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SPECIAL SUPPLEMENT



New South Wales

Community Land Management Amendment (Fees) Regulation 2004

under the

Community Land Management Act 1989

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Community Land Management Act 1989*.

REBA PAIGE MEAGHER, M.P.,
Minister for Fair Trading

Explanatory note

The object of this Regulation is to increase fees payable to the Registrar of the Consumer, Trader and Tenancy Tribunal in respect of certain services in connection with community land management. The fee increases are in line with movements in the Consumer Price Index.

This Regulation also introduces:

- (a) a new fee of \$59 for an application for mediation, payable to the Commissioner for Fair Trading in the Department of Commerce (who is referred to in the *Community Land Management Act 1989* as the Director-General), and
- (b) “at cost” fees for cassettes of duplicate tape recordings of evidence or proceedings and copies of written transcripts of evidence or proceedings. (The “at cost” fees provide consistency in the method of charging fees for these services across all Divisions of the Tribunal and replace the existing fee variations for these items between the Divisions.)

This Regulation also replaces a provision in the *Community Land Management Regulation 2000* relating to the waiver and remission of fees so as to extend its application to the Commissioner for Fair Trading as well as the Registrar of the Tribunal.

This Regulation is made under the *Community Land Management Act 1989*, including section 122 (the general regulation-making power).

Clause 1 Community Land Management Amendment (Fees) Regulation 2004

Community Land Management Amendment (Fees) Regulation 2004

under the

Community Land Management Act 1989

1 Name of Regulation

This Regulation is the *Community Land Management Amendment (Fees) Regulation 2004*.

2 Commencement

This Regulation commences on 1 July 2004.

3 Amendment of Community Land Management Regulation 2000

The *Community Land Management Regulation 2000* is amended as set out in Schedule 1.

Community Land Management Amendment (Fees) Regulation 2004

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 3)

[1] Clause 20 Fees

Omit clause 20 (2). Insert instead:

- (2) The following fees are payable to the Registrar in respect of the services specified:

Service	Fee
Lodging an application for an order for settlement of a dispute or complaint by an Adjudicator or the Tribunal under Part 4 of the Act:	
(a) if the application includes an application for an interim order under section 72 of the Act	\$118
(b) if it does not	\$59
Lodging a notice of appeal against an order made by an Adjudicator under section 88 of the Act	\$59
Lodging an application for a copy of an order made by an Adjudicator or the Tribunal, or other document not being a transcript, per page	\$2 per page or \$21 (whichever is greater)
Issuing a summons to appear before the Tribunal under section 94 of the Act	\$33
Duplicate tape recording of evidence or proceedings, per cassette	“at cost”
Copy of written transcript of evidence or proceedings, per page	“at cost”

Community Land Management Amendment (Fees) Regulation 2004

Schedule 1 Amendments

- (3) The following fee is payable to the Director-General in respect of the service specified:

Service	Fee
Application for mediation	\$59

[2] Clause 21

Omit the clause. Insert instead:

21 Waiver and remission of fees

- (1) The Director-General may waive payment of the fee under the Act for an application for mediation, or may remit any such fee paid to the Director-General, if the Director-General considers it appropriate to do so in the circumstances.
- (2) The Registrar may waive payment of any other fee under the Act, or may remit any such fee paid to the Registrar, if the Registrar considers it appropriate to do so in the circumstances.



Consumer, Trader and Tenancy Tribunal Amendment (Fees) Regulation 2004

under the

Consumer, Trader and Tenancy Tribunal Act 2001

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Consumer, Trader and Tenancy Tribunal Act 2001*.

REBA PAIGE MEAGHER, M.P.,
Minister for Fair Trading

Explanatory note

The object of this Regulation is to increase fees payable:

- (a) in respect of applications to have matters dealt with by the Consumer, Trader and Tenancy Tribunal, and
- (b) for the issue of a summons.

The fee increases are in line with movements in the Consumer Price Index.

This Regulation also:

- (a) introduces a new “at cost” fee for a copy of a written record or transcript of evidence or proceedings, and
- (b) removes the fee of \$21 for the cost of a sound or audio-visual recording. (The Tribunal will now provide cassettes of such tape recordings of evidence or proceedings “at cost” rather than at a set fee.)

The “at cost” fees provide consistency in the method of charging fees for these services across all Divisions of the Tribunal and replace the existing fee variations for these items between the Divisions.

This Regulation is made under the *Consumer, Trader and Tenancy Tribunal Act 2001*, including section 86 (the general regulation-making power) and, in particular, section 86 (2) (n).

Clause 1 Consumer, Trader and Tenancy Tribunal Amendment (Fees) Regulation
2004

Consumer, Trader and Tenancy Tribunal Amendment (Fees) Regulation 2004

under the

Consumer, Trader and Tenancy Tribunal Act 2001

1 Name of Regulation

This Regulation is the *Consumer, Trader and Tenancy Tribunal Amendment (Fees) Regulation 2004*.

2 Commencement

This Regulation commences on 1 July 2004.

3 Amendment of Consumer, Trader and Tenancy Tribunal Regulation 2002

The *Consumer, Trader and Tenancy Tribunal Regulation 2002* is amended as set out in Schedule 1.

Consumer, Trader and Tenancy Tribunal Amendment (Fees) Regulation
2004

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 3)

[1] Clause 10 Application fees

Omit "\$28" wherever occurring in clause 10 (1) (a) and (c) (i).

Insert instead "\$29".

[2] Clause 10 (1) (b) and (c) (ii)

Omit "\$58" wherever occurring. Insert instead "\$59".

[3] Clause 10 (1) (c) (iii)

Omit "\$155". Insert instead "\$159".

[4] Clause 10 (1) (d) (i) and (iii)

Omit "\$516" wherever occurring. Insert instead "\$528".

[5] Clause 10 (1) (d) (ii)

Omit "\$64". Insert instead "\$66".

[6] Clause 30 Issue of summons

Omit "\$31" from clause 30 (5). Insert instead "\$33".

[7] Clause 39 Copies of record of proceedings and other documents

Omit "written record or document, or" from clause 39 (1) (a).

Insert instead "document (other than a written record or transcript of evidence or proceedings), or".

[8] Clause 39 (1) (b) and (c)

Omit paragraph (b). Insert instead:

- (b) "at cost" per page in the case of a written record or transcript of evidence or proceedings, or
- (c) "at cost" per cassette in the case of a sound or audio-visual tape recording of evidence or proceedings.



Health Services Amendment (Corrections Health Service) Order 2004

under the

Health Services Act 1997

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 42 of the *Health Services Act 1997*, make the following Order.

Dated, this 30th day of June 2004.

By Her Excellency's Command,

MORRIS IEMMA, M.P.,
Minister for Health

Explanatory note

The object of this Order is to amend Schedule 2 to the *Health Services Act 1997* to rename the "Corrections Health Service" as "Justice Health".

This Order is made under section 42 of the *Health Services Act 1997*.

Clause 1 Health Services Amendment (Corrections Health Service) Order 2004

Health Services Amendment (Corrections Health Service) Order 2004

under the

Health Services Act 1997

1 Name of Order

This Order is the *Health Services Amendment (Corrections Health Service) Order 2004*.

2 Commencement

This Order commences on 1 July 2004.

3 Amendment of Health Services Act 1997

Schedule 2 to the *Health Services Act 1997* is amended by omitting “Corrections Health Service” and by inserting instead “Justice Health”.

HEALTH SERVICES ACT 1997

ORDER AMENDING THE SCALE OF FEES FOR HOSPITAL AND OTHER HEALTH SERVICES

Pursuant to section 69 of the Health Services Act 1997, I, ROBYN KRUK, Director-General of the Department of Health, as the duly appointed delegate of the Minister for Health, do by this Order hereby amend the currently applying Scale of Fees for hospital services and other health services to the extent and in the manner set forth in the Schedule below to take effect on and from 1 July 2004.

ROBYN KRUK,
Director-General

SCHEDULE

AMENDMENT OF SCALE OF FEES

- (a) **delete** from Part 1 in its entirety item 1A. relating to “**ACCOMMODATION CHARGES**”, and insert instead the following matter:

1A. ACCOMMODATION CHARGES –

In respect of patients admitted to NSW public hospitals and receiving public hospital services pursuant to the Australian Health Care Agreement.

	Daily Fee \$
1A.1. Public Patients –	
1A.1.1 treated by a doctor nominated by the hospital	Nil
1A.1.2 accommodated in a shared room (single room accommodation without charge can continue to be provided on the grounds of medical need)	Nil

1A.2. Private Patients (Overnight Stay)

1A.2.1	treated by a doctor nominated by the patient and accommodated in a shared room	255
1A.2.2	treated by a doctor nominated by the patient and accommodated at the patient's request, in a single room or as sole occupant of a shared room.	428

1A.3. Private Patients (Same Day Patient)

Band 1	184
Band 2	207
Band 3	228
Band 4	255

Note:

These bands are as categorised by the Commonwealth under the National Health Act 1953.

1A.4. Ineligible Patients

Metropolitan (referral) hospital	
- Critical care patient	1,970
- Inpatient (other than critical care patient)	795
Metropolitan (non-referral) hospital	
- Critical care patient	1,150
- Inpatient (other than critical care patient)	595
Non-Metropolitan hospital	
- Critical care patient	910
- Inpatient (other than critical care patient)	550
Psychiatric hospital inpatient	335
Other hospital inpatient	185

With the exception of:

- 1 A visitor to Australia who holds a temporary entry permit, and who has applied for but has not yet been issued with an entry permit granting permanent residence.
- 2 A Norfolk Island resident who is admitted to a public hospital under the Norfolk Island Health Care Scheme (refer item 1A.8.).

- 3 A person who is admitted to a public hospital under the Asylum Seeker Assistance Scheme (refer item 1A.9.).
- 4 Persons entitled to free public hospital treatment under the terms of a Reciprocal Health Care Agreement between Australia and their country.

Note:

For the purposes of Part 1A the classification of an individual treating hospital shall be the same as that shown in any "Order Notifying Classification of Hospitals" made by the Director-General of the Department of Health for the purposes of clause 18 of the Workers Compensation (General) Regulation 1995 or any subsequent equivalent determination for the purposes of the NSW workers' compensation statutory scheme.

**1A.5. Compensable Patients
(other than Workers Compensation or Motor
Vehicles Compensation) -**

Metropolitan (referral) hospital	
- Critical care patient	1,970
- Inpatient (other than critical care patient)	795
Metropolitan (non-referral) hospital	
- Critical care patient	1,150
- Inpatient (other than critical care patient)	595
Non-Metropolitan	
- Critical care patient	910
- Inpatient (other than critical care patient)	550
Psychiatric hospital inpatient	335
Other hospital inpatient	185

These rates do not apply to persons treated pursuant to respective statutory schemes for the purposes of workers' compensation or compensation to persons injured in motor accidents. These rates are set by separate agreement.

1A.6. Veterans' Affairs Patients

Veterans' Affairs Patients	Nil
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1A.7. Nursing Home Type Patients

1A.7.1 Elect to be treated by hospital nominated doctors –

Shall be charged a patient contribution:

(on a fortnightly basis): not exceeding the equivalent to 87.5% of any Commonwealth Standard Rate Pension and 87.5% of any maximum Rent Assistance payable to a person; or

(on a daily basis, where appropriate): one fourteenth of the fortnightly amount already referred to.

1A.7.2 Elect to be treated by doctor of choice –

Shall be charged on a daily basis, an amount equivalent to the patient contribution calculated on a daily basis in accordance with sub paragraph 1A.7.1, plus an amount determined in writing from time to time by the Minister for Health of the Commonwealth, or the Minister's delegate, pursuant to paragraph (bj) of Schedule 1 of the National Health Act 1953.

1A.8. Norfolk Island Residents admitted to a public hospital under the Norfolk Island Health Care Scheme:

	Daily Fee
	\$
Accommodation in a shared room	453
Accommodation in a single room	554
Same Day Admission	387
Accommodation as a critical care patient	1,150
Accommodation as a compensable patient	Applicable rates under 1A.5.

1A.9. Patients admitted to a public hospital under the Asylum Seekers Assistance Scheme:

Accommodation in a shared room	453
Accommodation in a single room	554
Same Day Admission	387
Accommodation as a critical care patient	1,150

- (b) **delete** from Part 1 in its entirety item 1D. relating to “**TREATMENT FEE**”, and insert instead, the following item:

1D. TREATMENT FEE –

Treatment fee applicable to ineligible inpatients, other than compensable patients, in addition to the current applicable accommodation charge (refer item 1A.4.), in situations where the ineligible inpatient receives medical treatment under arrangement with a public hospital rather than an individual practitioner.	Daily Fee \$ 210
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with the exception of:

1. A visitor to Australia who holds a temporary entry permit, and who has applied for but has not yet been issued with an entry permit granting permanent residence.
2. A Norfolk Island resident who is admitted to a public hospital under the Norfolk Island Health Care Scheme (refer item 1A.8.).
3. A person who is admitted to a public hospital under the Asylum Seeker Assistance Scheme (refer item 1A.9.)
4. Persons entitled to free public hospital treatment under the terms of a Reciprocal Health Care Agreement between Australia and their country.

Note:

The above daily fee is applicable irrespective of the number of treating practitioners.

- (c) **delete** in its entirety “**PART 4 – NON-ADMITTED PATIENT CHARGES**” and insert instead the following matter:

PART 4 - NON-ADMITTED PATIENT CHARGES

4A. Ineligible Patients

<u>For each Occasion of Service (excluding physiotherapy)</u>	\$
Metropolitan - Referral hospital	90
Metropolitan - Non-referral hospital	70
Non metropolitan hospital	60
Psychiatric hospital	60
Other hospital	60

Note:

For the purposes of Part 4 the classification of an individual treating hospital shall be the same as that shown in any "Order Notifying Classification of Hospitals" made by the Director-General of the Department of Health for the purposes of clause 18 of the Workers Compensation (General) Regulation 1995 or any subsequent equivalent determination for the purposes of the NSW workers' compensation statutory scheme.

Physiotherapy Services

<i>Normal Practice</i>	\$
Initial consultation & treatment	60
Standard consultation and treatment	50
Initial consultation & treatment of two distinct areas	90
Standard consultation & treatment of two distinct areas	75
Complex treatment	100
Group/class Intervention (rate per participant)	35
 <i>Other</i>	
Case conference (rate per hour)	120

With the exception of:

1. A visitor to Australia who holds a temporary entry permit, and who has applied for but has not yet been issued with an entry permit granting permanent residence.
2. Persons entitled to free public hospital treatment under the terms of a Reciprocal Health Care Agreement between Australia and their country.

Note:

An "occasion of service", in relation to a non-admitted patient occasion of service, has the same meaning as it has for the purposes of the NSW Department of Health Reporting System (DOHRS) activity reporting as amended from time to time.

**4B. Compensable Patients
(other than Workers Compensation or
Motor Vehicles Compensation) -**

	\$
<u>For each Occasion of Service (excluding physiotherapy)</u>	
Metropolitan - Referral hospital	90
Metropolitan - Non-referral hospital	70
Non metropolitan hospital	60
Psychiatric hospital	60
Other hospital	60

Physiotherapy Services*Normal Practice*

Initial consultation & treatment	60
Standard consultation and treatment	50
Initial consultation & treatment of two distinct areas	90
Standard consultation & treatment of two distinct areas	75
Complex treatment	100
Group/class Intervention (rate per participant)	35

Other

Case conference (rate per hour)	120
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Note:

An "occasion of service", in relation to a non-admitted patient occasion of service, has the same meaning as it has for the purposes of the NSW Department of Health Reporting System (DOHRS) activity reporting as amended from time to time.

LOCAL GOVERNMENT ACT 1993 – PROCLAMATION

MARIE BASHIR, Governor

I, the Honourable MARIE BASHIR, A.C., Governor of the State of New South Wales, on the recommendation of the Minister for Local Government after considering the results of a public inquiry concerning the Walgett Shire Council, and with the advice of the Executive Council, and in pursuance of sections 255 and 256 of the Local Government Act 1993, do, by this my Proclamation –

- (a) declare all civic offices in relation to the Walgett Shire Council to be vacant;
- (b) appoint Mr Hugh Percy as Administrator of the Walgett Shire Council;
- (c) order that the term of the Administrator will commence immediately and cease on the date of the declaration of the Council's fresh election to be held on 23 September 2006;
- (d) if Mr Hugh Percy declines to be appointed as the Administrator, then the Minister may appoint an alternate person as the Administrator; and
- (e) any matters before the new Council that the Administrator is unable or unavailable to determine for such reasons that may include, but are not limited to, the declaration of a pecuniary interest, the declaration of a conflict of interest, illness, or other absence may be determined by a substitute Administrator appointed by the Minister for that limited purpose.

Signed and sealed at Sydney, this 30th day of June 2004.

Hon TONY KELLY, M.L.C.,
Minister for Local Government

GOD SAVE THE QUEEN!



Public Sector Employment and Mangement (Department for Women) Order 2004

under the

Public Sector Employment and Management Act 2002

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of Chapter 4 of the *Public Sector Employment and Management Act 2002*, make the following Order.

Dated, this 30th day of June 2004.

By Her Excellency's Command,

BOB CARR, M.P.,
Premier

Clause 1 Public Sector Employment and Management (Department for Women) Order 2004

Public Sector Employment and Management (Department for Women) Order 2004

under the

Public Sector Employment and Management Act 2002

1 Name of Order

This Order is the *Public Sector Employment and Management (Department for Women) Order 2004*.

2 Commencement

This Order commences on 1 July 2004.

3 Abolition of Department for Women and transfer of branches

- (1) All branches are removed from the Department for Women and added to the Premier's Department.
- (2) The Department for Women is abolished as a Department of the Public Service.
- (3) A reference in any Act or statutory instrument, or in any other instrument, or in any contract or agreement, to the Department for Women is to be construed as a reference to the Premier's Department.

4 Amendment of Schedule 1 (Departments) to Public Sector Employment and Management Act 2002

Schedule 1 to the *Public Sector Employment and Management Act 2002* is amended by omitting the following matter:

Department for Women

Director-General of the Department



New South Wales

Public Sector Employment and Management (Department of Community Services) Order 2004

under the

Public Sector Employment and Management Act 2002

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of Chapter 4 of the *Public Sector Employment and Management Act 2002*, make the following Order.

Dated, this 30th day of June 2004.

By Her Excellency's Command,

BOB CARR, M.P.,
Premier

Clause 1 Public Sector Employment and Management (Department of Community Services) Order 2004

Public Sector Employment and Management (Department of Community Services) Order 2004

under the

Public Sector Employment and Management Act 2002

1 Name of Order

This Order is the *Public Sector Employment and Management (Department of Community Services) Order 2004*.

2 Commencement

This Order commences on 1 July 2004.

3 Transfer of branches to Department of Community Services

- (1) The Office of Children and Young People is removed from the Cabinet Office and added to the Department of Community Services.
- (2) The groups of staff in the Premier's Department who, in the opinion of the Director-General of that Department, are principally involved in the administration of:
 - (a) the Strengthening Communities Program (other than the Redfern/Waterloo Project), and
 - (b) the Community Solutions Program, and
 - (c) the Community Builders Program,are removed from the Premier's Department and added to the Department of Community Services.
- (3) The group of staff in the Department of Infrastructure, Planning and Natural Resources who, in the opinion of the Director-General of the Premier's Department, are principally involved in the administration of the Area Assistance Scheme are removed from the Department of Infrastructure, Planning and Natural Resources and added to the Department of Community Services.



Parking Space Levy Amendment (Exemption) Regulation 2004

under the

Parking Space Levy Act 1992

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Parking Space Levy Act 1992*.

MICHAEL COSTA, M.L.C.,
Minister for Transport Services

Explanatory note

The *Parking Space Levy Act 1992* imposes a levy on parking spaces on premises in the City of Sydney. The area of the City of Sydney was extended by proclamation under the *Local Government Act 1993* with effect on 8 May 2003 (see Gazette No 47 of 19 February 2003 at page 2173). The object of this Regulation is to exempt the owners of premises located in a part of the City of Sydney that, immediately before that proclamation took effect, was not a part of the City of Sydney from the parking space levy payable for 2004, and from corresponding return requirements, in respect of parking spaces on those premises. Such owners are already exempt in relation to 2003.

This Regulation is made under the *Parking Space Levy Act 1992*, including section 31 (the general regulation-making power).

Clause 1 Parking Space Levy Amendment (Exemption) Regulation 2004

Parking Space Levy Amendment (Exemption) Regulation 2004

under the

Parking Space Levy Act 1992

1 Name of Regulation

This Regulation is the *Parking Space Levy Amendment (Exemption) Regulation 2004*.

2 Amendment of Parking Space Levy Regulation 1997

The *Parking Space Levy Regulation 1997* is amended by inserting “or 1 September 2004” after “1 September 2003” wherever occurring in clause 10A (a) and (b).

ROADS ACT 1993
General Class 3 Concrete Pipe Carrier Notice
under Division 3 of Part 3 of the Road Transport (Mass, Loading and Access) Regulation
1996

I, Mike Hannon, Acting Chief Executive of the Roads and Traffic Authority, in pursuance of Part 3 of Division 3 of the *Road Transport (Mass, Loading and Access) Regulation 1996*, by this Notice, exempt vehicles carrying concrete pipes from the provisions of clause 75 of Schedule 4 to the Road Transport (Vehicle registration) Regulation 1998, subject to the conditions and requirements set out in this Notice.

MIKE HANNON,
Acting Chief Executive
Roads and Traffic Authority

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Part 1 – Preliminary

1.1 Citation

This Notice may be cited as the General Class 3 Concrete Pipe Carrier Notice 2004.

1.2 Commencement

This Notice takes effect on 1 July 2004.

1.3 Interpretations

1.3.1 Unless stated otherwise, words and expressions used in this Notice that are defined in Part 5 of this Notice or the Dictionary forming part of the Road Transport (Mass, Loading and Access) Regulation 1996 have the same meanings as those set out in that Part or that Dictionary.

1.3.2 Except where a contrary intention is indicated, the index, diagrams and notes in the text of this Notice do not form part of this Notice.

1.4 Effect

This Notice remains in force until 30 June 2005 unless it is amended or repealed earlier.

1.5 Application

1.5.1 This Notice applies provided that the motor vehicles, of the kind described in clause 1.5.2 are operated in accordance with the operation and travel requirements in Part 2 to this Notice.

1.5.2 This Notice applies to a Class 3 vehicle used to carry concrete pipes loaded transversely which does not, apart from its load of concrete pipes, exceed 2.5 metres in width.

Note: The concessional arrangements allowed by this Notice do not apply to B-doubles or road trains

Part 2 – Operating and travel requirements

2.1 Operating requirements

2.1.1 A copy of this Notice, or an information sheet issued by the Roads and Traffic Authority setting out the obligations imposed under this Notice, must be carried in the driving compartment whenever the vehicle is operating as a Class 3 vehicle carrying concrete pipes and must be produced to a police officer or an authorised officer when requested.

2.2 Travel requirements

2.2.1 A Class 3 vehicle carrying concrete pipes wider than 2.5 m must comply with the provisions of Part 4 – Requirements for Class 1 Vehicles (Other than Agricultural Machines or Agricultural Implements) of the General Class 1 Oversize Notice 2002.

2.2.2 For the purposes of this Notice, the following roads in Emu Plains are deemed to be included in the Sydney Metropolitan Travel Zone for Overdimension Notices in Part 6 of the General Overdimension Notice 1997:

M4 Motorway, Russell Street, Old Bathurst Road, Great Western Highway.

Part 3 – Dimension limits

3.1 The width of any load of concrete pipes carried on a Class 3 vehicle operating under this Notice must not exceed 2.65 metres.

3.2 A Class 3 vehicle and its load must comply with all other dimension limits provided in the Regulations, including those relating to overhangs.

Part 4 – Definitions

“**authorised officer**” means a person employed by the RTA as an enforcement officer.

“**Class 3 vehicle**” means a restricted access vehicle other than a Class 1 vehicle or a Class 2 vehicle.

“**information sheet**” means advice published or adopted by the Authority (and available on request from the Authority).



Strata Schemes Management Amendment (Fees) Regulation 2004

under the

Strata Schemes Management Act 1996

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Strata Schemes Management Act 1996*.

REBA PAIGE MEAGHER, M.P.,
Minister for Fair Trading

Explanatory note

The object of this Regulation is to increase fees payable:

- (a) to the Registrar of the Consumer, Trader and Tenancy Tribunal, and
- (b) to the Commissioner for Fair Trading in the Department of Commerce,

in respect of certain services in connection with strata schemes management.

The fee increases are in line with movements in the Consumer Price Index.

This Regulation also removes the fee of \$34 for a duplicate tape recording of evidence and the fee of \$8 for a copy of a written transcript. The Tribunal will now provide cassettes of tape recordings of evidence or proceedings and copies of written transcripts of evidence or proceedings “at cost” rather than at set fees. This Regulation also removes the fee of \$12 for the inspection of a file.

This Regulation is made under the *Strata Schemes Management Act 1996*, including section 246 (the general regulation-making power).

Clause 1 Strata Schemes Management Amendment (Fees) Regulation 2004

Strata Schemes Management Amendment (Fees) Regulation 2004

under the

Strata Schemes Management Act 1996

1 Name of Regulation

This Regulation is the *Strata Schemes Management Amendment (Fees) Regulation 2004*.

2 Commencement

This Regulation commences on 1 July 2004.

3 Amendment of Strata Schemes Management Regulation 1997

The *Strata Schemes Management Regulation 1997* is amended as set out in Schedule 1.

Strata Schemes Management Amendment (Fees) Regulation 2004

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 3)

[1] Clause 16 Fees

Omit all matter under the headings “Service” and “Fee” in clause 16 (1).

Insert instead:

Lodgment of application for order by an Adjudicator or the Tribunal	\$59
Lodgment of application for interim order by an Adjudicator or the Tribunal	\$59
Lodgment of notice of appeal	\$59
Issue of summons to appear before the Tribunal	\$33
Copy of document (other than transcript), per page	\$2 per page or \$21 (whichever is greater)
Duplicate tape recording of evidence or proceedings, per cassette	“at cost”
Copy of written transcript of evidence or proceedings, per page	“at cost”

Note. There is no longer a fee for the inspection of a file.

[2] Clause 16 (1A)

Omit \$58”. Insert instead “\$59”.

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R. J. MILLIGAN, Government Printer.