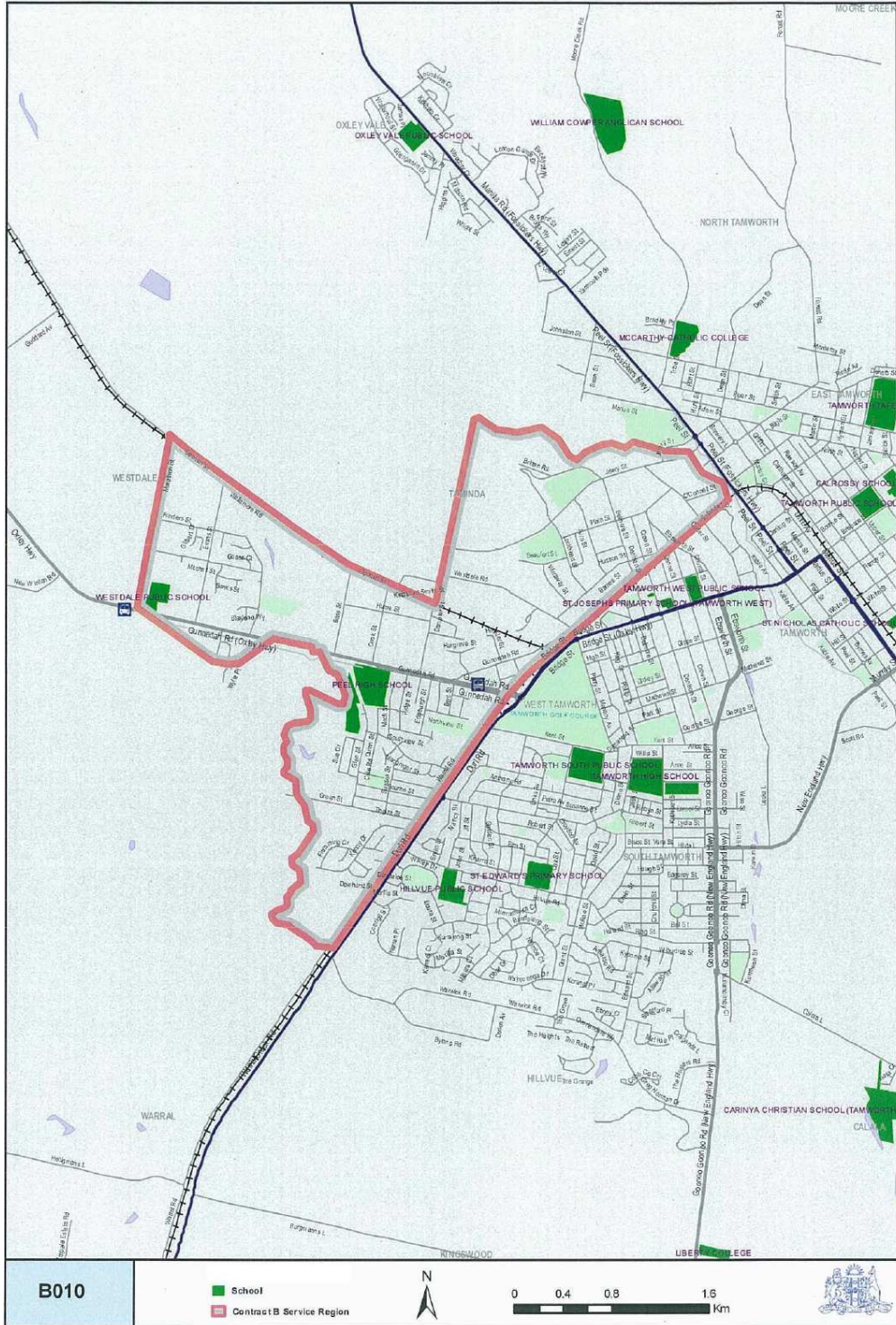
B Country Town Contract Region Maps

Map 44: Tamworth (A)



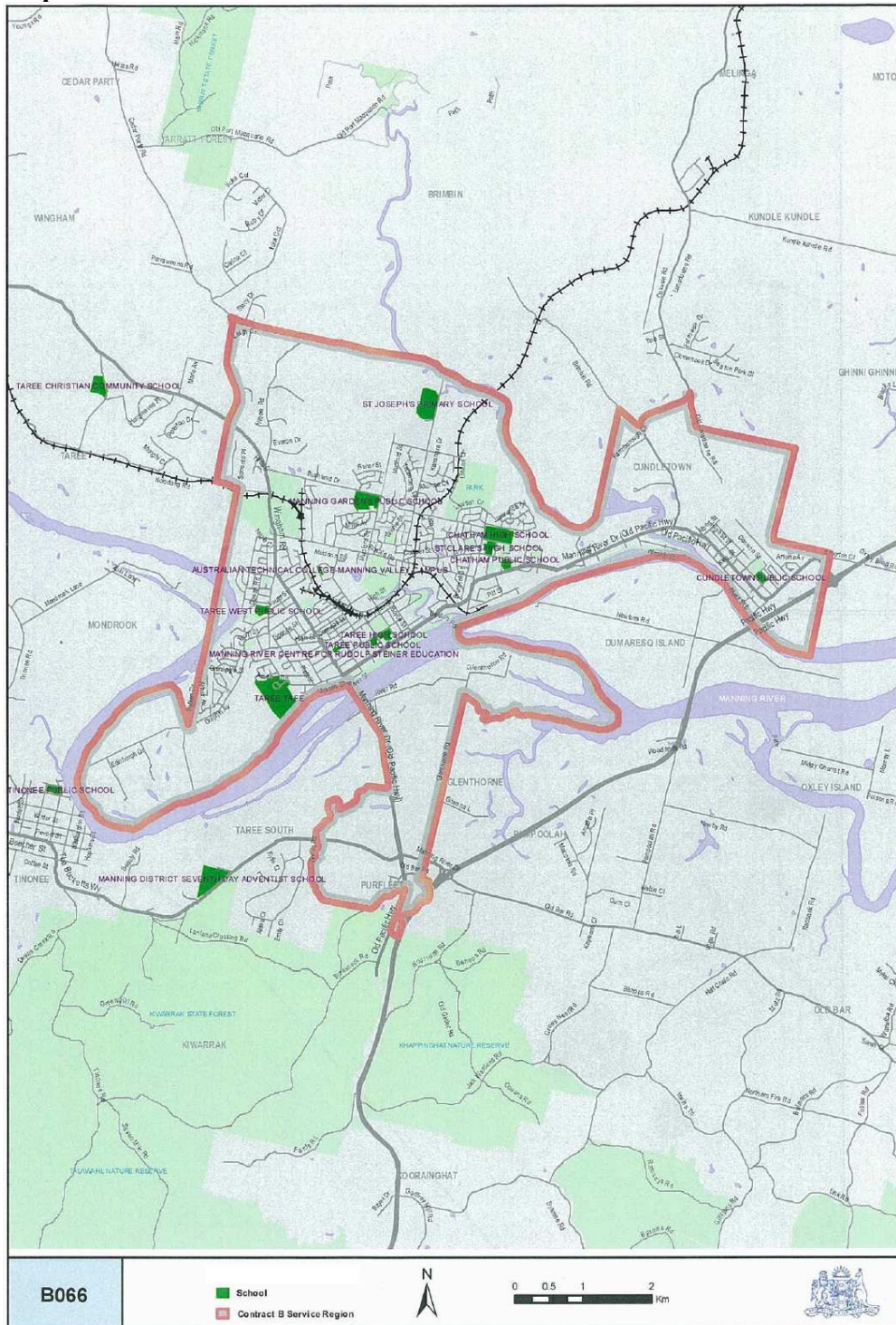
B Country Town Contract Region Maps

Map 45: Tamworth (B)

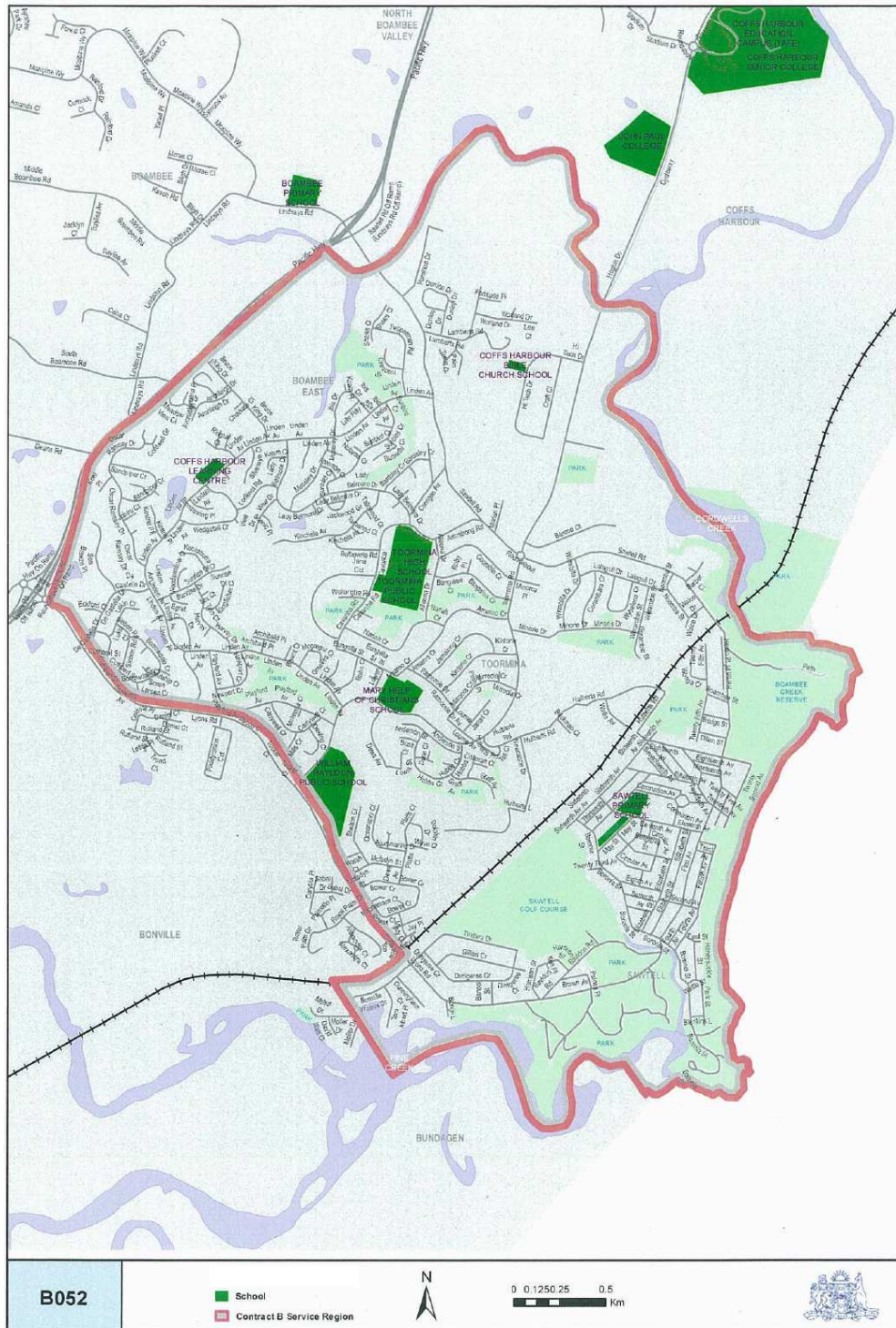


B Country Town Contract Region Maps

Map 46: Taree

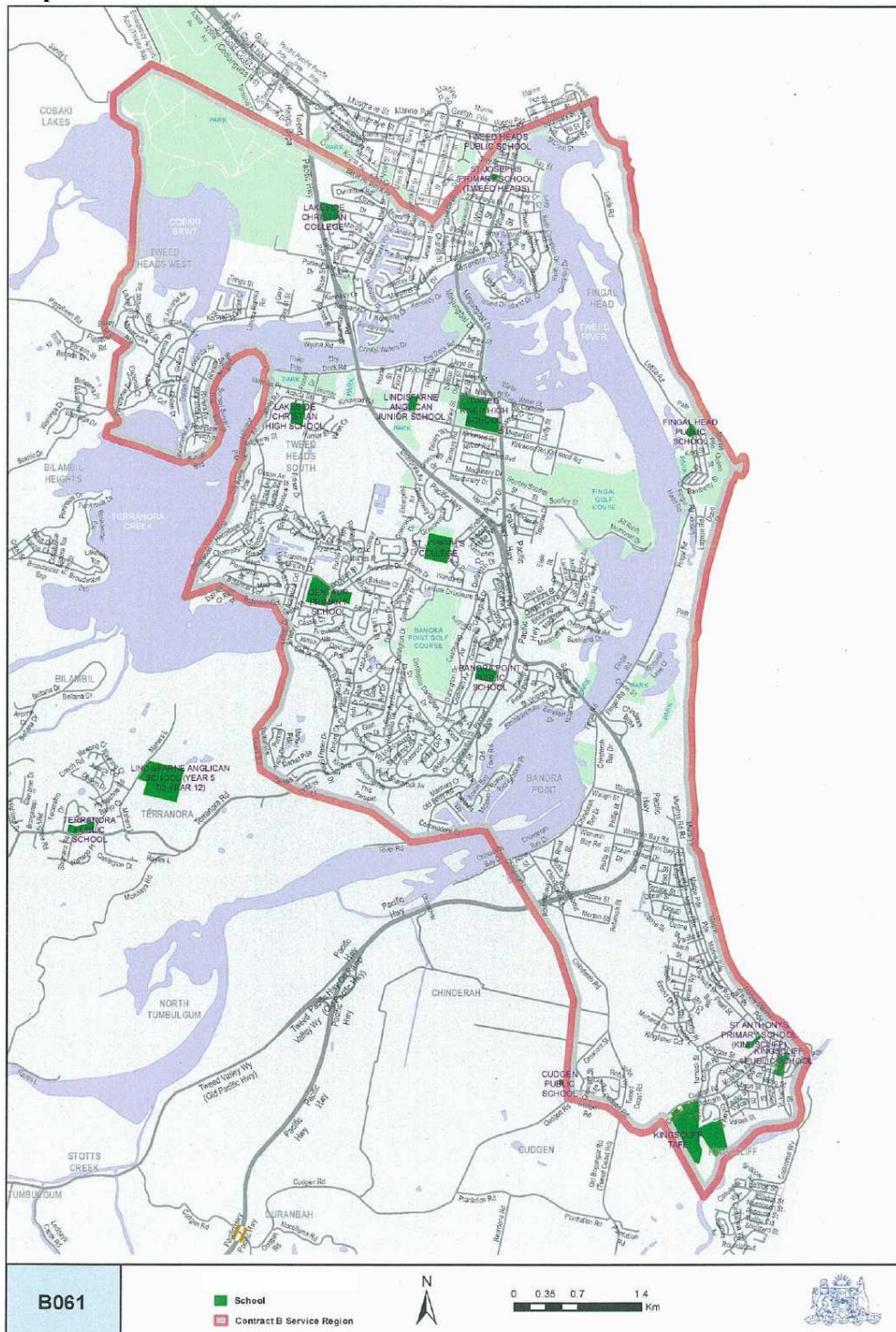


Map 47: Toormina - Sawtell

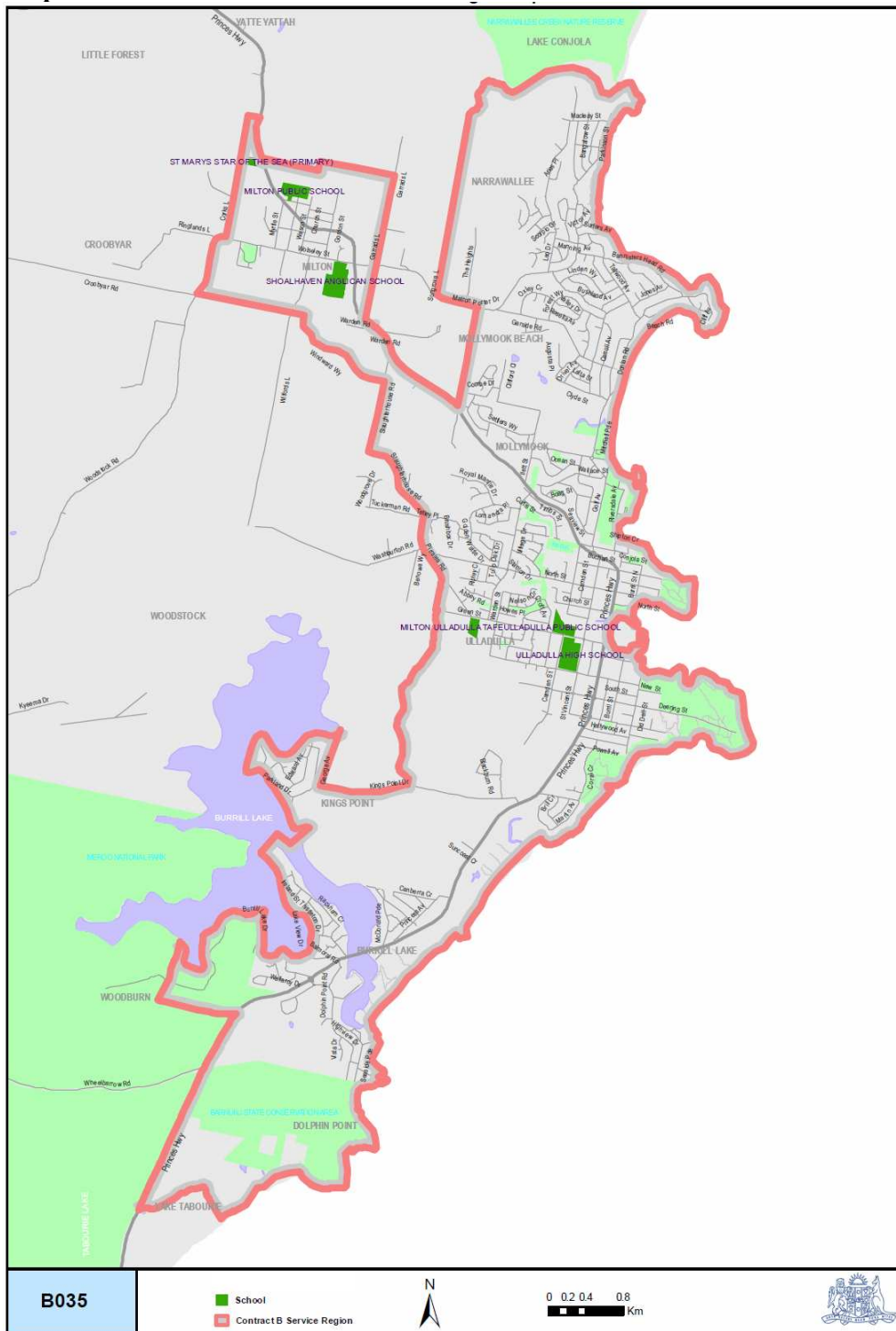


B Country Town Contract Region Maps

Map 48: Tweed Heads - Banora Point

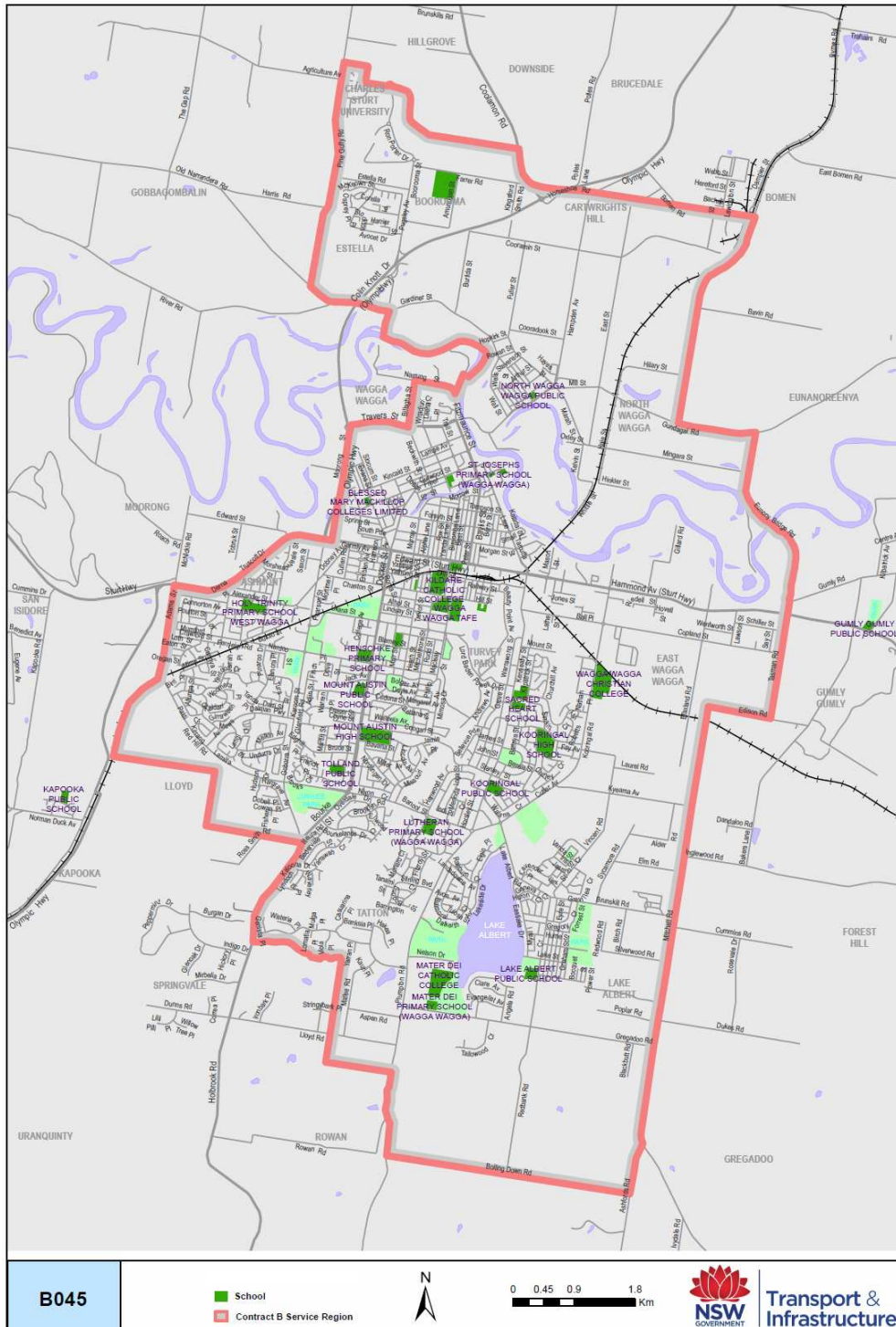


Map 49: Ulladulla - Milton

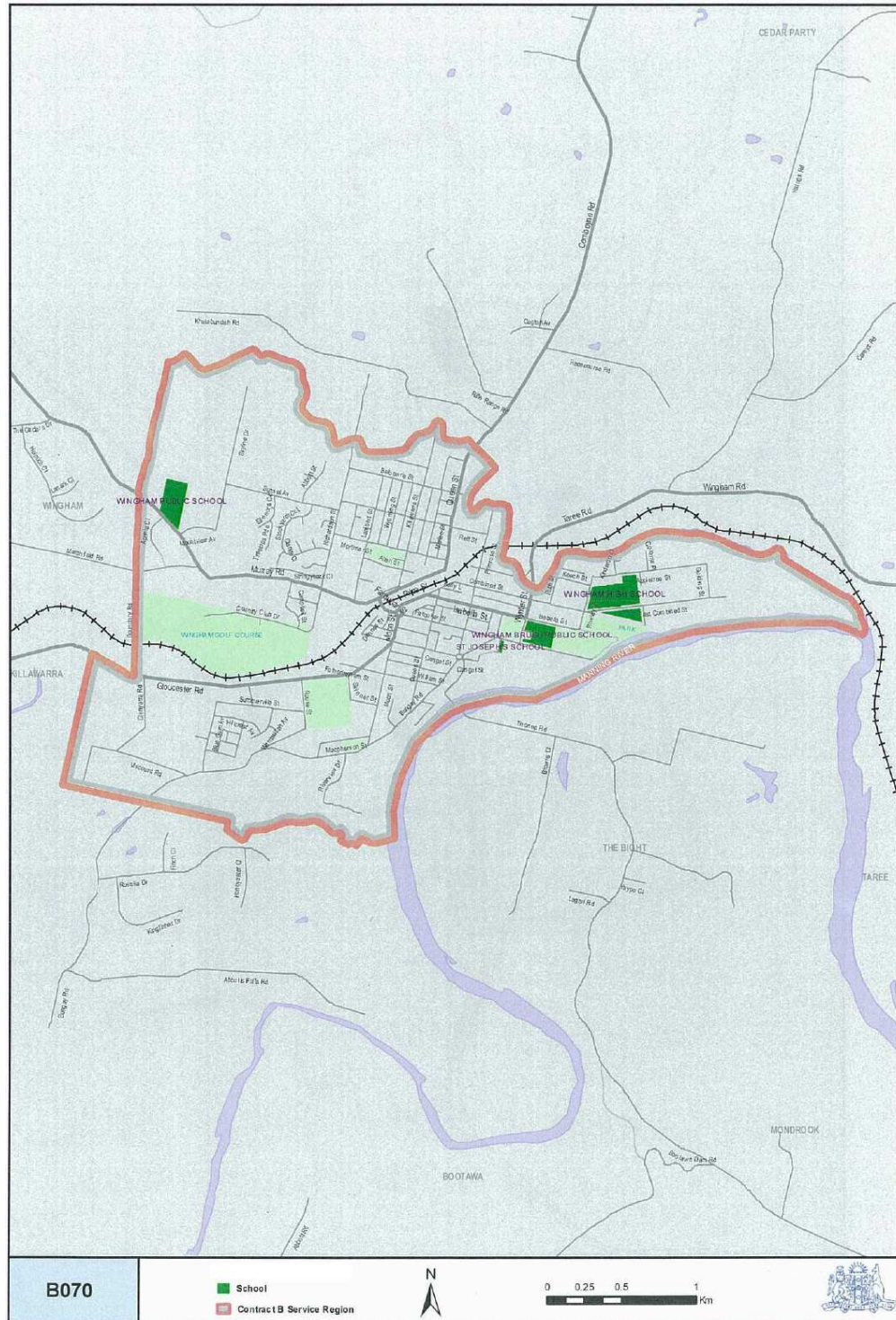


B Country Town Contract Region Maps

Map 50: Wagga Wagga



Map 51: Wingham - Bungay



Protection of the Environment Operations (Waste) Regulation 2005 – General Exemption Under Part 6, Clause 51 and 51A

The composted paunch exemption 2009

Name

1. This exemption is to be known as 'The composted paunch exemption 2009'.

Commencement

2. This exemption commences on 28 December 2009.

Duration

3. This exemption is valid 27 December 2010 or until revoked by the Environment Protection Authority (EPA) by notice published in the Government Gazette.

Legislation

4. Under the *Protection of the Environment Operations (Waste) Regulation 2005* (the Regulation):
 - 4.1. Clause 51 (2) authorises the EPA to grant an exemption in relation to any matter or thing including an activity or class of activities, and
 - 4.2. Clause 51A authorises the EPA to exempt a person from any of the following provisions in relation to an activity or class of activities relating to certain waste that is to be land applied or used as a fuel:
 - the provisions of sections 47 to 49 and 88 of the *Protection of the Environment Operations Act 1997* (the Act),
 - the provisions of Schedule 1 to the Act, either in total or as they apply to a particular activity, and
 - the provisions of Part 3 and clauses 45 and 47 of the Regulation.

Exemption

5. In this Notice of Exemption:
 - 5.1. The responsible person listed in Column 1 of Table 1 is exempt from the provision/s listed in Column 2 of that table but only in relation to activities involving the relevant waste and only where the responsible person complies with the conditions set out in this Notice.

However, this Notice of Exemption does not exempt the responsible person from the provisions specified in Column 2 where the relevant waste is received at premises that are, despite this exemption, required to be licensed for waste disposal (application to land) activities under the provisions of the Act.

- 5.2. Where a responsible person complies with the conditions of this Notice of Exemption, the activity referred to in Schedule 1 from which that person is exempt is taken to be a non-scheduled activity for the purposes of the Act.

Table 1

Column 1	Column 2
Responsible person	Provisions from which the responsible person is exempt
Processor	section 48 of the Act in respect of clause 39 of Schedule 1 to the Act
Consumer	section 48 of the Act in respect of clauses 39 and 42 of Schedule 1 to the Act section 88 of the Act clause 47 of the Regulation

This Notice of Exemption is a general exemption for the purposes of clause 51(3) of the Regulation.

Definitions

6. In this Notice of Exemption:

ARMCANZ means the *Australian Guidelines for Sewerage Systems - Biosolids Management*, published in 1995 by the ARMCANZ Water Technology Committee, Canberra and updated from time to time.

Composting means a process whereby the paunch and/or raw mulch, source separated garden organics, forestry and sawmill residues and urban wood residues, undergoes a process of managed biological transformation:

- (a) to achieve pasteurisation, and
- (b) for a period of not less than a total of 6 weeks of composting and curing and/or until an equivalent level of biological stability can be demonstrated.

Consumer means a person who applies, causes, or permits the application to land of composted paunch within the definitions of "application to land" in accordance with the Act. The consumer may be the landholder responsible for the land to which composted paunch is applied.

Engineered wood products means engineered or composite wood products such as particleboard, oriented strand board, plywood, laminated veneer lumber, glulam or fibreboard that are manufactured with glues, resins, water repellents, fire retardants, fungal inhibitors and/or other chemicals.

Paunch means the undigested food contained in the stomach of ruminant animals. This is generally considered to include partially digested grass, hay and other feed products such as grain.

Composted paunch means paunch that has undergone composting in combination with any of the following:

- (a) raw mulch,
- (b) source separated garden organics,
- (c) forestry and sawmill residues, and
- (d) urban wood residues.

Forestry and sawmill residues are untreated and uncontaminated plant materials from forestry operations such as logging, silviculture and sawmilling. Forestry and sawmill residues include materials such as bark, woodchip, sawdust and wood fibre that are collected as a source separated material stream for processing.

Pasteurisation means a process whereby the paunch and/or raw mulch, source separated garden organics, forestry and sawmill residues and urban wood residues, are treated to significantly reduce the numbers of plant and animal pathogens and plant propagules. It must undergo:

- (a) Appropriate turning of outer material to the inside of the windrow so that the whole mass is subjected to a minimum of 3 turns with the internal

temperature reaching a minimum of 55°C for 3 consecutive days before each turn, or

- (b) An alternative process that guarantees the same level of pathogen reduction as required by ARMCANZ, and the elimination of plant propagules.

Preservative treated and coated wood residues means wood residues that are preservative treated with chemicals such as copper chromium arsenate (CCA), high temperature creosote (HTC), pigmented emulsified creosote (PEC) and light organic solvent preservative (LOSP) and/or coated with substances such as varnish or paint.

Processor means a person who processes, mixes, blends, or otherwise incorporates composted paunch into a material for supply to a consumer.

Raw mulch is any compostable organic plant material that is applied to land as a recycled organic product without having been subjected to an effective pasteurisation or composting process. Such materials may be shredded and/or screened to a preferred particle size grading for particular applications. Raw mulches include materials such as horticultural barks, leaf mulch and wood chip mulch produced from source separated garden organics, forestry and sawmill residues and urban wood residues.

Relevant waste means composted paunch that meets the requirements of Section 7.

Source separated garden organics means garden vegetation and plant materials that are segregated at the point of generation and are collected as a separate material stream for processing. Source separated garden organics includes material from Council garden waste collections and public drop-off collections and can include materials such as branches, grass, leaves, plant trimmings, tree stumps, bark, and the like.

Urban wood residues means untreated and uncontaminated urban derived timber and wood material that is collected as a separate material stream for processing. Urban wood residues includes materials such as off-cuts, saw dust, wood shavings, packaging crates and pallets but does not include preservative treated and coated wood residues or engineered wood products..

General conditions

7. This Notice of Exemption is subject to the following conditions:
- 7.1. The composted paunch can only be applied to land as compost, a soil amendment material or for the purpose of biofiltration.
 - 7.2. The processor of composted paunch must provide a written statement of compliance to the consumer with each transaction, certifying that the composted paunch complies with the relevant conditions of this exemption.
 - 7.3. The consumer must land apply the composted paunch within a reasonable period of time.

Exemption Granted

Mark Gorta
Manager, Waste Management Section
Environment Protection Authority
by delegation

Notes

The EPA may amend or revoke this exemption at any time. It is the responsibility of the generator, processor and consumer to ensure that they comply with all relevant requirements of the most current exemption. The current version of an exemption will be available on the EPA website: www.environment.nsw.gov.au

In gazetting this general exemption, the EPA is exempting the relevant waste from the specific requirements of the Act and Regulations as stated in this exemption. The EPA is not in any way endorsing the use of this substance or guaranteeing that the substance will confer benefit.

The use of exempted material remains subject to other relevant environmental regulations within the Act and Regulations. For example, a person who pollutes land (s142A) or water (s120), or does not meet the special requirements for asbestos waste (clause 42), regardless of having an exemption, is guilty of an offence and subject to prosecution.

For the purposes of arrangements between a generator, a processor and a consumer, a 'transaction' is taken to mean the contractual agreement between the two parties which specifies the exchange of waste material from one party to another. A 'statement of compliance' must be in writing and be provided with each transaction.

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, human health or agriculture will not be harmed.

It should be noted that other contaminants may be present in the relevant waste that can potentially cause harm. Application rates may need to be lower than those listed in the exemption depending on local circumstances and should be determined as appropriate to those circumstances prior to application. Plants may display symptoms of toxicity, and/or reductions in yield may occur at values below the maximum concentration limits specified in this exemption.

The consumer should assess whether or not the exempted material is fit for the purpose the material is proposed to be used and whether this use will cause harm. The consumer may need to seek expert engineering or technical advice.

This exemption does not apply to any material received at a premises that is required to be licensed for waste disposal (application to land) activities under the provisions of the Act. This exemption does not remove the need for a site at which processing occurs to be licensed, if required under Schedule 1 of the Act.

This exemption does not alter the requirements of any other relevant legislation that must be met in utilising this material, including for example, the need to prepare a Material Safety Data Sheet (MSDS).

Regardless of any exemption provided by the EPA, the person who causes or permits the application of the substance to land must ensure that the action is lawful and consistent with the development consent requirements of the land.

All records required to be kept under this exemption must be made available to authorised officers of the EPA upon request.

Failure to comply with the conditions of this Notice of Exemption may constitute an offence under clause 51 of the Regulation and the responsible person will be required to comply with the normal regulatory provisions.

Protection of the Environment Operations (Waste) Regulation 2005 – General Exemption Under Part 6, Clause 51 and 51A

The electric arc welding slag in recovered aggregate exemption 2009

Name

1. This exemption is to be known as 'The electric arc welding slag in recovered aggregate exemption 2009'.

Commencement

2. This exemption commences on 21 December 2009. 'The electric arc welding slag in recovered aggregate exemption 2008' which commenced 1 November 2008 is revoked from 21 December 2009.

Duration

3. This exemption is valid until revoked by the Environment Protection Authority (EPA) by notice published in the Government Gazette.

Legislation

4. Under the *Protection of the Environment Operations (Waste) Regulation 2005* (the Regulation):

- 4.1. Clause 51 (2) authorises the EPA to grant an exemption in relation to any matter or thing including an activity or class of activities, and
- 4.2. Clause 51A authorises the EPA to exempt a person from any of the following provisions in relation to an activity or class of activities relating to certain waste that is to be land applied or used as a fuel:
 - the provisions of sections 47 to 49 and 88 of the *Protection of the Environment Operations Act 1997* (the Act),
 - the provisions of Schedule 1 to the Act, either in total or as they apply to a particular activity, and
 - the provisions of Part 3 and clauses 45 and 47 of the Regulation.

Exemption

5. In this Notice of Exemption:

- 5.1. The responsible person listed in Column 1 of Table 1 is exempt from the provision/s listed in Column 2 of that table but only in relation to activities involving the relevant waste and only where the responsible person complies with the conditions referred to in Column 3 of the table.

However, this Notice of Exemption does not exempt the responsible person from the provisions specified in Column 2 where the relevant waste is received at premises that are, despite this exemption, required to be licensed for waste disposal (application to land) activities under the provisions of the Act.

- 5.2. Where a responsible person complies with the conditions of this Notice of Exemption, the activity referred to in Schedule 1 from which that person is exempt is taken to be a non-scheduled activity for the purposes of the Act.

Table 1

Column 1	Column 2	Column 3
Responsible person	Provisions from which the responsible person is exempt	Conditions to be met by the responsible person
Generator	section 48 of the Act in respect of clause 39 of Schedule 1 to the Act	all requirements specified in section 7 and 8
Processor	section 48 of the Act in respect of clause 39 of Schedule 1 to the Act	all requirements specified in section 7 and 9
Consumer	section 48 of the Act in respect of clauses 34, 39, 41 and 42 of Schedule 1 to the Act section 88 of the Act clause 45 and 47 of the Regulation	all requirements specified in section 7 and 10

This Notice of Exemption is a general exemption for the purposes of clause 51(3) of the Regulation.

Definitions

6. In this Notice of Exemption:

Characterisation means sampling and testing that must be conducted on the Electric Arc Welding Slag for the range of chemicals and other attributes listed in Column 1 of Table 2.

Composite sample means a sample that combines 5 discrete sub-samples into a single sample for the purpose of analysis.

Processor means a person who processes recovered aggregate to a standard that complies with the Recovered Aggregates Exemption 2008.

Generator means a person who generates, supplies, causes, or permits the supply of Electric Arc Welding Slag to a processor.

Electric Arc Welding Slag means material recovered from the electric arc welding of iron and steel. The Electric Arc Welding Slag is generally glassy in nature but can include the unused material that was to be incorporated around the electrode during manufacture. Electric Arc Welding Slag shall also have the following properties:

- a pH range 9 to 11, and
- is insoluble (Electrical Conductivity of 1:5 solid:water mixture <2 dS/m) and
- Total Cadmium concentrations < 1 mg/Kg 'dry weight', and
- Total Mercury concentrations < 1 mg/Kg 'dry weight', and
- Total Manganese concentrations < 10%.

Once-off sampling means sampling and testing that must be conducted only once per year on a batch that must be minimum of 500 tonnes and a maximum of 1,500 tonnes in size.

Recovered aggregate means material that meets the conditions of most recent version of the 'The recovered aggregate exemption 2008'.

Relevant waste means Electric Arc Welding Slag that meets the requirements of Section 7.

Routine sampling means sampling and testing that must be conducted on the Electric Arc Welding Slag on an ongoing and regular basis.

Validation means ensuring that test results comply with the conditions of this exemption prior to supply to a consumer.

General conditions

7. This Notice of Exemption is subject to the following conditions:
 - 7.1. The chemical concentration or other attribute of the Electric Arc Welding Slag listed in Column 1 of Table 2 must not exceed any of the following:
 - 7.1.1. the absolute maximum concentration or other value listed in Column 4 of Table 2,
 - 7.1.2. once-off tests, the maximum average (based on the arithmetic mean) concentration or other value listed in Column 2 of Table 2, and
 - 7.1.3. for routine tests, the maximum average (based on the arithmetic mean) concentration or other value listed in Column 3 of Table 2.
 - 7.2. The Electric Arc Welding Slag shall be mixed or blended with, or otherwise incorporated into, 'Recovered aggregate' at less than 5% by weight of the recovered aggregate materials. The blended Electric Arc Welding Slag can only be applied to land where the blended material complies with the conditions of the most recent version of 'The Recovered Aggregate Exemption 2008'.

Generator responsibilities

8. The following conditions must be met by the generator for this exemption to apply:
 - 8.1. Sampling must be undertaken in accordance with Australian Standard 1141 Methods for sampling and testing aggregates (or equivalent). Sampling and information on sample storage and preparation must be detailed in a written sampling plan.
 - 8.2. The generator must undertake routine or once-off sampling of a batch of Electric Arc Welding Slag according to the requirements listed in Table 3, for the range of chemicals and other attributes listed in Column 1 of Table 2.
 - 8.3. Where there is a change in inputs that is likely to affect the properties in the Electric Arc Welding Slag, characterisation must be repeated.
 - 8.4. Generators must keep a written record of all routine and/or once-off test results for a period of three years.
 - 8.5. Records of the quantity of Electric Arc Welding Slag supplied to the processor and the processor's name and address must be kept for a period of three years.
 - 8.6. The generator of Electric Arc Welding Slag must provide a written statement of compliance to the processor with each transaction, certifying that the Electric Arc Welding Slag complies with the relevant conditions of this exemption.
 - 8.7. The generator of Electric Arc Welding Slag must make information on the latest characterisation and routine test results available to the processor.

Processor responsibilities

9. The following conditions must be met by the processor for this exemption to apply:
 - 9.1. The Electric Arc Welding Slag must be mixed or blended with, or otherwise incorporated into, 'Recovered aggregate' at less than 5% by weight of the recovered aggregate materials.
 - 9.2. Records of the quantity of Electric Arc Welding Slag supplied to the consumer and the consumer's name and address must be kept for a period of three years.

- 9.3. The processor of Electric Arc Welding Slag must provide a written statement of compliance to the consumer with each transaction, certifying that the recovered aggregate complies with the relevant conditions of this exemption.
- 9.4. The processor of Electric Arc Welding Slag must make information on the latest characterisation and routine test results available to the consumer.

Chemical and other material property requirements

10. This Notice of Exemption only applies to Electric Arc Welding Slag where the chemical and other attributes listed in Column 1 of Table 2 comply with the chemical concentrations and other values listed in Column 2, Column 3 and Column 4 of Table 2, when analysed according to test methods specified in Column 5 of Table 2.

Table 2

Column 1	Column 2	Column 3	Column 4	Column 5
Chemicals and other attributes	Maximum average concentration for characterisation (mg/kg 'dry weight' unless otherwise specified)	Maximum average concentration for routine testing (mg/kg 'dry weight' unless otherwise specified)	Absolute maximum concentration (mg/kg 'dry weight' unless otherwise specified)	Test method specified within Section
1. Lead	Not required	40	80	12.1
2. Barium	Not required	1500	3000	12.1
3. Chromium (total)	Not required	150	300	12.1
4. Cobalt	Not required	30	60	12.1
5. Copper	Not required	100	200	12.1
6. Nickel	Not required	200	400	12.1
7. Silver	Not required	100	200	12.1
8. Zinc	Not required	80	160	12.1
9. TCLP Manganese	Not required	300 mg/L	600 mg/L	12.2
10. TCLP Nickel	Not required	0.5 mg/L	1 mg/L	12.2

Sampling and testing requirements

11. This Notice of Exemption only applies to Electric Arc Welding Slag sampled according to the requirements in Table 3.

Table 3

Column 1	Column 2	Column 3	Column 4
Characterisation frequency	Routine sampling frequency	Once-off sampling frequency	Validation
Not required.	5 composite samples per 20 tonnes. (no pro-rata sampling)	10 composite samples per batch. (no pro-rata sampling)	Required before any batch can be incorporated into recovered aggregate.

Test methods

12. All testing must be undertaken by analytical laboratories accredited by the National Association of Testing Authorities, or equivalent. All chemicals and other attributes listed in Column 1 of Table 2 must be measured in accordance with the test methods specified below:

- 12.1. Test methods for measuring chemicals 1 - 8 in Electric Arc Welding Slag:
 - 12.1.1. Particle size reduction & sample splitting may be required.
 - 12.1.2. Sample preparation by digesting using USEPA SW-846 Method 3051A Microwave assisted acid digestion of sediments, sludges, soils, and oils.
 - 12.1.3. Analysis using USEPA SW-846 Method 6010C Inductively coupled plasma - atomic emission spectrometry, or an equivalent analytical method with a detection limit < 10% of the stated absolute maximum concentration in Table 2, Column 3 (i.e. 1.5 mg/kg dry weight for lead).
 - 12.1.4. Report as mg/kg dry weight.
- 12.2. Test method for measuring 9 - 10 in Electric Arc Welding Slag:
 - 12.2.1. Analysis using USEPA SW-846 Method 1311 Toxicity characteristic leaching procedure (or an equivalent analytical method).
 - 12.2.2. Report as mg/L.

Exemption Granted

Mark Gorta
Manager, Waste Management Section
Environment Protection Authority
by delegation

Notes

The EPA may amend or revoke this exemption at any time. It is the responsibility of the generator, processor and consumer to ensure that they comply with all relevant requirements of the most current exemption. The current version of an exemption will be available on the EPA website: www.environment.nsw.gov.au

In gazetting this general exemption, the EPA is exempting the relevant waste from the specific requirements of the Act and Regulations as stated in this exemption. The EPA is not in any way endorsing the use of this substance or guaranteeing that the substance will confer benefit.

The use of exempted material remains subject to other relevant environmental regulations within the Act and Regulations. For example, a person who pollutes land (s142A) or water (s120), or does not meet the special requirements for asbestos waste (clause 42), regardless of having an exemption, is guilty of an offence and subject to prosecution.

For the purposes of arrangements between a generator, a processor and a consumer, a 'transaction' is taken to mean the contractual agreement between the two parties which specifies the exchange of waste material from one party to another. A 'statement of compliance' must be in writing and be provided with each transaction.

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, human health or agriculture will not be harmed.

The consumer should assess whether or not the exempted material is fit for the purpose the material is proposed to be used and whether this use will cause harm. The consumer may need to seek expert engineering or technical advice.

This exemption does not apply to any material received at a premises that is required to be licensed for waste disposal (application to land) activities under the provisions of the Act. This exemption does not remove the need for a site at which processing occurs to be licensed, if required under Schedule 1 of the Act.

This exemption does not alter the requirements of any other relevant legislation that must be met in utilising this material, including for example, the need to prepare a Material Safety Data Sheet (MSDS).

Regardless of any exemption provided by the EPA, the person who causes or permits the application of the substance to land must ensure that the action is lawful and consistent with the development consent requirements of the land.

All records required to be kept under this exemption must be made available to authorised officers of the EPA upon request.

Failure to comply with the conditions of this Notice of Exemption may constitute an offence under clause 51 of the Regulation and the responsible person will be required to comply with the normal regulatory provisions.

Protection of the Environment Operations (Waste) Regulation 2005**General Exemption from Clause 12 Record Keeping Requirements**

I, Joe Woodward, Deputy Director General, Environment Protection and Regulation Group, exempt the following class of persons from the record keeping requirements of clause 12 of the *Protection of the Environment Operations (Waste) Regulation 2005*:

Occupiers of scheduled waste facilities to whom the requirement to pay a contribution to the Environment Protection Authority under section 88 of the *Protection of the Environment Operations Act 1997* does not apply.

This exemption is made under clauses 12(9) and 51 of the *Protection of the Environment Operations (Waste) Regulation 2005*.

This exemption commences on the date that it is published in the Government Gazette.

JOE WOODWARD
Deputy Director General, Environment Protection and Regulation Group
Department of Environment, Climate Change and Water

PRIVATE ADVERTISEMENTS

COUNCIL NOTICES

MID-WESTERN REGIONAL COUNCIL

Roads Act 1993, Section 10

Dedication of Land as Public Road

NOTICE is hereby given that the Mid-Western Regional Council, by resolution of Council, dated 18th November 2009, has resolved to dedicate the land described hereunder as public road pursuant to section 10 of the Roads Act 1993. WARWICK BENNETT, General Manager, Mid-Western Regional Council, 86 Market Street, Mudgee NSW 2850.

SCHEDULE

Lot 2, Deposited Plan 1059983, Parish of Mudgee, County of Wellington, being land situated at Burrundulla Road, Mudgee. [5011]

WOOLLAHRA MUNICIPAL COUNCIL

Notification of Dedication as a Public Road

ON 14 September 2009, Woollahra Municipal Council resolved to dedicate the land as a public road in accordance with section 16 of the Roads Act 1993.

Descriptions

The residue land comprised in Deed registered Book 219, No. 258 and Deed registered Book 255, No. 968, at Attunga Street, Woollahra, Parish of Alexandria and County of Cumberland.

Note: (1) On dedication, title for the land will remain vested in Woollahra Municipal Council as operational land.

Dated: 15 December 2009.

G. JAMES, General Manager, Woollahra Municipal Council, PO Box 61, Double Bay NSW 1360. [5012]

GLEN INNES SEVERN COUNCIL

Roads Act 1993

Notice under Clause 17 of the Road Transport (Mass, Loading and Access) Regulation 1996

GLEN INNES SEVERN COUNCIL, in pursuance of Division 2 of Part 3 of the Road Transport (Mass, Loading and Access) Regulation 1996, by this Notice, specify the routes and areas on or in which B-Doubles may be used subject to any requirements or conditions set out in the Schedule.

HEIN BASSON,
General Manager,
Glen Innes Severn Council
(by delegation from the Minister for Roads)

SCHEDULE

1. Citation

This Notice may be cited as the Glen Innes Severn Council B-Doubles Notice No. 01/2009.

2. Commencement

This Notice takes effect from the date of gazettal.

3. Effect

This Notice remains in force until January 2014 unless it is amended or repealed earlier.

4. Application

4.1 This Notice applies to B-Doubles which comply with Schedule 1 to the Road (Mass, Loading and Access) Regulation 1996 and Schedule 4 to the road Transport (Vehicle Registration) Regulation 1998.

5. Routes

B-Double routes within the Glen Innes Severn Council.

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
25m		Grey Street	Ferguson Street	Meade Street	Up to 4.6 high
25m		Meade Street	Grey street	Church street	Up to 4.6 high
25m	R 130	Bald Nob Road	New England Hwy	Gwydir Hwy	Up to 4.6 high
25m	R 404	Gordon Road	Strathbogie Road	Council boundary	Up to 4.6 high
25m	R354	Grahams Valley Road	New England Hwy	Maybole Road	Up to 4.6 high

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25m	859	Moore Street	Inverell Street	Glen Innes Street	Up to 4.6 high
25m	R313	Mt Mitchell Road	New England Hwy	Council Boundary	Up to 4.6 high
25m	536	Oliver Street	New England Hwy	Buddee Street	Up to 4.6 high
25m	R278	Pinkett Road	Red Range Road	Council Boundary	Up to 4.6 high
25m	R220	Red Range Road	Buddee Street	Victoria Street	Up to 4.6 high
25m	R450	Rangers Valley Road	Rangers valley feedlot	Emmaville Road	Up to 4.6 high
25m	R420	Strathbogie Road	Coronation Ave	Inverell Street	Up to 4.6 high

[5013]

ESTATE NOTICES

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of BETTY PATRICIA LEPLAW, late of 857 King Georges Road, South Hurstville, in the State of New South Wales, who died on 18 September 2009, must send particulars of his claim to the executors, c.o. Colin J. Duff, Solicitor, 7 Morts Road, Mortdale NSW 2223, on or before the expiration of one (1) month from the date of publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executor has notice. Probate was granted in New South Wales on 11 December 2009. COLIN J. DUFF, Solicitor, 7 Morts Road, Mortdale NSW 2223 (DX 11307, Hurstville), tel.: (02) 9570 2022. [5014]