



# *Government Gazette*

OF THE STATE OF

NEW SOUTH WALES

**Week No. 9/2010**

**Friday, 5 March 2010**

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*Containing numbers 35 and 36  
Pages 1109 – 1214*

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## DEADLINES

### Attention Advertisers . . .

*Government Gazette inquiry times are:  
Monday to Friday: 8.30 am to 4.30 pm*

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### GOVERNMENT GAZETTE DEADLINES

#### Close of business every Wednesday

Except when a holiday falls on a Friday, deadlines will be altered as per advice given on this page.

#### *Easter deadlines*

Due to the Public Holiday over the Easter period the deadlines for inclusion in the *Government Gazette* are:

Gazette will be published on 1 April 2010  
the deadline will be close of business on  
30 March 2010.

### Special Supplements

A Special Supplement or Extraordinary Supplement is a document which has a legal requirement to commence on a certain date and time. Release of Publication is required on the same day. The request for a Supplement is received from the department to the *Government Gazette* by telephone. The copy must be accompanied by a letter or email requesting the Supplement and signed by a Minister or Head of a Department.

**NOTE:** Advance notice of a Special Supplement is essential as early as possible on the day required. On Thursdays early notice is a priority and when possible notice should be given a day prior being the Wednesday.

#### Please Note:

- ***Only electronic lodgement of Gazette contributions will be accepted. If you have not received a reply confirming acceptance of your email by the close of business on that day please phone 9372 7447.***

## Department of Service Technology and Administration Tenders

### SUPPLIES AND SERVICES FOR THE PUBLIC SERVICE

Information in relation to the Department of Services Technology and Administration proposed, current and awarded tenders is available on:

<http://www.tenders.nsw.gov.au>

***SEE the Government Advertising website at:  
<http://more.nsw.gov.au/gazette>***



# *Government Gazette*

OF THE STATE OF  
NEW SOUTH WALES

**Number 35**  
**Monday, 1 March 2010**

Published under authority by Government Advertising

## **SPECIAL SUPPLEMENT**

### **HERITAGE ACT 1977**

Direction Pursuant to Section 34 (2) to List an Item on the State Heritage Register

Raby

1025 Camden Valley Way, Catherine Field

SHR No. 1694

IN pursuance of section 34 (2) of the Heritage Act 1977, I, the Minister for Planning, having considered a recommendation of the Heritage Council of New South Wales and a report of the Planning Assessment Commission, direct the listing of the item of environmental heritage specified in Schedule "A" on the State Heritage Register. This listing shall apply to the land described in Schedule "B".

Sydney, 25th day of February 2010.

**TONY KELLY, M.L.C.,**  
Minister for Planning

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#### SCHEDULE "A"

The item known as Raby, situated on the land described in Schedule "B".

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#### SCHEDULE "B"

All those pieces or parcels of land known as Part Lot F, DP 401548 in Parish of Cook, County of Cumberland shown on the plan catalogued HC 2318 in the office of the Heritage Council of New South Wales.

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# Government Gazette

OF THE STATE OF  
NEW SOUTH WALES

**Number 36**  
**Friday, 5 March 2010**

Published under authority by Government Advertising

## LEGISLATION

### Online notification of the making of statutory instruments

Week beginning 22 February 2010

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

#### Proclamations commencing Acts

[Building Professionals Amendment Act 2008 No. 37](#) (2010-51) – published LW 26 February 2010

[Hawkesbury-Nepean River Act 2009 No. 14](#) (2010-52) – published LW 26 February 2010

[Private Health Facilities Act 2007 No. 9](#) (2010-53) – published LW 26 February 2010

[Real Property Amendment \(Land Transactions\) Act 2009 No. 71](#) (2010-54) – published LW 26 February 2010

[Succession Amendment \(Intestacy\) Act 2009 No. 29](#) (2010-55) – published LW 26 February 2010

[Water Management Amendment Act 2009 No. 110](#) (2010-56) – published LW 26 February 2010

#### Regulations and other statutory instruments

[Bible Society NSW \(Corporate Conversion\) \(Repeal\) Proclamation 2010](#) (2010-57) – published LW 26 February 2010

[Building Professionals Amendment \(Accreditation of Council Employees\) Regulation 2010](#) (2010-58) – published LW 26 February 2010

[Electricity Supply \(General\) Amendment \(Customer Hardship\) Regulation 2010](#) (2010-59) – published LW 26 February 2010

[Energy and Utilities Administration Amendment \(Minimum Energy Performance Standards and Energy Labelling\) Regulation 2010](#) (2010-60) – published LW 26 February 2010

[Freedom of Information Amendment \(Planning Panels and Administrators\) Regulation 2010](#) (2010-61) – published LW 26 February 2010

[Gas Supply \(Natural Gas Retail Competition\) Amendment \(Customer Hardship\) Regulation 2010](#) (2010-62) – published LW 26 February 2010

[Local Government \(General\) Amendment \(Planning and Reporting\) Regulation 2010](#) (2010-63) – published LW 26 February 2010

[Private Health Facilities Regulation 2010](#) (2010-64) – published LW 26 February 2010

[Protection of the Environment Operations \(Noise Control\) Amendment \(Maximum Exhaust Noise Levels\) Regulation 2010](#) (2010-65) – published LW 26 February 2010

[Road Transport \(Driver Licensing\) Amendment \(Release of Driver Licence Information\) Regulation 2010](#) (2010-77) – published LW 26 February 2010

[Road Transport \(Vehicle Registration\) Amendment \(Inspections\) Regulation 2010](#) (2010-78) – published LW 26 February 2010

[Roman Catholic Church Communities' Lands Amendment \(Trustees of the Discalced Carmelite Nuns, Varroville\) Proclamation 2010](#) (2010-66) – published LW 26 February 2010

[Workers Compensation Amendment \(Latest Index Number\) Regulation 2010](#) (2010-67) – published LW 26 February 2010

## **Environmental Planning Instruments**

[Baulkham Hills Local Environmental Plan 2005 \(Amendment No. 19\)](#) (2010-69) – published LW 26 February 2010

[Bega Valley Local Environmental Plan 2002 \(Amendment No. 9\)](#) (2010-70) – published LW 26 February 2010

[Blacktown Local Environmental Plan 1988 \(Amendment No. 219\)](#) (2010-71) – published LW 26 February 2010

[Grafton Local Environmental Plan 1988 \(Amendment No. 45\)](#) (2010-72) – published LW 26 February 2010

[Great Lakes Local Environmental Plan 1996 \(Amendment No. 62\)](#) (2010-73) – published LW 26 February 2010

[North Sydney Local Environmental Plan 2001 \(Amendment No. 34\)](#) (2010-74) – published LW 26 February 2010

[North Sydney Local Environmental Plan 2001 \(Amendment No. 35\)](#) (2010-75) – published LW 26 February 2010

[State Environmental Planning Policy \(Exempt and Complying Development Codes\) Amendment \(Extension\) 2010](#) (2010-68) – published LW 26 February 2010

[Wollongong Local Environmental Plan 2009](#) (2010-76) – published LW 26 February 2010

# OFFICIAL NOTICES

## Appointments

### CENTENNIAL PARK AND MOORE PARK TRUST ACT 1983

Communities NSW

Appointment of Trustees  
Centennial Park and Moore Park Trust

HER Excellency the Governor, with the advice of the Executive Council, has approved, pursuant to section 7 (1) of the Centennial Park and Moore Park Trust Act 1983, the following persons being appointed as trustees of the Centennial Park and Moore Park Trust from 3 March 2010 up to and including the dates indicated below:

- (i) John WALKER (re-appointment, to 25 February 2012)
- (ii) Dr Margaret VARADY, A.O. (re-appointment, to 25 February 2012)
- (iii) Yvette PIETSCH (re-appointment, to 25 February 2013)
- (iv) Frances MEAGHER (new appointment pursuant to section 7 (1) (b) of the Act, to 25 February 2012)

HER Excellency the Governor, with the advice of the Executive Council, pursuant to Clause 8 (2) of Schedule 1 of the Centennial Park and Moore Park Trust Act 1983, has appointed Mr John WALKER as Chairman for the duration of his term of appointment.

The Hon. KEVIN GREENE, M.P.,  
Minister for Gaming and Racing  
and Minister for Sport and Recreation

### CONSTITUTION ACT 1902

Ministerial Arrangements During the Absence of the Minister for Climate Change and the Environment and Minister Assisting the Minister for Health (Cancer)

PURSUANT to section 36 of the Constitution Act 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Hon. J. C. Robertson, M.L.C., Minister for Industrial Relations, Minister for Commerce, Minister for Energy and Minister for Public Sector Reform to act for and on behalf of the Minister for Climate Change and the Environment and Minister Assisting the Minister for Health (Cancer), on and from 5 March 2010, with a view to his performing the duties of the Honourable F. E. Sartor, M.P., during his absence from duty.

Dated: 3 March 2010.

KRISTINA KENEALLY, M.P.,  
Premier  
Department of Premier and Cabinet, Sydney



## Department of Industry and Investment

### AGRICULTURAL INDUSTRY SERVICES ACT 1998

Election of Members to the Wine Grapes Marketing Board, an Agricultural Industry Services Committee

I, STEVE WHAN, M.P., Minister for Primary Industries, hereby advise that the persons listed in Schedule 1 were elected as members of the Wine Grapes Marketing Board in accordance with the Agricultural Industry Services Regulation 2009 for a term commencing on 3 February 2010 and expiring on 2 February 2013.

#### SCHEDULE 1

Bruno BROMBAL  
Robert BELLATO  
Leonardo GULLOTTA  
Anthony BAGGIO  
Louis DAL NEVO

Dated this 26th day of January 2010.

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

### FISHERIES MANAGEMENT ACT 1994

Section 8 Notification – Fishing Closure  
Penrith Weir

I, PAUL O'CONNOR, Principal Director, Fisheries and Compliance, with the delegated authority of the Minister for Primary Industries and the Director-General of the Department of Industry and Investment pursuant to sections 227 and 228 of the Fisheries Management Act 1994 ("the Act"), do by this notification pursuant to section 8 of the Act, prohibit the taking of all species of fish, by the methods of fishing specified in Column 1 of the Schedule to this notification, from the waters described opposite in Column 2 of that Schedule.

This fishing closure is effective from the date of publication of this notification until 29 February 2012, unless sooner amended or revoked.

#### SCHEDULE

<i>Column 1</i> Prohibited methods	<i>Column 2</i> Waters
All methods.	County of Cumberland, Parish of Mulgoa. Nepean River at Penrith Weir from within 26m downstream of the weir face and to the State Water buoyage line located 115m upstream of the weir face.

Dated this 3rd day of March 2010

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

### FISHERIES MANAGEMENT ACT 1994

Fisheries Management (Aquaculture) Regulation 2007  
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 the Clyde River, described as follows:

- 1.6352 hectares over former oyster lease OL69/368 (to be known as OL94/038 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 OL94/038 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. The successful applicant will be required to obtain development consent from Council under Part 4 of the Environmental Planning and Assessment Act 1979. 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, and any conditions of consent as imposed by Council.

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 and Aquaculture Branch,  
Industry & Investment NSW

### MINING ACT 1992

Section 367 Order

Revocation of a Reserve

Her Excellency Professor MARIE BASHIR, A.C., C.V.O.,  
Governor

I, Professor Marie Bashir, A.C., C.V.O., Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 367 of the Mining Act 1992, do by this my Order, revoke the Order made under



that section which constituted Reserve No. 3228 and was published in *New South Wales Government Gazette* No. 92 of 28 July 1995 at page 3920.

Signed and sealed at Sydney this 24th day of February 2010.

By Her Excellency's Command  
 IAN MACDONALD, M.L.C.,  
 Minister for Mineral and Forest Resources  
 GOD SAVE THE QUEEN!

### MINERAL RESOURCES

NOTICE is given that the following applications have been received:

#### EXPLORATION LICENCE APPLICATIONS

(T10-0053)

No. 3923, C. J. HUGHES and W. S. HUGHES, area of 50 units, for Group 1, dated 24 February 2010. (Orange Mining Division).

(T10-0054)

No. 3924, PARNOSA PTY LTD (ACN 089 489 618), area of 298 units, for Group 6, dated 24 February 2010. (Inverell Mining Division).

(T10-0055)

No. 3925, SOUTHERN CROSS TECHNICAL & FIELD SERVICES PTY LTD (ACN 098 333 932), area of 40 units, for Group 1, dated 26 February 2010. (Orange Mining Division).

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

NOTICE is given that the following applications have been granted:

#### EXPLORATION LICENCE APPLICATIONS

(T08-0141)

No. 3535, now Exploration Licence No. 7455, ARASTRA EXPLORATION PTY LTD (ACN 085 025 798), Counties of Mootwingee and Yungnulgra, Map Sheets (7336, 7436), area of 42 units, for Group 1, dated 16 February 2010, for a term until 16 February 2012.

(T09-0064)

No. 3674, now Exploration Licence No. 7445, Bruce Ronald BROWN, Counties of Roxburgh and Wellington, Map Sheet (8831), area of 2 units, for Group 1, dated 2 February 2010, for a term until 2 February 2012.

(T09-0084)

No. 3692, now Exploration Licence No. 7452, Richard ARNOLD and Janice Kaye ARNOLD, County of Yancowinna, Map Sheet (7234), area of 1 units, for Group 1, dated 11 February 2010, for a term until 11 February 2012.

(T09-0120)

No. 3731, now Exploration Licence No. 7446, OZ EXPLORATION PTY LTD (ACN 137 626 914), Counties of Mouramba and Robinson, Map Sheets (8133, 8134), area of 62 units, for Group 1, dated 2 February 2010, for a term until 2 February 2012.

(T09-0121)

No. 3732, now Exploration Licence No. 7447, OZ EXPLORATION PTY LTD (ACN 137 626 914), County of Mouramba, Map Sheets (8133, 8134), area of 80 units, for Group 1, dated 2 February 2010, for a term until 2 February 2012.

(T09-0149)

No. 3756, now Exploration Licence No. 7448, BEMAX RESOURCES LIMITED (ACN 009 247 858), County of Windeyer, Map Sheets (7132, 7232), area of 33 units, for Group 10, dated 4 February 2010, for a term until 4 February 2013. As a result of the grant of this title, Exploration Licence No. 5483 and Exploration Licence No. 6543 have ceased to have effect.

(T09-0150)

No. 3757, now Exploration Licence No. 7449, BEMAX RESOURCES LIMITED (ACN 009 247 858), Counties of Perry, Wentworth and Windeyer, Map Sheets (7231, 7330, 7331, 7430, 7431), area of 439 units, for Group 10, dated 4 February 2010, for a term until 4 February 2013. As a result of the grant of this title, Exploration Licence No. 5474, Exploration Licence No. 5662, Exploration Licence No. 6108, Exploration Licence No. 6421 and Exploration Licence No. 6734 have ceased to have effect.

(T09-0182)

No. 3797, now Exploration Licence No. 7450, ILUKA RESOURCES LIMITED (ACN 008 675 018), Counties of Cairn, Kilfera and Taila, Map Sheets (7528, 7529, 7530, 7628, 7629, 7630), area of 752 units, for Group 10, dated 8 February 2010, for a term until 8 February 2012. As a result of the grant of this title, Exploration Licence No. 6478, Exploration Licence No. 6669, Exploration Licence No. 6816 and Exploration Licence No. 6970 have ceased to have effect.

(T09-0197)

No. 3811, now Exploration Licence No. 7453, RESOLVE GEO PTY LTD (ACN 100 586 534), Counties of Clive and Gough, Map Sheet (9239), area of 17 units, for Group 1 and Group 2, dated 16 February 2010, for a term until 16 February 2012.

(T09-0221)

No. 3835, now Exploration Licence No. 7454, CENTIUS MINES PTY LTD (ACN 140 475 921), Counties of Clarendon and Harden, Map Sheet (8428), area of 52 units, for Group 1, dated 16 February 2010, for a term until 16 February 2012.

(T09-0263)

No. 3855, now Exploration Licence No. 7456, ALKANE RESOURCES LTD (ACN 000 689 216), Counties of Bathurst and Georgiana, Map Sheet (8730), area of 53 units, for Group 1, dated 22 February 2010, for a term until 22 February 2012.

(T09-0268)

No. 3862, now Exploration Licence No. 7451, NEWMONT EXPLORATION PTY LTD (ACN 006 306 690), Counties of Georgiana and King, Map Sheets (8729, 8829), area of 99 units, for Group 1, dated 8 February 2010, for a term until 8 February 2012.

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

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

(C90-0891)

Authorisation No. 437, MT ARTHUR COAL PTY LIMITED (ACN 000 181 902), area of 136 hectares. Application for renewal received 25 February 2010.

(Z08-4640)

Exploration Licence No. 4657, PLATSEARCH NL (ACN 003 254 395), area of 2 units. Application for renewal received 24 February 2010.

(Z09-5997)

Exploration Licence No. 6212, LONGREACH OIL LIMITED (ACN 000 131 797) and HOT ROCK ENERGY PTY LTD (ACN 069 284 733), area of 490 units. Application for renewal received 24 February 2010.

(T03-0973)

Exploration Licence No. 6223, AURICULA MINES PTY LIMITED (ACN 108 362 027), area of 13 units. Application for renewal received 1 March 2010.

(T03-1008)

Exploration Licence No. 6226, DEFIANCE RESOURCES LTD (ACN 119 700 220), area of 61 units. Application for renewal received 2 March 2010.

(Z05-0297)

Exploration Licence No. 6548, BIG ISLAND MINING PTY LTD (ACN 112 787 470), area of 109 units. Application for renewal received 25 February 2010.

(Z05-0281)

Exploration Licence No. 6552, CLANCY EXPLORATION LIMITED (ACN 105 578 756), area of 19 units. Application for renewal received 26 February 2010.

(Z08-1821)

Exploration Licence No. 6553, CLANCY EXPLORATION LIMITED (ACN 105 578 756) and GOLD FIELDS AUSTRALASIA PTY LTD (ACN 087 624 600), area of 10 units. Application for renewal received 25 February 2010.

(Z08-1822)

Exploration Licence No. 6554, CLANCY EXPLORATION LIMITED (ACN 105 578 756) and GOLD FIELDS AUSTRALASIA PTY LTD (ACN 087 624 600), area of 12 units. Application for renewal received 25 February 2010.

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

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### RENEWAL OF CERTAIN AUTHORITIES

NOTICE is given that the following authority has been renewed:

(Z06-4190)

Exploration Licence No. 6793, WARATAH GOLD LIMITED (ACN 125 688 940), Counties of Dampier, Murray and St Vincent, Map Sheet (8826), area of 120 units, for a further term until 29 May 2011. Renewal effective on and from 19 January 2010.

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

### CANCELLATION OF AUTHORITY AT REQUEST OF HOLDER

NOTICE is given that the following authority has been cancelled:

(Z05-2170)

Exploration Licence No. 6023, ILUKA RESOURCES LIMITED (ACN 008 675 018), County of Tara, Map Sheet (7130), area of 26 units. Cancellation took effect on 19 February 2010.

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

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### PART CANCELLATION

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

(Z09-6863)

Consolidated Coal Lease No. 726 (Act 1973), KANDOS COLLIERIES PTY LTD, Parish of Clandulla, County of Roxburgh and Parish of Rylstone, County of Roxburgh, Map Sheets (8832-2-N, 8832-2-S, 8932-3-N, 8932-3-S).

Description of area cancelled:

An area of 20 hectares. For further information contact Titles Branch.

Part cancellation took effect on 20 January 2010.

The authority now embraces an area of 37.17 hectares.

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

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### TRANSFER

(T03-0138)

Mining Lease No. 1361 (Act 1992), formerly held by IMPERIAL CORPORATION LIMITED (ACN 002 148 361) has been transferred to PEEL EXPLORATION LIMITED (ACN 119 343 734). The transfer was registered on 1 March 2010.

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

# Land and Property Management Authority

## DUBBO OFFICE

142 Brisbane Street (PO Box 865), Dubbo NSW 2830

Phone: (02) 6883 3300 Fax: (02) 6882 6920

### 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

Column 1	Column 2	Column 3
Karen Anne VERNON (re-appointment), Maxwell John HOLMES (re-appointment), Douglas Oliver HOLMES (re-appointment).	Yarran Park Recreation Reserve Trust.	Reserve No.: 79318. Public Purpose: Public recreation. Notified: 1 February 1957. File No.: DB84 R 72.

#### Term of Office

For a term commencing this day and expiring 4 March 2015.

#### SCHEDULE 2

Column 1	Column 2	Column 3
Annette HODGES (re-appointment), Frank HODGES (re-appointment), Maxwell Norman HONEYMAN (re-appointment), Anthony Charles POOL (re-appointment).	Bodangora Recreation Reserve Trust.	Reserve No.: 30010. Public Purpose: Public recreation. Notified: 21 October 1899. File No.: DB81 R 162.

#### Term of Office

For a term commencing this day and expiring 30 April 2014.

#### SCHEDULE 3

Column 1	Column 2	Column 3
Brett David BROWN (new member), Mark James SUTTOR (re-appointment), Robert John CAMPBELL (re-appointment), Robert James COLLEY (re-appointment), Llyall William WOODS (re-appointment), Brian Gregory COLLEY (re-appointment), Patricia Dawn COLLEY (re-appointment).	Hargraves Recreation Reserve Trust.	Reserve No.: 36454. Public Purpose: Public recreation. Notified: 24 October 1903. File No.: DB84 R 56.

### Term of Office

For a term commencing this day and expiring 2 December 2013.

#### SCHEDULE 4

Column 1	Column 2	Column 3
The person for the time being holding the office of Member, Cooyal Bush Fire Brigade (ex-officio member). The person for the time being holding the office of Secretary, Cooyal Tennis Club (ex-officio member). Guy Christopher BEVAN (new member), Paul Malcolm SMITH (new member), Robert John HOLLOW (re-appointment), Ian Christopher KURTZ (re-appointment), Ross Leslie KURTZ (re-appointment), James Barry BAKER (re-appointment), Joyce Mildred PURTLE (re-appointment).	Cooyal Park (R120102) Reserve Trust.	Reserve No.: 120102. Public Purpose: Public recreation and community purposes. Notified: 17 November 1995. File No.: DB81 R 200.

### Term of Office

For a term commencing this day and expiring 2 December 2013.

#### SCHEDULE 5

Column 1	Column 2	Column 3
Robert Gregory YEO (re-appointment), Craig WALTERS (re-appointment), Garry Arthur WALTERS (re-appointment).	Elong Elong Recreation Reserve (R53112) and Public Hall (R89058) Trust.	Reserve No.: 53112. Public Purpose: Public recreation. Notified: 13 December 1918.  Reserve No.: 89058. Public Purpose: Church and public hall. Notified: 26 October 1973. File No.: DB83 R 99.

### Term of Office

For a term commencing this day and expiring 30 April 2014.

**ROADS ACT 1993****ORDER****Transfer of a Crown Road to a Council**

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

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

**SCHEDULE 1**

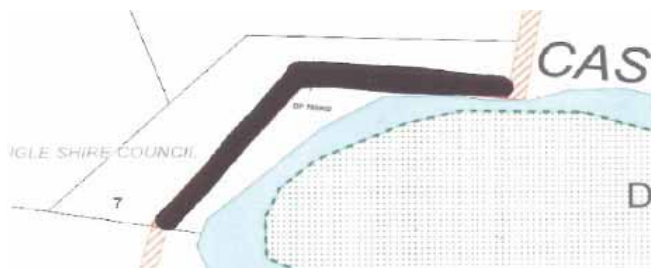
The Crown public road through Lot 7 in DP 785902, as highlighted black on associated diagram, Parish of Urabrible, County of Gowen.

**SCHEDULE 2**

Road Authority: Warrumbungle Shire Council.

File No.: W463372.

Council's Reference: P92911.



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

**APPOINTMENT OF TRUST BOARD MEMBERS**

PURSUANT to section 93 of the Crown Lands Act 1989, the persons whose names are specified in Column 1 of the 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>
Robert James REEVES (new member), Lorna Jean REEVES (new member), Alma Joyce McLACHLAN (new member), Peter KELSALL (new member), June HUIISH (new member), Hilton ENSBEY (new member), Diane ENSBEY (new member).	Lawrence Public Hall Reserve Trust.	Reserve No.: 1025868. Public Purpose: Community purposes. Notified: This day. File No.: 10/03570.

**Term of Office**

For a term commencing the date of this notice and expiring 25 February 2015.

**SCHEDULE 2**

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Anthony Francis NASH (new member), Beverly Ellen NORTON (new member), Charelle GIOBATTI (new member), Ian Talbot CAMERON (re-appointment), Margaret Neta GORT (re-appointment).	Mullumbimby Showground Trust.	Dedication No.: 540009. Public Purpose: Showground. Notified: 29 November 1929. File No.: GF80 R 243.

**Term of Office**

For a term commencing 14 January 2010 and expiring 13 January 2012.

**VESTING OF PUBLIC TRUST LAND IN THE CROWN**

PURSUANT to section 138C of the Crown Lands Act 1989, the public trust land specified in Column 1 of the Schedule hereunder, is vested in the Crown and hereby reserved for the public purpose, being a public purpose for the purpose of section 87, as specified under Column 2.

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

**SCHEDULE**

<i>Column 1</i>	<i>Column 2</i>
Lot 10, section 3, DP 758604. File No.: 10/03570. (Being former Dedication 540047 for Literary Institute, notified 10 December 1890).	Purpose: Community purposes. Reserve No.: 1025868.

**ESTABLISHMENT 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>
Lawrence Public Hall Reserve Trust.	Reserve No.: 1025868. Public Purpose: Community purposes. Notified: This day. File No.: 10/03570.

**ADDITION TO RESERVED CROWN LAND**

PURSUANT to section 88 of the Crown Lands Act 1989, the Crown Land specified in Column 1 of the Schedules hereunder, is added to the reserved land specified opposite thereto in Column 2 of the Schedules.

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

**SCHEDULE 1**

<i>Column 1</i>	<i>Column 2</i>
Land District: Casino. Local Government Area: Kyogle Council. Locality: Bonalbo. Lot 1, DP 1128870, Parish Robertson, County Buller. Area: 3039 square metres. File No.: GF02 R 60.	Reserve No.: 70864. Public Purpose: Public recreation. Notified: 9 April 1943. Lot 170, DP 40185, Parish Robertson, County Buller. Lot 169, DP 40185, Parish Robertson, County Buller. Lot 131, DP 751077, Parish Robertson, County Buller. New Area: 5.979 hectares.



## SCHEDULE 2

<i>Column 1</i>	<i>Column 2</i>
Land District: Grafton.	Reserve No.: 140020.
Local Government Area: Clarence Valley Council.	Public Purpose: Public recreation and museum.
Locality: Alamy Creek.	Notified: 26 June 1987.
Lot 7023, DP 1081040#, Parish Great Marlow, County Clarence.	Lot 259, DP 721126, Parish Great Marlow, County Clarence.
Area: 833 square metres.	Lot 258, DP 721126, Parish Great Marlow, County Clarence.
File No.: GF89 R 52.	New Area: 4.75 hectares.

Disclaimer: Please note that the above Lot numbers marked # are for Departmental use only.

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**GRIFFITH OFFICE**  
**2nd Floor, Griffith City Plaza,**  
**120–130 Banna Avenue (PO Box 1030), Griffith NSW 2680**  
**Phone: (02) 6960 3600      Fax: (02) 6962 5670**

**NOTIFICATION OF CLOSING OF PUBLIC ROAD**

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

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

## Description

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

Road Closed: Lot 1, DP 1146625.

File No.: 09/03184 (MR).

## Schedule

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

## Description

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

Road Closed: Lot 1, DP 1146643.

File No.: GH06 H 19(MR).

## Schedule

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

**HAY OFFICE****126 Lachlan Street (PO Box 182), Hay NSW 2711****Phone: (02) 6990 1800 Fax: (02) 6993 1135****APPOINTMENT OF RESERVE TRUST AS TRUSTEE OF A RESERVE**

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

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

**SCHEDULE**

<i>Column 1</i>	<i>Column 2</i>
Berrigan Council Crown Reserves Reserve Trust.	Reserve No.: 76738. Public Purpose: Local government purposes. Notified: 14 May 1954. File No.: 09/01235.

**ADDITION TO RESERVED CROWN LAND**

PURSUANT to section 88 of the Crown Lands Act 1989, the Crown Land specified in Column 1 of the Schedule hereunder, is added to the reserved land specified opposite thereto in Column 2 of the Schedule.

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

**SCHEDULE**

<i>Column 1</i>	<i>Column 2</i>
Land District: Deniliquin. Local Government Area: Berrigan Shire Council. Locality: Finley. Lot 1, DP No. 1143124, Parish Ulupna, County Denison. Area: 2.618 hectares. File No.: 09/01235.	Reserve No.: 76738. Public Purpose: Local government purposes. Notified: 14 May 1954. Lot 7007, DP No. 1001696, Parish Ulupna, County Denison. New Area: 4.038 hectares.

**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.

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

**Description**

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

Road Closed: Lot 3, DP 1135728 at Cameron Park.

File No.: 09/05258.

Note: On closing, the land within Lot 3, DP 1135728 will remain vested in the Crown as Crown Land.

**MOREE OFFICE****Frome Street (PO Box 388), Moree NSW 2400****Phone: (02) 6752 5055 Fax: (02) 6752 1707****APPOINTMENT OF ADMINISTRATOR TO MANAGE A RESERVE TRUST**

PURSUANT to section 117, Crown Lands Act 1989, the person specified in Column 1 of the Schedule hereunder, is appointed as administrator for the term also specified, 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>
Terence John BONE.	Moree Showground Trust.	Reserve No.: 160035. Public Purpose: Showground. Notified: 6 April 1990.  Dedication No.: 560029. Public Purpose: Showground. Notified: 14 January 1891. File No.: ME79 R 10.

For a term commencing 5 February 2010 and expiring 4 August 2010.



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

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

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

## Description

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

Roads Closed: Lot 1, DP 1147011 at Tantawangalo subject to an easement for a Right of Carriageway created by DP 1147011.

File No.: NA06 H 96.

## Schedule

On closing, the land within Lot 1, DP 1147011 remains vested in State of New South Wales as Crown Land.

## Description

*Parish – Narooma; County – Dampier;  
Land District – Moruya;  
Local Government Area – Eurobodalla*

Roads Closed: Lots 1 and 2, DP 1147335 at Central Tilba.

File No.: NA07 H 94.

## Schedule

On closing, the land within Lots 1 and 2, DP 1147335 remains vested in State of New South Wales as Crown Land.

## Description

*Parish – Burrawang; County – Camden;  
Land District – Moss Vale;  
Local Government Area – Shoalhaven*

Roads Closed: Lot 1, DP 1147861 at Kangaroo Valley.

File No.: 08/8857.

## Schedule

On closing, the land within Lot 1, DP 1147861 remains vested in State of New South Wales as Crown Land.

## Description

*Parishes – Narira and Bermagui; County – Dampier;  
Land District – Bega;  
Local Government Area – Bega Valley*

Roads Closed: Lot 1, DP 1147348 at Dignams Creek.

File No.: NA07 H 43.

## Schedule

On closing, the land within Lot 1, DP 1147348 remains vested in State of New South Wales as Crown Land.

## Description

*Parish – Bergalia; County – Dampier;  
Land District – Moruya;  
Local Government Area – Eurobodalla*

Roads Closed: Lot 1, DP 1147856 at Dignams Creek.

File No.: NA05 H 347.

## Schedule

On closing, the land within Lot 1, DP 1147856 remains vested in State of New South Wales as Crown Land.

## Description

*Parish – Narooma; County – Dampier;  
Land District – Moruya;  
Local Government Area – Eurobodalla*

Roads Closed: Lot 1, DP 1147350 at Narooma.

File No.: NA07 H 177.

## Schedule

On closing, the land within Lot 1, DP 1147350 remains vested in State of New South Wales as Crown Land.

## Description

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

Roads Closed: Lot 1, DP 1147857 at Nethercote.

File No.: NA05 H 371.

## Schedule

On closing, the land within Lot 1, DP 1147857 remains vested in State of New South Wales as Crown Land.

## Description

*Parish – Conjola; County – St Vincent;  
Land District – Nowra;  
Local Government Area – Shoalhaven*

Roads Closed: Lot 2, DP 1147349 at Conjola Park.

File No.: 10/00083.

## Schedule

On closing, the land within Lot 2, DP 1147349 remains vested in 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 TRUSTEE OF RESERVE**

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

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

**SCHEDULE**

<i>Column 1</i>	<i>Column 2</i>
Crown Lands Reserve Trust.	Dedication No.: 1001177. Public Purpose: Public school purposes. Notified: 30 December 1966. File No.: 10/00480.

**NOTIFICATION OF CLOSING OF ROAD**

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

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

**Description**

*Land District – Metropolitan; L.G.A. – Warringah*

Road Closed: Lot 100, DP 1144988 at Belrose, Parish Manly Cove, County Cumberland.

File No.: MN05 H 70.

**Schedule**

On closing, title for the land in Lot 100, DP 1144988 remains vested in the State of New South Wales as Crown Land.

**APPOINTMENT OF RESERVE TRUSTS AS TRUSTEE OF RESERVES**

PURSUANT to section 92(1) of the Crown Lands Act 1989, the reserve trusts specified in Column 1 of the Schedules hereunder, are appointed as trustee of that part of the reserve as specified opposite thereto in Column 2 of the Schedules

File No.: 08/2732.

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

**SCHEDULE 1**

<i>Column 1</i>	<i>Column 2</i>
Rookwood Necropolis Trust.	That part of the Rookwood Necropolis within the dedication of 2 December 1887 and being Lot 2 in Deposited Plan 1140277. Torrens Title Identifier: 2/1140277.

**SCHEDULE 2**

<i>Column 1</i>	<i>Column 2</i>
Muslim Cemetery Trust, Necropolis.	That part of the Rookwood Necropolis within the dedication of 2 December 1887 and being Lot 3 in Deposited Plan 1140277. Torrens Title Identifier: 3/1140277 (D500904).

**CROWN LANDS ACT 1989****LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991**

Notice of Compulsory Acquisition of Interests in Land

WITH the approval of Her Excellency the Governor, and pursuant to section 135 of the Crown Lands Act 1989 I, ANTHONY BERNARD KELLY, Minister for Lands, hereby acquire by compulsory process in accordance with the Land Acquisition (Just Terms Compensation) Act 1991, the leasehold interest in the land described in Part 1, of the Schedule below, for the public purposes of cemetery.

Dated at Sydney, this 5th day of March 2010.

File No.: Doc08/2464.

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

**SCHEDULE**

Part 1, Lots 2 and 3 in DP 1140277.

**ESTABLISHMENT 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

*Column 1*

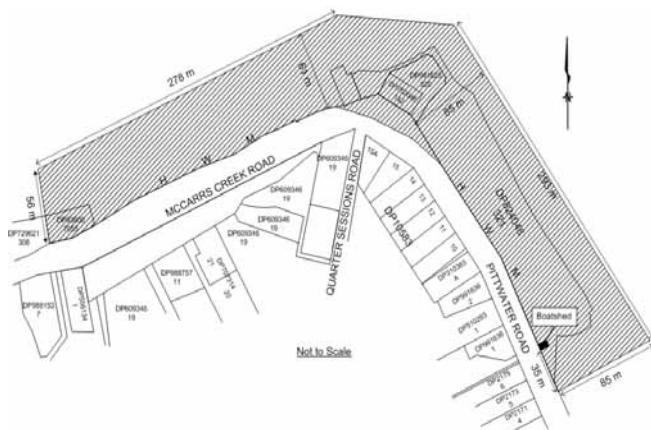
Church Point (R1012331)  
Reserve Trust.

*Column 2*

Part Reserve 1012331,  
notified for access and  
public requirements, rural  
services, tourism purposes  
and environmental and  
heritage conservation on  
13 October 2006, as shown  
by hatching on the diagram  
hereunder.

File No.: 10/04278.

Note: Crown Tenures comprising Lease Nos. 318276 and 311606 and Licence Nos. 192450 and 312335 are not affected by this notice.



### 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*

Pittwater Council.

*Column 2*

Church Point  
(R1012331)  
Reserve Trust.

*Column 3*

Part Reserve 1012331,  
notified for access and public  
requirements, rural services,  
tourism purposes and  
environmental and heritage  
conservation on 13 October  
2006.  
File No.: 10/04278.

### TAMWORTH OFFICE

25-27 Fitzroy Street (PO Box 535), Tamworth NSW 2340

Phone: (02) 6764 5100 Fax: (02) 6766 3805

### APPOINTMENT OF TRUST BOARD MEMBERS

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

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

## SCHEDULE

*Column 1*

Barry  
FOLLINGTON  
(new member),  
Cec BAYLISS  
(re-appointment),  
Lawrence Edward  
ANTHONEY  
(re-appointment),  
Robert John VEALL  
(re-appointment),  
Robert CHAPMAN  
(re-appointment),  
Maxwell F. HYSON  
(re-appointment),  
Peter John MURPHY  
(re-appointment).

*Column 2*

Upper Manilla  
Reserve Trust.

*Column 3*

Reserve No.: 89020.  
Public Purpose: Public hall  
and public recreation.  
Notified: 21 September 1973.  
File No.: TH90 R 8.

## Term of Office

For a term commencing the date of this notice and expiring  
4 March 2015.

**WAGGA WAGGA OFFICE****Corner Johnston and Tarcutta Streets (PO Box 60), Wagga Wagga NSW 2650****Phone: (02) 6937 2700 Fax: (02) 6921 1851****NOTIFICATION OF CLOSING OF A ROAD**

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

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

\_\_\_\_\_  
Description

*Parish – Gadara; County – Wynyard;  
Land District – Tumut; Shire – Tumut*

Road Closed: Lot 1 in DP 1143527 at Gadara.

File No.: WA05 H 313.

Note: On closing, the land within Lot 1 in DP 1143527 remains vested in the State of New South Wales as Crown Land.

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

**ALTERATION OF PURPOSE/CONDITIONS OF A  
WESTERN LANDS LEASE**

IT is hereby notified that in pursuance of the provisions of section 18J, Western Lands Act 1901, the purpose and conditions of the undermentioned Western Lands Leases have been altered as shown.

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

*Administrative District – Hillston North; Shire – Cobar;  
Parishes – Tallebung, Marobee East, Urambie East and  
Mouramba; County – Blaxland*

The purpose/conditions of Western Lands Leases 5391, 5392, 5407, 5408 and 12015, being the land contained within Folio Identifiers 3104/765329, 3103/765328, 3108/765457, 3102/765327 and 4691/7678551140/762430 respectively have been altered from “Grazing” to “Grazing and Cultivation (Dryland)” effective from 17 February 2010.

As a consequence of the alteration of purpose and conditions rent will be assessed annually in line with the Western Lands Act 1901 and Regulations.

The conditions previously annexed to Western Lands Lease 5391, 5392, 5407, 5408 and 12015 have been revoked and the following conditions have been annexed thereto.

**CONDITIONS AND RESERVATIONS ATTACHED TO  
WESTERN LANDS LEASES No. 5391, 5392, 5407, 5408  
and 12015**

- (1) In the conditions annexed to the lease, the expression “the Minister” means the Minister administering the Western Lands Act 1901, and any power, authority, duty or function conferred or imposed upon the Minister by or under those conditions may be exercised or performed either by the Minister or by such officers of the Land and Property Management Authority as the Minister may from time to time approve.
- (2) In these conditions and reservations the expression “the Commissioner” means the Commissioner charged with the administration of the Western Lands Act 1901 (“the Act”) in accordance with section 4(2) of the Act.
- (3) (a) For the purposes of this clause the term Lessor shall include Her Majesty the Queen Her Heirs and Successors the Minister and the agents servants employees and contractors of the Lessor Her Majesty Her Majesty’s Heirs and Successors and the Minister.  
(b) The lessee covenants with the Lessor to indemnify and keep indemnified the Lessor from and against all claims for injury loss or damage suffered by any person or body using or being in or upon the Premises or any adjoining land or premises of the Lessor arising out of the Holder’s use of the Premises and against all liabilities for costs charges and expenses incurred by the Lessor in respect of the claim of any such person or body except to the extent that any such claims and demands arise wholly from any negligence or wilful act or omission on the part of the Lessor.
- (c) The indemnity contained in this clause applies notwithstanding that this Lease authorised or required the lessee to undertake or perform the activity giving rise to any claim for injury loss or damage.
- (d) The lessee expressly agrees that the obligations of the Holder under this clause shall continue after the expiration or sooner determination of this Lease in respect of any act deed matter or thing occurring before such expiration or determination.
- (4) The rent of the lease shall be assessed in accordance with Part 6 of the Western Lands Act 1901.
- (5) The rent shall be due and payable annually in advance on 1 July in each year.
- (6) (a) “GST” means any tax on goods and/or services, including any value-added tax, broad-based consumption tax or other similar tax introduced in Australia.  
“GST law” includes any Act, order, ruling or regulation, which imposes or otherwise deals with the administration or imposition of a GST in Australia.  
(b) Notwithstanding any other provision of this Agreement:  
(i) If a GST applies to any supply made by either party under or in connection with this Agreement, the consideration provided or to be provided for that supply will be increased by an amount equal to the GST liability properly incurred by the party making the supply.  
(ii) If the imposition of a GST or any subsequent change in the GST law is accompanied by or undertaken in connection with the abolition of or reduction in any existing taxes, duties or statutory charges (in this clause “taxes”), the consideration payable by the recipient of the supply made under this Agreement will be reduced by the actual costs of the party making the supply that are reduced directly or indirectly as a consequence of the abolition of or reduction in taxes.
- (7) The lessees must pay all rates and taxes assessed on or in respect of the land leased during the currency of the lease.
- (8) The lessees must hold and use the land leased bona fide for the lessee’s own exclusive benefit and must not transfer, convey or assign the land or any portion thereof without having first obtained the written consent of the Minister.
- (9) The lessees must not enter into a sublease of the land leased unless the sublease specifies the purpose for which the land may be used under the sublease, and it is a purpose which is consistent with the purpose for which the land may be used under this lease.
- (10) If the lessees enter into a sublease of the land leased, the lessee must notify the Commissioner of the granting of the sublease within 28 days after it is granted.



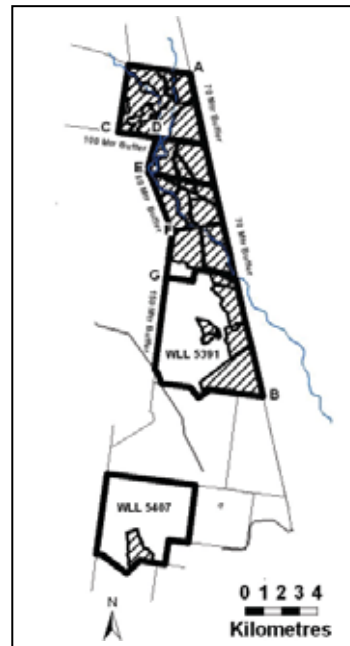
- (11) The land leased must be used only for the purpose of Grazing and Cultivation (Dryland).
- (12) The lessees must maintain and keep in reasonable repair all improvements on the land leased during the currency of the lease and shall permit the Minister or the Commissioner or any person authorised by the Minister or the Commissioner at all times to enter upon and examine the whole or any part of the land leased and the buildings or other improvements thereon.
- (13) All minerals within the meaning of the Mining Act 1992, and all other metals, gemstones and semiprecious stones, which may be in, under or upon the land leased are reserved to the Crown and the lessee shall permit any person duly authorised in that behalf to enter upon the land leased and search, work, win and remove all or any minerals, metals, gemstones and semiprecious stones in, under or upon the land leased.
- (14) Mining operations may be carried on, upon and in the lands below the land leased and upon and in the lands adjoining the land leased and the lands below those lands and metals and minerals may be removed therefrom and the Crown and any lessee or lessees under any Mining Act or Acts shall not be subject to any proceedings by way of injunction or otherwise in respect of or be liable for any damage occasioned by the letting down, subsidence or lateral movement of the land leased or any part thereof or otherwise by reason of the following acts and matters, that is to say, by reason of the Crown or any person on behalf of the Crown or any lessee or lessees, having worked now or hereafter working any mines or having carried on or now or hereafter carrying on mining operations or having searched for, worked, won or removed or now or hereafter searching for, working, winning or removing any metals or minerals under, in or from the lands lying beneath the land leased or any part thereof, or on, in, under or from any other lands situated laterally to the land leased or any part thereof or the lands lying beneath those lands, and whether on or below the surface of those other lands and by reason of those acts and matters or in the course thereof the Crown reserves the liberty and authority for the Crown, any person on behalf of the Crown and any lessee or lessees from time to time to let down without payment of any compensation any part of the land leased or of the surface thereof.
- (15) The lessees must comply with the provisions of the Local Government Act 1993, and of the ordinances made thereunder.
- (16) The lessees must comply with the provisions of the Water Management Act 2000 and any regulations made in pursuance of that Act.
- (17) The lessees must not erect or permit any person to erect any buildings or extend any existing buildings on the land leased except to the satisfaction of the Commissioner.
- (18) The lessees must ensure that the land leased is kept in a neat and tidy condition to the satisfaction of the Commissioner and not permit refuse to accumulate on the land.
- (19) Upon termination or forfeiture of the lease the Commissioner may direct that the former lessee remove any structure or material from the land at his own cost and without compensation. Where such a direction has been given the former lessee must leave the land in a clean and tidy condition free from rubbish and debris.
- (20) The lessees must, within 1 year from the date of commencement of the lease or such further period as the Commissioner may allow, enclose the land leased, either separately or conjointly with other lands held in the same interest, with a suitable fence to the satisfaction of the Commissioner.
- (21) The lessees must not obstruct or interfere with any reserves, roads or tracks on the land leased, or the lawful use thereof by any person.
- (22) The lessees must erect gates on roads within the land leased when and where directed by the Commissioner for public use and must maintain those gates together with approaches thereto in good order to the satisfaction of the Commissioner.
- (23) The right is reserved to the public of free access to, and passage along, the bank of any watercourse adjoining the land leased and the lessee must not obstruct access or passage by any member of the public to or along the bank.
- (24) Any part of a reserve for travelling stock, camping or water supply within the land leased must, during the whole currency of the lease, be open to the use of bona fide travellers, travelling stock, teamsters and carriers without interference or annoyance by the lessee and the lessee must post in a conspicuous place on the reserve a notice board indicating for public information the purpose of such reserve and, in fencing the land leased, the lessee must provide gates and other facilities for the entrance and exit of travelling stock, teamsters and others. The notice board, gates and facilities must be erected and maintained to the satisfaction of the Commissioner. The lessee must not overstock, wholly or in part, the areas leased within the reserve, the decision as to overstocking resting with the Commissioner.
- (25) The Crown shall not be responsible to the lessee or the lessee's successors in title for provision of access to the land leased.
- (26) The lessees must comply with the provisions of the Native Vegetation Act 2003 and any regulations made in pursuance of that Act.
- (27) The lessees must comply with requirements of section 18DA of the Western Lands Act 1901 which provides that except in circumstances referred to in subsection (3) of that section, cultivation of the land leased or occupied may not be carried out unless the written consent of the Authority has first been obtained and any condition to which the consent is subject under sub section (6) is complied with.
- (28) Notwithstanding any other condition annexed to the lease, the lessee must, in removing timber for the purpose of building, fencing or firewood, comply with the routine agricultural management activities listed in the Native Vegetation Act 2003.
- (29) The lessees must not interfere with the timber on any of the land leased which is within a State forest, timber reserve or flora reserve unless authorisation has been

- obtained under the provisions of the Forestry Act 1916 and must not prevent any person or persons duly authorised in that behalf from taking timber on the land leased. The lessee shall not have any property right in the timber on the land leased and must not ringbark, kill, destroy or permit the killing or destruction of any timber unless authorised under the Forestry Act 1916 or unless approval has been issued in accordance with the Native Vegetation Act 2003, but the lessee may take such timber as the lessee may reasonably require for use on the land leased, or on any contiguous land held in the same interest, for building, fencing or firewood.
- (30) The lessees shall undertake any fuel management and/or provision of fire trail access in accordance with fire mitigation measures to the satisfaction of the NSW Rural Fire Service.
- (31) The lessees must, as the Commissioner may from time to time direct, foster and cultivate on the land leased such edible shrubs and plants as the Commissioner may consider can be advantageously and successfully cultivated.
- (32) Whenever so directed by the Commissioner, the lessee must, on such part or parts of the land leased as shall be specified in the direction, carry out agricultural practices, or refrain from agricultural practices, of such types and for such periods as the Commissioner may in the direction specify.
- (33) The lessees must not overstock, or permit or allow to be overstocked, the land leased and the decision of the Commissioner as to what constitutes overstocking shall be final and the lessee must comply with any directions of the Commissioner to prevent or discontinue overstocking.
- (34) The lessees must, if the Commissioner so directs, prevent the use by stock of any part of the land leased for such periods as the Commissioner considers necessary to permit of the natural reseeding and regeneration of vegetation and, for that purpose, the lessee must erect within the time appointed by the Commissioner such fencing as the Commissioner may consider necessary.
- (35) The lessees must furnish such returns and statements as the Commissioner may from time to time require on any matter connected with the land leased or any other land (whether within or outside the Western Division) in which the lessee has an interest.
- (36) The lessees must, within such time as may be specified by the Commissioner take such steps and measures as the Commissioner shall direct to destroy vermin and such animals and weeds as may, under any Act, from time to time be declared (by declaration covering the land leased) noxious in the Gazette and must keep the land free of such vermin and noxious animals and weeds during the currency of the lease to the satisfaction of the Commissioner.
- (37) The lessees must not remove or permit any person to remove gravel, stone, clay, shells or other material for the purpose of sale from the land leased unless the lessee or the person is the holder of a quarry license under regulations made under the Crown Lands Act 1989 or, in respect of land in a State forest, unless the lessee or the person is the holder of a forest materials licence under the Forestry Act 1916, and has obtained the special authority of the Minister to operate on the land, but the lessee may, with the approval of the Commissioner, take from the land such gravel, stone, clay, shells or other material for building and other purposes upon the land as may be required by the lessee.
- (38) The lessees must ensure that cultivation and associated activities do not interfere with any road formation within the allowable area.
- (39) The lessees shall ensure incised drainage lines, other than man made structures, that carry water after storms are left uncultivated in the channels and for a distance of 20 metres on either side of the banks of the channels except when the Commissioner specifies otherwise.
- (40) The lessees must consider the requirements of the National Parks and Wildlife Act 1974, with regard to Aboriginal relics, which are extremely vulnerable to many kinds of agricultural development. Should any Aboriginal archaeological relics or sites be uncovered during the proposed works, work is to cease immediately. Under Section 90 it is an offence to damage or destroy relics without prior consent of the Director-General of the Department of Environment, Climate Change and Water. If an Aboriginal site is found in an area that is subject of this consent, the cultivation must cease until the lessees have notified the Department of Environment, Climate Change and Water of the existence of the Aboriginal site. Contact details are: the Manager, Cultural Heritage Unit, Department of Environment, Climate Change and Water on Phone (02) 6883 5324 or at 58-62 Wingewarra St, Dubbo.
- (41) The lessees shall establish windbreaks at his/her own expense, as may be ordered by the Western Lands Commissioner to provide adequate protection of the soil.
- (42) The lessees shall ensure stubble is retained on the soil surface and shall not be burnt, except with the approval of the Commissioner or his delegate. Where such approval is granted, stubble burning must be carried out with the approval as per requirements of the NSW Rural Fire Services.
- (43) The lessees shall undertake any appropriate measures, at his/her own expense, ordered by the Commissioner to rehabilitate any degraded cultivated areas.
- (44) The lessees must not permanently transfer Irrigation water from the lease without the prior written permission of the Western Lands Commissioner.
- (45) The lessees must ensure that sandhills and other soils with a surface texture of loamy sand or coarser are left uncultivated unless specifically approved by the commissioner.
- (46) Texture contrast (or duplex) soils are soil types which have a sandy to loamy topsoil abruptly overlaying a clay subsoil and are prone to scolding (producing claypans and hummocks). Land within 60 metres of any texture contrast or duplex soil area must not be cultivated except in accordance with a plan approved by the Commissioner.
- (47) The lessees shall ensure areas with a slope greater than 2% are not cultivated until any soil conservation measures documented in a plan approved by the



- Commissioner have been implemented at the lessee' expense.
- (48) The lessees must ensure that Cultivation and cropping do not alter the natural flood regime or obstruct the reasonable passage of floodwaters Crops are not to be protected by levees.
  - (49) The lessees shall only cultivate an area of 1017 hectares (WLL 5391), 1248 hectares (WLL 5392), 172 hectares (WLL 5407), 506 hectares (WLL 5408) and 1080 hectares (WLL 12015) shown hatched on the diagram below.
  - (50) The lessees must not clear any native vegetation within the area shown hatched on the diagram hereunder unless written approval has been granted by the local Catchment Management Authority.
  - (51) The lessees shall ensure that no cultivation is undertaken within 70 metres of the eastern property boundary fence-line on WLL 5391, WLL 5392, WLL 5408 and WLL 12015, marked A-B on the diagram hereunder.
  - (52) The lessees shall ensure that no cultivation is undertaken within 100 metres of the southern property boundary fence-line on WLL 12015, marked C-D on the diagram hereunder.
  - (53) The lessees shall ensure that no cultivation is undertaken within 80 metres of the western property boundary fence-line on WLL 5392, marked E-F on the diagram hereunder.

- (54) The lessees shall ensure that no cultivation is undertaken within 150 metres of the western property boundary fence-line on WLL 5392, marked F-G on the diagram hereunder.
- (55) Except with the specific approval of the Commissioner, no cultivation or ancillary works associated with any cultivation shall be undertaken within 20 metres, of the landward side, of the bank of Crowie Creek and Teran Creek. These areas are not to be disturbed by the use of any implements or used for the purposes of any silos, temporary grain storage, machinery shed or other installations or works of any kind.



**WITHDRAWAL OF LANDS FROM WESTERN LANDS LEASES**

PURSUANT to section 35Q of the Western Lands Act 1901, the lands described in Column 1 of the Schedule hereunder, are withdrawn from the leases described in Column 2 of the Schedule for the purpose of being dedicated as public roads.

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

SCHEDULE

Descriptions

*Counties of Fitzgerald, Ularara, Yungnulgra, Killara and Young; Administrative Districts of Wanaaring and Wilcannia; Unincorporated Area and Central Darling Shire*

Column 1 Land Withdrawn From Lease (LOT/DP)	Column 2 Lease Affected By Withdrawal	Column 3 Title Affected	Column 4 Area Withdrawn From Lease (ha)	Column 5 Lease Area Following Withdrawal (ha)
1/1145677	WLL 5953	4999/765868	14.73	21768
2/1145677	WLL 14313	6915/1000006	58.01	8484
4/1145677	WLL 8310	4131/766636	53.62	32034
5/1145677	WLL 5979	3488/765777	106.9	26099
6/1145677	WLL 5978	3487/765776	105.9	29137
7/1145677	WLL 14340	2/1017568	4511 sq.m	15970
8/1145677 10/1145677	WLL 4776	1/1017568	178.0	40044

<i>Column 1</i> Land Withdrawn From Lease (LOT/DP)	<i>Column 2</i> Lease Affected By Withdrawal	<i>Column 3</i> Title Affected	<i>Column 4</i> Area Withdrawn From Lease (ha)	<i>Column 5</i> Lease Area Following Withdrawal (ha)
9/1145677 11/1145677	WLL 3463	1372/763099	32.02	12723
12/1145677 14/1145677	WLL 14353	1/1084490	54.41	5832
19/1145677 21/1145677	WLL 7090	3697/766079	20.38	30555
22/1145677	WLL 4720	1213/762720	90.88	26946
23/1145677	WLL 1850	214/760933	135.6	22565
24/1145677	WLL 1856	215/760934	7.248	7075
25/1145677	WLL 1822	213/760932	29.06	11707
28/1145677	WLL 1611	5842/768740	15.85	2314
29/1145677	WLL 2093	4877/760905	2.868	690.1
30/1145677	WLL 2952	1024/762167	5.171	3819
32/1145677	WLL 8336	4081/766586	18.06	1496

File No.: 09/7981

#### **DEDICATION OF CROWN LAND AS PUBLIC ROAD**

PURSUANT to section 12 of the Roads Act 1993, the Crown Land described hereunder is, from the date of publication of this notice, dedicated as public road. The public road hereby dedicated is declared not to be Crown road within the meaning of the Roads Act 1993.

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

#### **Description**

*Counties of Mootwingee, Farnell, Evelyn, Yantara and Tongowoko;*  
*Administrative Districts of Broken Hill and Milparinka;*  
*Unincorporated Area*

Lot 1, DP 1145677; Lot 2, DP 1145677; Lot 3, DP 1145677; Lot 4, DP 1145677; Lot 5, DP 1145677; Lot 6, DP 1145677; Lot 7, DP 1145677; Lot 8, DP 1145677; Lot 9, DP 1145677; Lot 10, DP 1145677; Lot 11, DP 1145677; Lot 12, DP 1145677; Lot 14, DP 1145677; Lot 19, DP 1145677; Lot 21, DP 1145677; Lot 22, DP 1145677; Lot 23, DP 1145677; Lot 24, DP 1145677; Lot 25, DP 1145677; Lot 26, DP 1145677; Lot 27, DP 1145677; Lot 28, DP 1145677; Lot 29, DP 1145677; Lot 30, DP 1145677; Lot 31, DP 1145677 and Lot 32, DP 1145677.

File No.: 09/7981.

#### **APPOINTMENT OF TRUST BOARD MEMBERS**

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

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

#### **SCHEDULE**

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Rosemary MADDOX (new member).	Cumborah Recreation Reserve Trust.	Reserve No.: 31858. Public Purpose: Public recreation. Notified: 8 December 1900. File No.: WL90 R 48.

#### **Term of Office**

For a term commencing the date of this notice and expiring 19 July 2012.

**REVOCATION OF RESERVATION OF CROWN  
LAND**

IN pursuance of section 61A of the Commons Management Act 1989, the setting aside of Crown Land specified in Column 1 of the Schedule hereunder, to the extent specified opposite thereto in Column 2 of the Schedule.

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Reserve No.: 23158. Purpose: Temporary common. Notified: 18 November 1895. Locality: Broken Hill. Parishes: Picton and Bolaira. County: Yancowinna. File No.: WL98 R 1794.	That part within Lot 8, DP 1141198 for an area of 2.343 hectares.
Reserve No.: 90760. Purpose: Commonage. Notified: 15 April 1977. Locality: Broken Hill. Parish: Bolaira. County: Yancowinna. File No.: 08/3603.	That part within Lot 9, DP 1141198 for an area of 1.513 hectares.

**DEDICATION OF CROWN LAND AS PUBLIC  
ROAD**

PURSUANT to section 12 of the Roads Act 1993, the Crown Land described in Schedule 1 hereunder is, from the date of publication of this notice, dedicated as public road. The public road hereby dedicated is declared not to be Crown road within the meaning of the Roads Act 1993.

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

SCHEDULE 1

Description

*Parishes of Picton and Bolaira; County of Yancowinna;  
Administrative District of Broken Hill; City of Broken Hill*

Lot 8, DP 1141198 and Lot 9, DP 1141198.

File No.: 08/10945.

## Roads and Traffic Authority

### ROAD TRANSPORT (GENERAL) ACT 2005

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

CABONNE 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: 25 February 2010.

G. L. P. FLEMING,  
General Manager,  
Cabonne Council  
(by delegation from the Minister for Roads)

#### SCHEDULE

**1. Citation**

This Notice may be cited as Cabonne Council 25 Metre B-Double Notice No. 1/2010.

**2. Commencement**

This Notice takes effect on the date of gazettal.

**3. Effect**

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

**4. Application**

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

**5. Routes**

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25.	Local Road 318.	Long Point Road, Cabonne Council.	RR573 – Burrendong Way, Mullion Creek.	Junction with State Forest Bosches Creek Road, 7.37km from RR573.	80km/h speed limit applies. Travel not permitted on school days between 8am and 9.30am and between 2.30pm and 4pm.

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

NARRABRI 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: 5 March 2010.

PHIL MARSHALL,  
General Manager,  
Narrabri Shire Council  
(by delegation from the Minister for Roads)

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

This Notice may be cited as Narrabri Shire Council 25 metre B-Double Route Notice No. 1/2010.

**2. Commencement**

This Notice takes effect on the date of gazettal.

**3. Effect**

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

**4. Application**

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

**5. Routes**

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>
25.	SR12.	Leards Forest Road, Narrabri Shire.	Intersection of Lovton Haul Road (approx. 3.7km north of Goonbri Road).	Intersection of Goonbri Road (SR26).
25.	SR26.	Goonbri Road, Narrabri Shire.	Intersection of Leards Forest Road (SR12).	Intersection of Tarawonga Haul Road (approx. 4.4km east of Leards Forest Road).

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

RICHMOND VALLEY 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: 26 February 2010.

BRIAN WILKINSON,  
General Manager,  
Richmond Valley Council  
(by delegation from the Minister for Roads)

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

This Notice may be cited as Richmond Valley Council 25 Metre B-Double Route Notice No. 02/2010.

**2. Commencement**

This Notice takes effect on the date of gazettal.

**3. Effect**

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

**4. Application**

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

**5. Routes**

<i>Type</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>
25.	Hickey Street, Casino.	Johnston Street.	Pratt Street.
25.	Pratt Street, Casino.	Hickey Street.	Walker Street.
25.	Walker Street, Casino.	Pratt Street.	Johnston Street.

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

SHOALHAVEN 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 25 metre B-Doubles may be used subject to any requirements or conditions set out in the Schedule.

Dated: 18 February 2010

RUSS PIGG,  
General Manager,  
Shoalhaven City Council  
(by delegation from the Minister for Roads)

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

This Notice may be cited as Shoalhaven City Council 25 Metre B-Double Route Notice No. 1/2010.

**2. Commencement**

This Notice takes effect on the date of gazettal.

**3. Effect**

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

**4. Application**

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

**5. Routes**

<i>Type</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25m.	Cabbage Tree Lane, South Nowra.	MR92 Albatross Road.	Yalwal Road.	Temporary bypass for bridge works on Albatross Road.
25m.	Yalwal Road, South Nowra.	Cabbage Tree Lane.	George Evans Road.	Temporary bypass for bridge works on Albatross Road.



**ROAD TRANSPORT (GENERAL) ACT 2005**

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

GRIFFITH 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 Road Trains may be used subject to any requirements or conditions set out in the Schedule.

Dated: 24 February 2010.

PETER BROOKS,  
General Manager,  
Griffith City Council  
(by delegation from the Minister for Roads)

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

This Notice may be cited as Griffith City Council Road Train Route Notice No. 1/2010.

**2. Commencement**

This Notice takes effect on the date of gazettal.

**3. Effect**

This Notice remains in force unless it is amended or repealed.

**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>
1.	Walla Avenue.	Kookora Street.	Thorne Road.	Alternate Route: Travel permitted only when the Kidman Way (MR 321) is closed between Thorne Road and Jondaryan Avenue, Willandra Avenue is closed between Jondaryan Avenue and Kookora Street or Kookora Street is closed between Willandra Avenue and Walla Avenue.
1.	Throne Road.	Walla Avenue.	Kidman Way.	Alternate Route: Travel permitted only when the Kidman Way (MR 321) is closed between Thorne Road and Jondaryan Avenue, Willandra Avenue is closed between Jondaryan Avenue and Kookora Street or Kookora Street is closed between Willandra Avenue and Walla Avenue.

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

WENTWORTH 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.

PETER KOZLOWSKI,  
General Manager,  
Wentworth Shire Council  
(by delegation from the Minister for Roads)

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

This Notice may be cited as Wentworth Shire Council (Road Train) Notice No. 1.

**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 Road Trains vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 2007.

**5. Routes**

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
R/T.	1/09.	Seymour Road, Coomealla.	Syphon Road.	Hollands Lake Road.	Nil.

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

WENTWORTH 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.

PETER KOZLOWSKI,  
General Manager,  
Wentworth Shire Council  
(by delegation from the Minister for Roads)

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

This Notice may be cited as Wentworth Shire Council (Road Train) Notice No. 2.

**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 Road Trains vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 2007.

**5. Routes**

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
R/T.	2/09.	Comebungee Road, Coomealla.	Gunyah Road.	Cudjee Road.	Nil.

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

WENTWORTH 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.

PETER KOZLOWSKI,  
General Manager,  
Wentworth Shire Council  
(by delegation from the Minister for Roads)

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

This Notice may be cited as Wentworth Shire Council (Road Train) Notice No. 3.

**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 Road Trains vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 2007.

**5. Routes**

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
R/T.	3/09.	Oleander Drive, Coomealla.	Reserve Road West.	Burtundy Street.	Nil.

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

WENTWORTH 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.

PETER KOZLOWSKI,  
General Manager,  
Wentworth Shire Council  
(by delegation from the Minister for Roads)

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

This Notice may be cited as Wentworth Shire Council (Road Train) Notice No. 4.

**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 Road Trains vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 2007.

**5. Routes**

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
R/T.	4/09.	Boggabilla Road, Coomealla.	Reserve Road West, Silver City Highway.	Nentoura Road, 300m North of Silver City Highway.	Note: One road, but has access to two parts of it.

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

WENTWORTH 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.

PETER KOZLOWSKI,  
General Manager,  
Wentworth Shire Council  
(by delegation from the Minister for Roads)

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

This Notice may be cited as Wentworth Shire Council (Road Train) Notice No. 5.

**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 Road Trains vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 2007.

**5. Routes**

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
R/T.	5/09.	Nentoura Road, Coomealla.	Boggabilla Road.	750m south of Boggabilla Road/ Nentoura Road Intersection.	Nil.

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

WENTWORTH 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.

PETER KOZLOWSKI,  
General Manager,  
Wentworth Shire Council  
(by delegation from the Minister for Roads)

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

This Notice may be cited as Wentworth Shire Council (Road Train) Notice No. 6.

**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 Road Trains vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 2007.

**5. Routes**

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
R/T.	6/09.	Reserve Road West, Coomealla.	Keenans Drive.	Gunyah Road.	Nil.

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

WENTWORTH 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.

PETER KOZLOWSKI,  
General Manager,  
Wentworth Shire Council  
(by delegation from the Minister for Roads)

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

This Notice may be cited as Wentworth Shire Council (Road Train) Notice No. 7.

**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 Road Trains vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 2007.

**5. Routes**

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
R/T.	7/09.	Keenans Drive, Coomealla.	Reserve Road West.	Old Wentworth Road.	Nil.

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

WENTWORTH 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.

PETER KOZLOWSKI,  
General Manager,  
Wentworth Shire Council  
(by delegation from the Minister for Roads)

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

This Notice may be cited as Wentworth Shire Council (Road Train) Notice No. 8.

**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 Road Trains vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 2007.

**5. Routes**

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
R/T.	8/09.	Old Wentworth Road, Coomealla.	Keenans Drive.	Silver City Highway.	Nil.

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

WENTWORTH 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.

PETER KOZLOWSKI,  
General Manager,  
Wentworth Shire Council  
(by delegation from the Minister for Roads)

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

This Notice may be cited as Wentworth Shire Council (Road Train) Notice No. 9.

**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 Road Trains vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 2007.

**5. Routes**

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
R/T.	9/09.	Citrus Drive, Coomealla.	North of Reserve Road East.	End road reserve at SS Citrus Packing shed which is the end of Road Reserve.	Nil.

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

WENTWORTH 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.

PETER KOZLOWSKI,  
General Manager,  
Wentworth Shire Council  
(by delegation from the Minister for Roads)

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

This Notice may be cited as Wentworth Shire Council (Road Train) Notice No. 10.

**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 Road Trains vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 2007.

**5. Routes**

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
R/T.	10/09.	Channel Road, Coomealla.	Fletcher's Lake Road.	Reserve Road East.	Nil.

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

WENTWORTH 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.

PETER KOZLOWSKI,  
General Manager,  
Wentworth Shire Council  
(by delegation from the Minister for Roads)

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

This Notice may be cited as Wentworth Shire Council (Road Train) Notice No. 11.

**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 Road Trains vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 2007.

**5. Routes**

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
R/T.	11/09.	Allomba Road, Coomealla.	Channel Road.	100m east of Mulga Road.	Nil.

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

WENTWORTH 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.

PETER KOZLOWSKI,  
General Manager,  
Wentworth Shire Council  
(by delegation from the Minister for Roads)

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

This Notice may be cited as Wentworth Shire Council (Road Train) Notice No. 12.

**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 Road Trains vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 2007.

**5. Routes**

Listed as one road, with two sections to be approved.

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
R/T.	12/09.	Delta Road, Curlwaa.	Silver City Highway Curlwaa, Silver City Highway, Wentworth.	Church Street Syndicate Road.	Nil.



**ROAD TRANSPORT (GENERAL) ACT 2005**

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

WENTWORTH 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.

PETER KOZLOWSKI,  
General Manager,  
Wentworth Shire Council  
(by delegation from the Minister for Roads)

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

This Notice may be cited as Wentworth Shire Council (Road Train) Notice No. 13.

**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 Road Trains vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 2007.

**5. Routes**

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
R/T.	13/09.	Acacia Road, Curlwaa.	Delta Road.	Syndicate Road.	Nil.

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

WENTWORTH 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.

PETER KOZLOWSKI,  
General Manager,  
Wentworth Shire Council  
(by delegation from the Minister for Roads)

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

This Notice may be cited as Wentworth Shire Council (Road Train) Notice No. 14.

**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 Road Trains vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 2007.

**5. Routes**

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
R/T.	14/09.	Wakefield Lane, Curlwaa.	Silver City Highway.	End of Road Reserve.	Nil.



**ROAD TRANSPORT (GENERAL) ACT 2005**

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

WENTWORTH 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.

PETER KOZLOWSKI,  
General Manager,  
Wentworth Shire Council  
(by delegation from the Minister for Roads)

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

This Notice may be cited as Wentworth Shire Council (Road Train) Notice No. 15.

**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 Road Trains vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 2007.

**5. Routes**

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>
R/T.	15/09.	Syndicate Road, Curlwaa.	Acacia Road.	Delta Road.

**B'DOUBLE (GENERAL) ACT 2005**

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

WENTWORTH 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 (B- Double) Vehicles may be used subject to any requirements or conditions set out in the Schedule.

PETER KOZLOWSKI,  
General Manager,  
Wentworth Shire Council  
(by delegation from the Minister for Roads)

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

This Notice may be cited as Wentworth Shire Council (B-Double) Notice No. 1.

**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 (B- Doubles) vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 1998.

**5. Routes**

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
B/D.	1/09.	Boronia Crescent, Dareton.	River Road, 159m south of 100/80 speed restriction sign, River Road, Dareton.	River Road, South Bernara Road.	One way south easterly direction.

**B' DOUBLE (GENERAL) ACT 2005**

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

WENTWORTH 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 (B-Double) Vehicles may be used subject to any requirements or conditions set out in the Schedule.

PETER KOZLOWSKI,  
General Manager,  
Wentworth Shire Council  
(by delegation from the Minister for Roads)

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

This Notice may be cited as Wentworth Shire Council (B-Doubles) Notice No. 2.

**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 (B-Doubles) vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 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>
B/D.	2/09.	Bernarra Road, Dareton.	Boronia Crescent.	River Road.	One Way Westerly direction.

**B' DOUBLE (GENERAL) ACT 2005**

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

WENTWORTH 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 (B-Double) Vehicles may be used subject to any requirements or conditions set out in the Schedule.

PETER KOZLOWSKI,  
General Manager,  
Wentworth Shire Council  
(by delegation from the Minister for Roads)

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

This Notice may be cited as Wentworth Shire Council (B-Double) Notice No. 3.

**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 (B-Double) vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 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>
B/D.	3/09.	Channel Road, Dareton.	Delta Road.	Eastern Intersection of Billabong Road and Channel Road.	Nil.

**ROADS ACT 1993**

Notice of Dedication of Land as Public Road at Taren Point in the Sutherland Shire Council area

THE Roads and Traffic Authority of New South Wales, by its delegate, dedicates the land described in the schedule below as public road under section 10 of the Roads Act 1993.

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

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SCHEDULE

ALL those pieces or parcels of land situated in the Sutherland Shire Council area, Parish of Sutherland and County of Cumberland, shown as:

<u>Description</u>	<u>Title Particulars</u>
Lot 5 Deposited Plan 225201	Certificate of Title Volume 6110 Folio 84
Lot 6 Deposited Plan 225201	Certificate of Title Volume 6065 Folio 207
Lot 7 Deposited Plan 225201	Certificate of Title Volume 5520 Folio 56
Lot 8 Deposited Plan 225201	Certificate of Title Volume 3930 Folio 123
Lot 9 Deposited Plan 225201	Certificate of Title Volume 5571 Folio 138
Lot 10 Deposited Plan 225201	Certificate of Title Volume 4239 Folio 99
Lot 11 Deposited Plan 225201	Certificate of Title Volume 2707 Folio 147
The area of 1 ½ perches shown on the plan marked 'A' annexed to Transfer Dealing J929519 and being part of Lot 18, Section 2, Deposited Plan 6417	Certificate of Title Volume 5011 Folio 110
The area of ¼ perch shown on the plan marked 'A' annexed to Transfer Dealing J974298 and being part of Lot 17, Section 2, Deposited Plan 6417	Certificate of Title Volume 5443 Folio 208
The area of 1 perch shown on the plan marked 'A' annexed to Transfer Dealing J918033 and being part of Lot 1, Section 3, Deposited Plan 6417	Certificate of Title Volume 2648 Folio 172

(RTA Papers: 9M2524; RO F6/411.1665; 2)

**ROADS ACT 1993**

Notice of Dedication of Land as Public Road at Cabramatta in the Fairfield City Council area

THE Roads and Traffic Authority of New South Wales, by its delegate, dedicates the land described in the schedule below as public road under section 10 of the Roads Act 1993.

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

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**SCHEDULE**

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

<u>Description</u>	<u>Title Particulars</u>
Lot 11 Deposited Plan 231250	Certificate of Title Volume 5543 Folio 102
Lot 5 Deposited Plan 220281	Certificate of Title Volume 8385 Folio 154
Lot 4 Deposited Plan 220281	
Lot 3 Deposited Plan 220281	
Lot 2 Deposited Plan 220281	Certificate of Title Volume 6980 Folio 26

(RTA Papers: 8M4104; RO 156.12343)

**ROADS ACT 1993**

Notice of Dedication of Land as Public Road at Fairfield in the Fairfield City Council area

THE Roads and Traffic Authority of New South Wales, by its delegate, dedicates the land described in the schedule below as public road under section 10 of the Roads Act 1993.

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

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**SCHEDULE**

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

<u>Description</u>	<u>Title Particulars</u>
Lot 18 Deposited Plan 882938	Folio Identifier 18 / 882938
Lot 19 Deposited Plan 882938	Folio Identifier 19 / 882938
Lot 20 Deposited Plan 882938	Folio Identifier 20 / 882938
Lot 21 Deposited Plan 882938	Folio Identifier 21 / 882938
Lot 22 Deposited Plan 882938	Folio Identifier 22 / 882938
Lot 23 Deposited Plan 882938	Folio Identifier 23 / 882938
Lot 24 Deposited Plan 882938	Folio Identifier 24 / 882938
Lot 25 Deposited Plan 882938	Folio Identifier 25 / 882938

(RTA Papers: 8M4104 (Vol 3); RO 156.12343 (Vol 2))

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

Notice of Compulsory Acquisition of Land at Moonee  
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

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**SCHEDULE**

ALL that piece or parcel of land situated in the Coffs Harbour City Council area, Parish of Moonee and County of Fitzroy, shown as Lot 24 Deposited Plan 1140702, being part of land in Certificate of Title 1/266056, excluding any existing easements from the compulsory acquisition of the said Lot 24.

The land is said to be in the possession of Country Energy.

(RTA Papers: 10M4; RO 10/110.1871)



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## Office of Water

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### WATER ACT 1912

APPLICATIONS for a licence, under section 10 of Part 2 within a Proclaimed (declared) Local Area under section 5 (4) of the Water Act 1912, have been received as follows:

*Murrumbidgee Valley*

Geoffrey Peter McFARLANE and Sheridan ROBERTS for a dam and pump on an unnamed watercourse, locally known as Graveyard Gully, Lot 12, DP 883604, Parish Toual, County Murray, for irrigation of 5 ha of horticulture and pasture. New license – allocation via permanent transfer of existing entitlement. (Ref: 40SL71181)

John Graham and Nerida Gai DUNN for two pumps in the Yass River, Lot 10, DP 817559, Parish Talagandra, County Murray, for irrigation of 20 ha of lucerne and other crops. Replacement license to install an additional pump. No increase in allocation or change to access conditions. (Ref: 40SL71182)

Any inquiries should be directed to (02) 6953 0700. Written objections, from any local occupier or statutory authority, specifying grounds and how their interests are affected, must be lodged with the NSW Office of Water, PO Box 156, Leeton NSW 2705, within 28 days of this publication.

S. F. WEBB,  
Licensing Manager

## Other Notices

### ASSOCIATIONS INCORPORATION ACT 1984

Reinstatement of Cancelled Association Pursuant  
to Section 54A

THE incorporation of ST GEORGE SPANISH SCHOOL INCORPORATED – Y2413345 (the association) was ceased on 22 February 2008 is reinstated pursuant to section 54A of the Associations Incorporation Act 1984.

Dated: 12 February 2010.

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

### ASSOCIATIONS INCORPORATION ACT 1984

Reinstatement of Cancelled Association Pursuant  
to Section 54A

THE incorporation of WOODBERRY WARRIORS RUGBY LEAGUE FOOTBALL CLUB INCORPORATED (Y1280832) cancelled on 5 February 2010 is reinstated pursuant to section 54A of the Associations Incorporation Act 1984.

Dated 2nd day of March 2010.

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

### ASSOCIATIONS INCORPORATION ACT 1984

Reinstatement of Cancelled Association Pursuant  
to Section 54A

THE incorporation of WOODBERRY WARRIORS SCHOOLBOYS R.L.F.C. INCORPORATED (Y1754121) cancelled on 5 February 2010 is reinstated pursuant to section 54A of the Associations Incorporation Act 1984.

Dated 2nd day of March 2010.

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

### ASSOCIATIONS INCORPORATION ACT 1984

Reinstatement of Cancelled Association Pursuant  
to Section 54A

THE incorporation of CHARLESWORTH BAY FISHING CLUB INC – Y0642240 (the association) was ceased on 22 February 2008 is reinstated pursuant to section 54A of the Associations Incorporation Act 1984.

Dated 2nd day of March 2010.

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

### ASSOCIATIONS INCORPORATION ACT 1984

Reinstatement of Cancelled Association Pursuant  
to Section 54A

THE incorporation of POTTER'S PIPELINE INCORPORATED (Y3013506) cancelled on 24 April 2009 is reinstated pursuant to section 54A of the Associations Incorporation Act 1984.

Dated 3rd day of March 2010.

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

### EDUCATION ACT 1990

Land Acquisition (Just Terms Compensation) Act 1991  
Notice of Compulsory Acquisition of Land  
for Public School

THE Minister for Education and Training, with the approval of Her Excellency the Governor, declares by delegate 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 Education Act 1990.

Dated at Sydney, this first day of March 2010.

ROGER MILLOTT,  
Delegate of the Minister for Education and Training

#### SCHEDULE

All that piece or parcel of land situate in the Local Government Area of Nambucca, Parish of Nambucca and County of Raleigh being Lot 21, Deposited Plan 1131068.

### HERITAGE ACT 1977

Direction Pursuant to Section 34 (1) (a) to Amend a Listed  
Boundary on the State Heritage Register

Bungarabee Homestead Complex – Archaeological Site  
SHR No. 1428

IN pursuance of section 34 (1) (a) of the Heritage Act 1977, I, the Minister for Planning, having considered a recommendation of the Heritage Council of New South Wales, direct the Council to amend the listing of the item of environmental heritage specified in Schedule "A" on the State Heritage Register. This listing shall apply to the curtilage or site of the item, being the land described in Schedule "B".

Sydney, 31st day of January 2010.

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

#### SCHEDULE "A"

The item known as Bungarabee Homestead Complex – Archaeological Site, situated on the land described in Schedule "B".

## SCHEDULE "B"

All those pieces or parcels of land shown on the plan catalogued HC 2298 in the office of the Heritage Council of New South Wales. Parish of Prospect, County of Cumberland.

**HERITAGE ACT 1977**

Direction Pursuant to Section 34 (1) (a) to List an Item on the State Heritage Register

Linden Observatory Complex  
SHR No. 1807

IN pursuance of section 34 (1) (a) of the Heritage Act 1977, I, the Minister for Planning, having considered a recommendation of the Heritage Council of New South Wales, direct the Council to list the item of environmental heritage specified in Schedule "A" on the State Heritage Register. This listing shall apply to the curtilage or site of the item, being the land described in Schedule "B".

Sydney, 31st day of January 2010.

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

## SCHEDULE "A"

The item known as Linden Observatory Complex, situated on the land described in Schedule "B".

## SCHEDULE "B"

All those pieces or parcels of land known as Lot 1 DP 575127 in Parish of Linden, County of Cook shown on the plan catalogued HC 2301 in the office of the Heritage Council of New South Wales.

**HERITAGE ACT 1977**

Direction Pursuant to Section 34 (1) (a) to List an Item on the State Heritage Register

Luna Park Precinct  
SHR No. 1811

IN pursuance of section 34 (1) (a) of the Heritage Act 1977, I, the Minister for Planning, having considered a recommendation of the Heritage Council of New South Wales, direct the Council to list the item of environmental heritage specified in Schedule "A" on the State Heritage Register. This listing shall apply to the curtilage or site of the item, being the land described in Schedule "B". The listing is subject to the exemptions from approval under section 57 (2) of the Heritage Act 1977, described in Schedule "C" and in addition to the standard exemptions.

Sydney, 31st day of January 2010.

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

## SCHEDULE "A"

The item known as Luna Park Precinct, situated on the land described in Schedule "B".

## SCHEDULE "B"

All those pieces or parcels of land known as Lot 4 of Deposited Plan 1066900; Lot 3 of DP1066900; Lot 2 of DP1066900; Lot 1247 of DP48514; Lot 12 DP1113743, Parish of Willoughby, County of Cumberland shown on the plan catalogued HC 2293 in the office of the Heritage Council of New South Wales.

## SCHEDULE "C"

## Site Specific Exemptions

1. Any action specifically identified as an exemption in a Conservation Management Plan prepared for Luna Park, which has been endorsed by the Heritage Council of NSW;
2. Any action required to meet the obligations arising under the NSW Occupational Health and Safety Act 2000;
3. Replacement or removal of any amusement or ride (excluding the Wild Mouse, the Rotor, Coney Island and its contents, the Crystal Palace and the Entrance Face and Towers);
4. Installation of new amusements or rides in accordance with existing Development Consents as defined in Exemption number 9 of these Site Specific Exemptions;
5. Erection of signs relating to the operation of Luna Park in accordance with the existing Development Consents (including the approved signage strategy) listed in Exemption number 9 of these Site Specific Exemptions;
6. Removal of any post 1995 buildings or structures;
7. Repair, upgrading or replacement of post-1995 murals or artworks;
8. Erection of temporary structures related to the operations of Luna Park in accordance with existing Development Consents listed in Exemption number 9 of these Site Specific Exemptions;
9. Any development for which a valid development consent was issued prior to 31 August 2009 (North Sydney Council:DA427/00; MOD A3089/00) ( Department of Planning: DA154-06-01; DA151-5-2002; MOD32-05-2002; MOD491-10-03; DA201-6-2002; MOD47-6-2002; DA264-8-2002; DA60-2-2003; MP06\_0163) (Sydney Harbour Foreshore Authority DA491-10-03; MOD151-05-02; DA039-01-04; MOD154-06-1(1); DA75-02-04; MOD201-06-02(1); DA86-03-04; DA98-03-04; MOD201-06-02(2); MOD154-06-01(2); DA169-06-05; MOD154-06-01(3); DA131-08-06; DA109-08-07; DA056-05-07; MOD056-05-07(1); DA109-06-08; DA118-07-08; DA144-09-08.
10. Any action required by or obligations arising from the Luna Park Site Act 1990; and
11. Any action required by or obligations arising from any Luna Park Plan of Management that is prepared in accordance with the Luna Park Site Act 1990.

**HERITAGE ACT 1977**

Direction Pursuant to Section 34 (1) (a) to List  
an Item on the State Heritage Register

Macquarie Place Precinct  
SHR No. 1759

IN pursuance of section 34 (1) (a) of the Heritage Act 1977, I, the Minister for Planning, having considered a recommendation of the Heritage Council of New South Wales, direct the Council to list the item of environmental heritage specified in Schedule "A" on the State Heritage Register. This listing shall apply to the curtilage or site of the item, being the land described in Schedule "B". The listing is subject to the exemptions from approval under section 57 (2) of the Heritage Act 1977, described in Schedule "C" and in addition to the standard exemptions.

Sydney, 31st day of January 2010.

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

**SCHEDULE "A"**

The item known as Macquarie Place Precinct, situated on the land described in Schedule "B".

**SCHEDULE "B"**

All those pieces or parcels of land known as Lot 1 Section 48 DP 758942 in Parish of St James, County of Cumberland shown on the plan catalogued HC 2089 in the office of the Heritage Council of New South Wales.

**SCHEDULE "C"**

1. All Standard Exemptions
2. All works and activities in accordance with a valid development consent in force at the date of gazettal for listing Macquarie Place Precinct on the State Heritage Register.
3. Minor modifications to a valid development consent in force at the date of gazettal for listing Macquarie Place Precinct on the State Heritage Register where the Director of the Heritage Branch is satisfied that:
  - a. The proposed works are substantially the same as the development for which consent was originally granted, before any modifications to that consent, for the purpose of this exemption only; and
  - b. The Director has been notified in writing of the works proposed to be undertaken under this exemption prior to commencement of works, and the Director has provided written confirmation that the works are exempt.
4. Temporary non-structural installations for events that do not permanently alter or remove landscape or built features and monuments in accordance with City of Sydney Council's specifications.
5. Re-paving and minor alterations to existing paving that:
  - a. is compatible with the significant characteristics of the place;
  - b. does not require excavation deeper than the foundations of the existing paving;
  - c. will have no adverse or irreversible impact on significant paving and other fabric, including landscape and archaeological features;
  - d. will not obstruct significant views or features; and
  - e. is in accordance with the assessment and recommendations of City of Sydney Council's heritage specialist.
6. Temporary non-illuminated signs and decorations, such as flags, rigging and banners that
  - a. is compatible with significant characteristics of the item;
  - b. will not be attached to monuments;
  - c. has no adverse or irreversible impact on significant fabric, including landscape or archaeological features;
  - d. will not obstruct significant views or features of the item and its setting;
  - e. re-use existing fixing points where possible;
  - f. will not remove or conceal significant existing signage;
  - g. is in accordance with the City of Sydney Council's current signage policy; and
  - h. is in accordance with the assessment and recommendations of City of Sydney Council's heritage specialist.

**HERITAGE ACT 1977**

Direction Pursuant to Section 34 (1) (a) to List  
an Item on the State Heritage Register

Queen Victoria Building  
SHR No. 1814

IN pursuance of section 34 (1) (a) of the Heritage Act 1977, I, the Minister for Planning, having considered a recommendation of the Heritage Council of New South Wales, direct the Council to list the item of environmental heritage specified in Schedule "A" on the State Heritage Register. This listing shall apply to the curtilage or site of the item, being the land described in Schedule "B". The listing is subject to the exemptions from approval under section 57 (2) of the Heritage Act 1977, described in Schedule "C" and in addition to the standard exemptions.

Sydney, 31st day of January 2010.

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

**SCHEDULE "A"**

The item known as Queen Victoria Building, situated on the land described in Schedule "B".

**SCHEDULE "B"**

All those pieces or parcels of land known as Lot 1 DP 811077 in Parish of St Andrew, County of Cumberland shown on the plan catalogued HC 1952 in the office of the Heritage Council of New South Wales.

## SCHEDULE "C"

## Site-wide:

1. All Standard Exemptions
2. All works and activities in accordance with a valid development consent in force at the date of gazettal for listing the Queen Victoria Building on the State Heritage Register.
3. Minor modifications to a valid development consent in force at the date of gazettal for listing the Queen Victoria Building on the State Heritage Register where the Director of the Heritage Branch is satisfied that:
  - a. The proposed works are substantially the same as the development for which consent was originally granted, before any modifications to that consent, for the purpose of this exemption only; and
  - b. The Director has been notified in writing of the works proposed to be undertaken under this exemption prior to commencement of works, and the Director has provided written confirmation that the works are exempt.
4. Changes to operating hours.

## Exteriors:

5. Re-paving and minor alterations to existing external hard paving that:
  - a. is compatible with the significant characteristics of the item;
  - b. does not require excavation deeper than the foundations of the existing paving;
  - c. will have no adverse or irreversible impact on significant fabric, including landscape and archaeological features;
  - d. will not obstruct significant views or features; and
  - e. is in accordance with the assessment and recommendations of City of Sydney Council's heritage specialist.
6. Removal and replacement of temporary existing non-illuminated external signs and decorations, such as flags, rigging, banners, merchandising, Christmas tree and associated decorations.
7. Development of temporary hoardings when facades are undergoing maintenance or conservation.
8. Maintenance of or minor changes to external awnings.
9. Changes to external glass roof shading and replacement of clear glazing as clear to glass roof.

## Underground and basement levels:

10. Non-structural works to the Queen Victoria Building's two basement levels and connecting arcades provided they have no effect on the floor voids, fabric and configuration of the original stairs or original tiling.
11. Subterranean alterations to existing retail, road and rail tunnels and arcades, including alterations below the southern forecourt pavement on Druit Street, which do not require excavation.
12. Any works to the car park including changes to its operations, loading dock, entry and exit.

## Back-of house and services:

13. Non-structural works to the back-of-house interiors including management offices, service or support areas, store rooms, security rooms and plant rooms provided they have no effect on decorative plasterwork or joinery.
14. Electrical, mechanical and hydraulic services maintenance and essential upgrades located within the building envelope and on the roof top within the envelope of the existing plant, including roof exhaust fans and associated support duct work.
15. Upgrade mechanical equipment relating to lifts and escalators constructed since 1986.
16. Refurbishment of bathrooms with no effect on remnant heritage fabric, such as original urinals, partitions and tessellated tiles as identified in the Conservation Management Plan.

## Retail tenancies:

17. Changes and development of kiosks existing at the date of gazettal for listing the Queen Victoria Building on the State Heritage Register.
18. Changes to seating and table arrangements on all levels.
19. Replacement of shopfronts to Ancher, Mortlock and Woolley design as per approved D/2006/1068 Drawing Number DA1-700 Rev A.
20. Maintenance repairs of shopfronts to Ancher, Mortlock and Woolley design as per approved D/2006/1068 Drawing Number DA1-700 Rev A
21. All tenancy fit out works and changes of use that comply with the current version of the Queen Victoria Building Design and Fitout Guide approved by City of Sydney.
22. Removal or replacement of non-original inter-tenancy walls.

## Signs, fittings, furnishings and finishes:

23. Work or changes to clocks and other interior non-original fittings and furnishings with no effect on remnant heritage fabric identified in the Conservation Management Plan.
24. Removal and replacement of temporary internal signs and decorations, such as flags, rigging, banners, merchandising, Christmas tree and associated decorations.
25. Maintenance of internal paint finishes.
26. Changes to or development of roof access platforms.
27. Changes to internal lighting.
28. Interior maintenance and conservation of historic fabric.
29. Replacement of deteriorated non-original tessellated tiles to match existing.
30. Replacement of carpet finishes.



**HERITAGE ACT 1977**

Direction Pursuant to Section 34 (1) (a) to List  
an Item on the State Heritage Register

Richmond Park  
SHR No. 1808

IN pursuance of section 34 (1) (a) of the Heritage Act 1977, I, the Minister for Planning, having considered a recommendation of the Heritage Council of New South Wales, direct the Council to list the item of environmental heritage specified in Schedule "A" on the State Heritage Register. This listing shall apply to the curtilage or site of the item, being the land described in Schedule "B". The listing is subject to the exemptions from approval under section 57 (2) of the Heritage Act 1977, described in Schedule "C" and in addition to the standard exemptions.

Sydney, 31st day of January 2010.

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

**SCHEDULE "A"**

The item known as Richmond Park, situated on the land described in Schedule "B".

**SCHEDULE "B"**

All those pieces or parcels shown on the plan catalogued HC 2304 in the office of the Heritage Council of New South Wales. Parish of Ham Common, County of Cumberland.

**SCHEDULE "C"**

1. Works in accordance with the current Plan of Management (2009) adopted by Council in accordance with the Local Government Act 1993;
2. Removal, construction or alteration of garden beds, hard landscaping and plantings to implement the Plan of Management and other policies (2003 Conservation Management Plan and 2005 Landscape Master Plan) for Richmond Park where it is satisfied that the activity will not materially effect the heritage significance of the park as a whole or the area in which they are to be undertaken;
3. The maintenance of any building, monument or work on the site, where maintenance means the continuous protective care of existing material;
4. Horticultural maintenance, including lawn mowing, cultivation, pruning and remedial tree surgery;
5. Removal of non-significant trees considered by a qualified tree surgeon to be dead or dangerous and replacement in line with adopted CMP where it is satisfied that the activity will not materially effect the heritage significance of the park as a whole or the area in which they are to be undertaken;
6. Erection and dismantling of temporary structures, signs, crowd control barriers, banners, stages, lighting and sound, and public address equipment associated with special events and functions held in the Park; and
7. Maintenance and repair of existing roads, paths, fences, gates, drains, water reticulation facilities and other utilities.

**HERITAGE ACT 1977**

Direction Pursuant to Section 34 (1) (a) to List  
an Item on the State Heritage Register

St John's Anglican Cathedral, Parramatta  
SHR No. 1805

IN pursuance of section 34 (1) (a) of the Heritage Act 1977, I, the Minister for Planning, having considered a recommendation of the Heritage Council of New South Wales, direct the Council to list the item of environmental heritage specified in Schedule "A" on the State Heritage Register. This listing shall apply to the curtilage or site of the item, being the land described in Schedule "B". The listing is subject to the exemptions from approval under section 57 (2) of the Heritage Act 1977, described in Schedule "C" and in addition to the standard exemptions.

Sydney, 31st day of January 2010.

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

**SCHEDULE "A"**

The item known as St John's Anglican Cathedral, Parramatta, situated on the land described in Schedule "B".

**SCHEDULE "B"**

All those pieces or parcels of land known as Part Lots 1 and 2 DP 1110057 in Parish of St John, County of Cumberland shown on the plan catalogued HC 2305 in the office of the Heritage Council of New South Wales.

**SCHEDULE "C"**

Note that the site has high potential to contain intact subsurface deposits relating to its establishment as a religious site (original chapel) as well as the use of the land prior to the early land grant of 1797. The site was also adjacent to the Native Institution and may contain archaeological deposits relating to this use of the site.

In accordance with the Parramatta Historical Archaeological Landscape Management Study (PHALMS) 2001, Archaeological Management Unit 2992, the recommended management includes completion of an Archaeological Assessment when new works would involve major ground disturbance and/or new excavations.

The following activities described in 1–9 below are exempted from Heritage Council approval under section 57 (1) of the Heritage Act 1977:

1. Continuing maintenance, cleaning and repairs of existing fabric and structures, such as stonework and roof slates, where such activities are in accordance with the Standard Exemptions.
2. All activities for temporary change of use where such activities do not alter existing fabric or the setting of the heritage item such as temporary exhibitions and concerts.
3. Minor activities with no adverse impact on heritage significance or significant fabric, where the written endorsement of the Director has been obtained prior to works commencing, and where such activities are in accordance with the Standard Exemptions.

4. Activities for installing and replacing interpretative signage, internally and externally, to provide information on the heritage significance of the item, where such signage is sympathetic with the materials and spaces of the heritage item, is free-standing or is fixed into mortar joints with a minimum number of fixtures.
5. All activities for gardening of existing garden beds including digging to a maximum depth of 30cm, where these activities do not impact on or damage existing built structures, such as retaining walls and fences, do not damage trees and do not involve the disturbance of archaeological 'relics'.
6. Activities for installing and replacing external lighting where these activities do not impact on heritage fabric, fixtures and fittings, and are sympathetic to the heritage item.
7. Activities for installing and replacing external signage where these signs do not impact on heritage fabric, do not involve the disturbance of archaeological 'relics' and are sympathetic to the heritage item and the heritage precinct.
8. Activities for installing and replacing building electrical and lighting services where such activities are sympathetic to and minimise alterations to heritage fabric and spaces.
9. All activities for maintaining and altering the storm water disposal system, such as guttering and downpipes, where such activities do not damage, are sympathetic to and minimise alterations to heritage fabric and spaces, and reuse existing underground service trenches without the need for new excavations.

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#### HERITAGE ACT 1977

Direction Pursuant to Section 34 (1) (a) to List  
an Item on the State Heritage Register

#### SYDNEY TOWN HALL

SHR No. 1452

IN pursuance of section 34 (1) (a) of the Heritage Act 1977, I, the Minister for Planning, having considered a recommendation of the Heritage Council of New South Wales, direct the Council to list the item of environmental heritage specified in Schedule "A" on the State Heritage Register. This listing shall apply to the curtilage or site of the item, being the land described in Schedule "B". The listing is subject to the exemptions from approval under section 57 (2) of the Heritage Act 1977, described in Schedule "C" and in addition to the standard exemptions.

Sydney, 31st day of January 2010.

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

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#### SCHEDULE "A"

The item known as Sydney Town Hall, situated on the land described in Schedule "B".

#### SCHEDULE "B"

All those pieces or parcels of land known as Lot 10 DP 1018063 in Parish of St Andrews, County of Cumberland shown on the plan catalogued HC 1977 in the office of the Heritage Council of New South Wales.

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#### SCHEDULE "C"

Site-wide:

1. All Standard Exemptions
2. All works and activities in accordance with a valid development consent in force at the date of gazettal for listing Sydney Town Hall on the State Heritage Register.
3. Minor modifications to a valid development consent in force at the date of gazettal for listing Sydney Town Hall on the State Heritage Register where the Director of the Heritage Branch is satisfied that:
  - i. The proposed works are substantially the same as the development for which consent was originally granted, before any modifications to that consent, for the purpose of this exemption only; and
  - ii. The Director has been notified in writing of the works proposed to be undertaken under this exemption prior to commencement of works, and the Director has provided written confirmation that the works are exempt.
4. Temporary non-structural installations and ancillary new uses for events, such as decorations, rigging, lighting, furnishings, fittings, audio visual equipment and associated temporary services that will:
  - a. be erected for a maximum period of 3 months; and
  - b. require no physical intervention, such as brackets, adhesives and hooks, into significant fabric.
5. Removal of internal or external fabric or installations that are:
  - a. identified as of Neutral or Intrusive significance in Volume 2 of the Conservation Management Plan 2002 Update prepared by Otto Cserhalmi & Partners Pty. Ltd; and
  - b. in accordance with the assessment and recommendations of City of Sydney Council's heritage specialist.
6. Removal of hazardous materials such as asbestos that will:
  - a. not damage or remove significant fabric; and
  - b. be in accordance with the assessment and recommendations of City of Sydney Council's heritage specialist.
7. Non-illuminated internal and external signage for directions to areas within the building, for promotion of activities or promotion of City of Sydney activities within the building that:
  - a. is compatible with significant characteristics of the item;
  - b. has no adverse or irreversible impact on significant fabric, including landscape or archaeological features;



- c. requires no physical intervention, such as brackets, adhesives and hooks, into original fabric;
- d. will not obstruct significant views or features of the item and its setting;
- e. re-use existing fixing points where possible;
- f. will not remove or conceal significant existing signage; and
- g. is in accordance with the City of Sydney Council's current signage policy; and
- h. is in accordance with the assessment and recommendations of City of Sydney Council's heritage specialist.

## Exteriors:

- 8. Re-paving and minor alterations to existing external hard paving that:
  - a. is compatible with the significant characteristics of the item;
  - b. does not require excavation deeper than the foundations of the existing paving;
  - c. will have no adverse or irreversible impact on significant fabric, including landscape and archaeological features;
  - d. will not obstruct significant views or features; and
  - e. is in accordance with the assessment and recommendations of City of Sydney Council's heritage specialist.
- 9. Temporary unfixed fences and structures that will:
  - a. be erected for a maximum period of 3 months; and
  - b. require no physical intervention, such as brackets, adhesives and hooks, into significant fabric.
- 10. New planting in existing planting boxes and existing landscaped areas in accordance with the assessment and recommendations of City of Sydney Council's heritage specialist.
- 11. Removal of diseased or dead plantings for public safety reasons in accordance with the assessment and recommendations of City of Sydney Council's tree preservation officer and heritage specialist.

## Underground and basement levels:

- 12. Sub-surface alterations to the existing Town Hall railway station, and associated retail arcades, which do not require excavation.
- 13. Non-structural works within basement building fabric below the underside of the original Peace Hall floor structure with no adverse or irreversible impact on significant fabric.

## Interiors:

- 14. Minor office space alterations to existing unfixed internal partitions and furnishings that:
  - a. does not alter or add openings, walls or structural fabric;
  - b. has no adverse or irreversible impact on significant furnishings, layouts, fabric or spaces; and
  - c. is in accordance with the assessment and recommendations of City of Sydney Council's heritage specialist.

## Contents:

- 15. Maintenance, cleaning, tuning, auditing and electrical upgrades of Sydney Town Hall's organ in accordance with the assessment and recommendations of City of Sydney Council's heritage specialist.
- 16. Temporary relocation of movable heritage items, such as for the purpose of restoration, for a maximum period of 12 months and in accordance with the assessment and recommendations of City of Sydney Council's heritage specialist.

## Services:

- 17. Services maintenance and essential upgrades, such as electrical, mechanical, hydraulic, fire, lift, security, data, telecommunications and audio-visual services, located within the building envelope and on the roof top within the envelope of the existing plant, including roof exhaust fans and associated support duct work.

**LOCAL GOVERNMENT ACT 1993****ORDER**

I, the Hon Barbara Perry, M.P., Minister for Local Government, in pursuance of section 516 (1A) of the Local Government Act 1993, do by this Order determine that for the purpose of the definitions of "boarding house" and "lodging house" in that section the maximum tariffs, exclusive of GST, that a boarding house or lodging house may charge tariff-paying occupants are:

- (a) Where full board and lodging is provided – \$305 per week for single accommodation, or \$508 per week for family or shared accommodation.
- (b) Where less than full board and lodging is provided – \$203 per week for single accommodation, or \$339 per week for family or shared accommodation.

Dated this 22nd day of February 2010.

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

**LOCAL GOVERNMENT ACT 1993****Delay of By-Election – Bourke Shire Council**

I, the Hon Barbara Perry, M.P., Minister for Local Government, in pursuance of section 293 of the Local Government Act 1993, have formed the opinion that it would be impractical or inconvenient to hold a by-election for Bourke Shire Council by 17 April 2010 as a consequence of a casual vacancy in civic office that was held by Councillor Steve Greentree and order that Saturday 8 May 2010 be appointed as the day for that by-election to be held.

Dated this 1st day of March 2010.

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

**LOCAL GOVERNMENT ACT 1993****ERRATUM**

THE notice appearing in the *New South Wales Government Gazette* No. 34 on 26 February 2010, Folio 1037, is amended by removing Dubbo City Council from the list of those councils in Group 1 for the purpose of phasing in the new strategic planning provisions of the Local Government Act 1993.

The Gazettal date remains, and this erratum amends the error.

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

**PARENTS AND CITIZENS ASSOCIATIONS  
INCORPORATION ACT 1976****Incorporation of Parents and Citizens Associations**

THE following association is hereby incorporated under the Parents and Citizens Associations Incorporation Act 1976.

1. Rooty Hill High School.

VERITY FIRTH, M.P.,  
Minister for Education and Training

**PARENTS AND CITIZENS ASSOCIATIONS  
INCORPORATION ACT 1976****Incorporation of Parents and Citizens Associations**

THE following association is hereby incorporated under the Parents and Citizens Associations Incorporation Act 1976.

1. Woollooware High School.

VERITY FIRTH, M.P.,  
Minister for Education and Training

**PARLIAMENTARY ELECTORATES AND  
ELECTIONS ACT 1912****Registration of Parties**

IT is hereby notified that pursuant to Part 4A of the Parliamentary Electorates and Elections Act 1912 that the undermentioned political parties are registered:

BUILDING AUSTRALIA PARTY  
FAMILY FIRST NSW INC  
NO PARKING METERS PARTY

Dated: 26 February 2010.

C. BARRY,  
Electoral Commissioner,  
New South Wales Electoral Commission

Level 25, 201 Kent Street,  
Sydney NSW 2000

**RURAL FIRES ACT 1997****Local Bush Fire Danger Period Variation**

PURSUANT to section 82 of the Rural Fires Act 1997, as amended, the Commissioner of the NSW Rural Fire Service, following consultation with the local stakeholders, declares the following Local Bush Fire Danger Period Variation:

**Area of Variation:**

Mid Lachlan Valley Team incorporating:

Forbes Shire Council;  
Lachlan Shire Council;  
Parkes Shire Council;  
Weddin Shire Council.

The Local Bush Fire Danger period has been revoked for the period 1 March until 31 March 2010.

During this period permits pursuant to section 87 of the Rural Fires Act 1997, as amended, will not be required for the lighting of fire for the purposes of land clearance or firebreaks.

SHANE FITZSIMMONS, AFSM,  
Commissioner

**RURAL FIRES ACT 1997****Local Bush Fire Danger Period Variation**

PURSUANT to section 82 of the Rural Fires Act 1997, as amended, the Commissioner of the NSW Rural Fire Service, following consultation with the local stakeholders, declares the following Local Bush Fire Danger Period Variation:

**Area of Variation:**

Bland Temora Zone incorporating:

Bland Shire Council;  
Temora Shire Council;

The Local Bush Fire Danger period has been revoked for the period 5 March until 31 March 2010.

During this period permits pursuant to section 87 of the Rural Fires Act 1997, as amended, will not be required for the lighting of fire for the purposes of land clearance or firebreaks.

SHANE FITZSIMMONS, AFSM,  
Commissioner

**TRANSPORT ADMINISTRATION ACT 1988****Land Acquisition (Just Terms Compensation) Act 1991****Notice of Compulsory Acquisition of Land and  
Interest in Land for the Purposes of the  
Rail Corporation New South Wales**

RAIL CORPORATION NEW SOUTH WALES, with the approval of His Excellency the Lieut. Governor, declares that the land described in the Schedule 1 and the interest described in Schedule 2 hereto are acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of Rail Corporation New South Wales, as authorised by the Transport Administration Act 1988 being for rail facilities in connection with the Southern Sydney Freight Line.

The Minister responsible for Rail Corporation New South Wales is satisfied that Rail Corporation New South Wales requires immediate vacant possession of the land described in the Schedule.

Dated this 25th day of February 2010.

ROB MASON,  
Chief Executive

SCHEDULE 1  
LAND

All that piece or parcel of land situate at Campbelltown in the Local Government Area of Campbelltown, Parish of St Peter, County of Cumberland and State of New South Wales, being Lot 107 in DP 1141484 having an area of 110 square metres or thereabouts and said to be in the possession of Campbelltown City Council.

All that piece or parcel of land situate at Campbelltown in the Local Government Area of Campbelltown, Parish of St Peter, County of Cumberland and State of New South Wales, being Lot 106 in DP 1141484 having an area of 497.7 square metres or thereabouts and said to be in the possession of Campbelltown City Council.

All that piece or parcel of land situate at Campbelltown in the Local Government Area of Campbelltown, Parish of St Peter, County of Cumberland and State of New South Wales, being Lot 102 in DP 1141484 having an area of 3757 square metres or thereabouts and said to be in the possession of Campbelltown City Council.

All that piece or parcel of land situate at Campbelltown in the Local Government Area of Campbelltown, Parish of St Peter, County of Cumberland and State of New South Wales, being Lot 110 in DP 1141484 having an area of 8543 square metres or thereabouts and said to be in the possession of Campbelltown City Council.

All that piece or parcel of land situate at Campbelltown in the Local Government Area of Campbelltown, Parish of St Peter, County of Cumberland and State of New South Wales, being proposed Lot 540 being part of Narellan Road in file reference R31093 in the office of RailCorp NSW having an area of 56.93 square metres or thereabouts and said to be in the possession of Campbelltown City Council.

All that piece or parcel of land situate at Campbelltown in the Local Government Area of Campbelltown, Parish of St Peter, County of Cumberland and State of New South Wales, being proposed Lot 541 being part of Narellan Road in file reference R31093 in the office of RailCorp NSW having an area of 105 square metres or thereabouts and said to be in the possession of Campbelltown City Council.

All that piece or parcel of land situate at Campbelltown in the Local Government Area of Campbelltown, Parish of St Peter, County of Cumberland and State of New South Wales, being proposed Lot 542 in file reference R31093 in the office of RailCorp NSW having an area of 256.7 square metres or thereabouts and being part of Bow Bowling Creek.

All that piece or parcel of land situate at Campbelltown in the Local Government Area of Campbelltown, Parish of St Peter, County of Cumberland and State of New South Wales, being proposed Lot 543 in file reference R31093 in the office of RailCorp NSW having an area of 8.193 square metres or thereabouts and said to be in the possession of Campbelltown City Council.

SCHEDULE 2  
INTEREST IN LAND

Easement rights as described hereunder over the site described as:

All that piece or parcel of land situate at Campbelltown in the Local Government Area of Campbelltown, Parish of St Peter, County of Cumberland and State of New South Wales, shown as '(B) PROPOSED EASEMENT FOR CONSTRUCTION PURPOSES VARIABLE WIDTH' in file reference R31093 in the office of RailCorp NSW being part of Lot 3 in DP 253700, part of Lot 117, DP 1141484 and part of Lot 63 in DP 606613 and said to be in the possession of Campbelltown City Council.

EASEMENT RIGHTS

1. TERMS OF EASEMENT FOR CONSTRUCTION OF WATER COURSE

1.1 Terms of the Easement

- (a) Full, free and unimpeded right for the Authority and its Authorised Users to:
  - (i) enter on, pass and re-pass over the Lots. Burdened for a reasonable time, together with or without any Equipment; and
  - (ii) carry out the Works on the Easement Site.
- (b) The rights of the Authority under this easement include doing anything reasonably required on the Lots Burdened for the purpose of this easement, including but not limited to:
  - (i) accessing and doing any works in relation to any structure or service on the Lots Burdened; and
  - (ii) making noise, creating dust and causing vibration or disturbance to the Proprietor of the Lots Burdened and any occupier of the Lots Burdened.

1.2 Conduct of the Works

- (a) The Authority and its Authorised Users must ensure that:
  - (i) reasonable safety measures are taken in relation to the Works (such as erecting, where necessary, protective hoardings);
  - (ii) all reasonable precautions are taken to ensure that as little damage as possible is done to the Lots Burdened (except as contemplated under this easement) and any damage caused by the Works to the Lots Burdened is made good;
  - (iii) as soon as reasonably possible after the carrying out of the Works, the Lots Burdened is restored as nearly as practicable to such condition as existed prior to the carrying out of the Works;
  - (iv) due consideration is given to the activities and operations carried on within the Lots Burdened in carrying out the Works;
- (b) any Works conducted by it are carried out in a proper and workmanlike manner and in accordance with the requirements of all Authorities and laws; and

- (c) reasonable measures are taken to minimise noise, dust, vibration and disturbance when undertaking the Works.
- 1.3 Expiration of easement
- (a) The Authority must complete the Works within 3 years of the date of the creation of this easement and must notify the Proprietor of the Lots Burdened in writing when the Works have been completed by the Authority.
- (b) This easement expires on the date of the notice referred to in clause 1.3(a) and the Proprietor of the Lots Burdened and the Authority must then take all reasonable steps to remove this easement from the title of the Lots Burdened as soon as practicable, including but not limited to preparing and executing all necessary documents and producing the relevant certificates of title at Land and Property Information NSW.
- 1.4 Release
- The Authority and its Authorised Users enter the Lots Burdened and carry out any Works in and around the Easement Site at their own risk and the Authority releases the Proprietor of the Lots Burdened from all liability in relation to any damage or injury suffered or incurred by reason of such entry or conduct of any such Works, except to the extent caused by or contributed to by any negligent act or omission of the Proprietor of the Lots Burdened or any material breach of this easement by the Proprietor of the Lots Burdened.

#### 1.5 Definitions

In this easement:

*Associated Structures and Works* means any:

- (a) equipment associated with or required for the Works, including but not limited to pipes, conduits, traps, sumps, pits or ducts;
- (b) structures, erections and improvements and any other means of support, footings, pillars, channels, cuttings and drains;
- (c) landscaping; or
- (d) other structures or works,

which, in the opinion of the Authority, are reasonably necessary for the purpose of this easement.

*Authorised User* means every person authorised by the Authority, including contractors, lessees, licensees, agents, employees or representatives and includes Australian Rail Track Corporation Limited.

*Authority* means Rail Corporation New South Wales, as constituted from time to time, and includes its successors and assigns and any administrator of it or other person appointed by or on behalf of the New South Wales Government or any Minister of the New South Wales Government and any body in which the Authority is merged or which as at the relevant time substantially fulfils the functions of the Authority insofar as they relate to the subject matter of this Easement.

*Easement Site* means those parts of Lot 3 in DP 253700, Lot 117 in DP 1141484 and Lot 63 in DP 606613 marked (B) on Plan of Acquisition file reference R31093 in the Office of RailCorp NSW.

*Equipment* means any tools, implements, materials, machinery or vehicles which are reasonably necessary for the purposes of this easement (in the opinion of the Authority).

*Lots Burdened* means the lots burdened by this easement.

*Proprietor of the Lots Burdened* means the registered proprietor from time to time of the Lots Burdened.

*Works* means all work and activities for the purpose of surveying land, designing, realigning, constructing or installing a water course and any Associated Structures and Works within the Easement Site which the Authority considers necessary (in its absolute discretion), including but not limited to any excavation, earthworks or filling activities, any construction works or works involving realigning, laying down, placing or operating the water course.

**AUTHORITY EMPOWERED TO RELEASE VARY OR MODIFY THIS EASEMENT FOR CONSTRUCTION**

Rail Corporation New South Wales  
RailCorp Reference: 30374

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#### **TRANSPORT ADMINISTRATION ACT 1988**

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Interest in Land for the Purposes of the Rail Corporation New South Wales

RAIL CORPORATION NEW SOUTH WALES, with the approval of His Excellency the Lieut. Governor, declares that the interest described in the Schedule 1 hereto is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of Rail Corporation New South Wales, as authorised by the Transport Administration Act 1988 being for rail facilities in connection with the Southern Sydney Freight Line.

The Minister responsible for Rail Corporation New South Wales is satisfied that Rail Corporation New South Wales requires immediate vacant possession of the land described in the Schedule.

Dated this 25th day of February 2010.

ROB MASON,  
Chief Executive

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#### SCHEDULE 2 INTEREST IN LAND

Easement rights as described hereunder over the site described as:

All that piece or parcel of land situate at Campbelltown in the Local Government Area of Campbelltown, Parish of St Peter, County of Cumberland and State of New South Wales, shown as '(B) PROPOSED EASEMENT FOR CONSTRUCTION PURPOSES VARIABLE WIDTH' in file



reference R31093 in the office of RailCorp NSW being part of Lot 100 in DP 850830 and said to be in the ownership of The Minister Administering The Environmental Planning & Assessment Act 1979.

## EASEMENT RIGHTS

### 1. TERMS OF EASEMENT FOR CONSTRUCTION OF WATER COURSE

#### 1.1 Terms of the Easement

(a) Full, free and unimpeded right for the Authority and its Authorised Users to:

(i) enter on, pass and re-pass over the Lot Burdened for a reasonable time, together with or without any Equipment; and

(ii) carry out the Works on the Easement Site.

(b) The rights of the Authority under this easement include doing anything reasonably required on the Lot Burdened for the purpose of this easement, including but not limited to:

- (i) accessing and doing any works in relation to any structure or service on the Lot Burdened; and
- (ii) making noise, creating dust and causing vibration or disturbance to the Proprietor of the Lot Burdened and any occupier of the Lot Burdened.

#### 1.2 Conduct of the Works

(a) The Authority and its Authorised Users must ensure that:

- (i) reasonable safety measures are taken in relation to the Works (such as erecting, where necessary, protective hoardings);
- (ii) all reasonable precautions are taken to ensure that as little damage as possible is done to the Lot Burdened (except as contemplated under this easement) and any damage caused by the Works to the Lot Burdened is made good;
- (iii) as soon as reasonably possible after the carrying out of the Works, the Lot Burdened is restored as nearly as practicable to such condition as existed prior to the carrying out of the Works;
- (iv) due consideration is given to the activities and operations carried on within the Lot Burdened in carrying out the Works;

(b) any Works conducted by it are carried out in a proper and workmanlike manner and in accordance with the requirements of all Authorities and laws; and

(c) reasonable measures are taken to minimise noise, dust, vibration and disturbance when undertaking the Works.

#### 1.3 Expiration of easement

(a) The Authority must complete the Works within 3 years of the date of the creation of this easement and must notify the Proprietor of the Lot Burdened in writing when the Works have been completed by the Authority.

(b) This easement expires on the date of the notice referred to in clause 1.3 (a) and the Proprietor of the Lot Burdened and the Authority must

then take all reasonable steps to remove this easement from the title of the Lot Burdened as soon as practicable, including but not limited to preparing and executing all necessary documents and producing the relevant certificates of title at Land and Property Information NSW.

#### 1.4 Release

The Authority and its Authorised Users enter the Lot Burdened and carry out any Works in and around the Easement Site at their own risk and the Authority releases the Proprietor of the Lot Burdened from all liability in relation to any damage or injury suffered or incurred by reason of such entry or conduct of any such Works, except to the extent caused by or contributed to by any negligent act or omission of the Proprietor of the Lot Burdened or any material breach of this easement by the Proprietor of the Lot Burdened.

#### 1.5 Definitions

In this easement:

*Associated Structures and Works* means any:

- (a) equipment associated with or required for the Works, including but not limited to pipes, conduits, traps, sumps, pits or ducts;
  - (b) structures, erections and improvements and any other means of support, footings, pillars, channels, cuttings and drains;
  - (c) landscaping; or
  - (d) other structures or works,
- which, in the opinion of the Authority, are reasonably necessary for the purpose of this easement.

*Authorised User* means every person authorised by the Authority, including contractors, lessees, licensees, agents, employees or representatives and includes Australian Rail Track Corporation Limited.

*Authority* means Rail Corporation New South Wales, as constituted from time to time, and includes its successors and assigns and any administrator of it or other person appointed by or on behalf of the New South Wales Government or any Minister of the New South Wales Government and any body in which the Authority is merged or which as at the relevant time substantially fulfils the functions of the Authority insofar as they relate to the subject matter of this Easement.

*Easement Site* means that part of Lot 100 in DP 850830 and marked (B) on Plan of Acquisition file reference R31093 in the Office of RailCorp NSW.

*Equipment* means any tools, implements, materials, machinery or vehicles which are reasonably necessary for the purposes of this easement (in the opinion of the Authority).

*Lot Burdened* means the lot burdened by this easement.

*Proprietor of the Lot Burdened* means the registered proprietor from time to time of the Lot Burdened.

*Works* means all work and activities for the purpose of surveying land, designing, realigning, constructing or installing a water course and any Associated Structures and Works within the Easement Site which the Authority considers necessary (in its absolute discretion), including but not limited to any excavation, earthworks or filling activities, any construction works OF works involving realigning, laying down, placing or operating the water course.

**AUTHORITY EMPOWERED TO RELEASE VARY OR MODIFY THIS EASEMENT FOR CONSTRUCTION**

Rail Corporation New South Wales  
RailCorp Reference: 303276

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**TRANSPORT ADMINISTRATION ACT 1988**

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land for the Purposes of the Rail Corporation New South Wales

RAIL CORPORATION NEW SOUTH WALES, with the approval of His Excellency the Lieut. Governor, declares that the land described in the Schedule 1 hereto is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of Rail Corporation New South Wales, as authorised by the Transport Administration Act 1988 being for rail facilities in connection with the Southern Sydney Freight Line.

The Minister responsible for Rail Corporation New South Wales is satisfied that Rail Corporation New South Wales requires immediate vacant possession of the land described in the Schedule.

Dated this 25th day of February 2010.

ROB MASON,  
Chief Executive

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**SCHEDULE 1**  
**LAND**

All that piece or parcel of land situate at Campbelltown in the Local Government Area of Campbelltown, Parish of St Peter, County of Cumberland and State of New South Wales, being Lot 100 in DP 1141484 having an area of 1538 square metres or thereabouts excluding easement (e) for underground mains 1 wide over existing cable (*vide* DP 640351 approx position) and easement (f) for water supply 1 wide over existing pipe (*vide* DP 640351 approx position) said to be in the possession of Farrow Rd Pty Limited.

All that piece or parcel of land situate at Campbelltown in the Local Government Area of Campbelltown, Parish of St Peter, County of Cumberland and State of New South Wales, being Lot 101 in DP 1141484 having an area of 324.9 square metres or thereabouts excluding easement (e) for underground mains 1 wide over existing cable (*vide* DP 640351 approx position) and easement (f) for water supply 1 wide over existing pipe (*vide* DP 640351 approx position) and said to be in the possession of Farrow Rd Pty Limited.

All that piece or parcel of land situate at Campbelltown in the Local Government Area of Campbelltown, Parish of St Peter, County of Cumberland and State of New South

Wales, being Lot 105 in DP 1141484 having an area of 1.752 square metres or thereabouts and said to be in the possession of Farrow Rd Pty Limited.

All that piece or parcel of land situate at Campbelltown in the Local Government Area of Campbelltown, Parish of St Peter, County of Cumberland and State of New South Wales, being Lot 103 in DP 1141484 having an area of 1399 square metres or thereabouts and said to be in the possession of Barry John Jameson and Barbara Anne Jameson as joint tenants.

All that piece or parcel of land situate at Campbelltown in the Local Government Area of Campbelltown, Parish of St Peter, County of Cumberland and State of New South Wales, being Lot 104 in DP 1141484 having an area of 436.2 square metres or thereabouts and said to be in the possession of Barry John Jameson and Barbara Anne Jameson as joint tenants.

RailCorp Ref 303271

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**VEXATIOUS PROCEEDINGS ACT 2008**

ON 26 February 2010, Pain J ordered that:

the applicant, Dr Robert Fleet, be prohibited from instituting any proceeding in the Land and Environment Court against the Respondent, Blacktown City Council, without prior leave of a judge of this court pursuant to section 8 (8) (c) of the Vexatious Proceedings Act 2008.

## EDUCATION ACT 1990

## Fees for overseas students or classes of overseas students

PURSUANT to section 31A (1) and (2) of the Education Act 1990, I, Michael Coutts-Trotter, Director-General of Education and Training, hereby order that overseas students including classes of overseas students are subject to the payment of fees prior to initial or continuing enrolment in government schools each year. Fixed fees for 2010 are detailed below.

Some classes of overseas students are exempt from payment of fees and some individual overseas students are able to seek an exemption from payment of the fees.

## FEES

Student Visa Holders – Visa Subclass 571P (International Student)			
<i>Tuition Fee</i>	<i>\$Aus (GST inclusive)</i>		
Primary (Kindergarten to Year 6)	\$9,500 for 12 months tuition		
Junior high school (Years 7–10)	\$11,500 for 12 months tuition		
Senior high school (Years 11–12)	\$12,900 for 12 months tuition		
Intensive English	\$14,000 for 12 months tuition or \$350 per week		
Application Fee	\$110 (non refundable)		
Temporary Resident Visa Holders (excluding Visitor Visa Holders and Dependants of Student Visa Holders)			
<i>Education Fee</i>	<i>\$Aus (GST inclusive)</i>		
Primary (Kindergarten to Year 6)	\$4,500 for 12 months tuition from the date of enrolment		
Junior high school (Years 7–10)	\$4,500 for 12 months tuition from the date of enrolment		
Senior high school (Years 11–12)	\$5,500 for 12 months tuition from the date of enrolment		
Administration Fee	\$110 (non refundable)		
Visitor Visa Holders			
<i>Education Fee</i>	<i>\$Aus (GST inclusive)</i>		
Primary (Kindergarten to Year 6)	\$237.50 per week		
Junior high school (Years 7–10)	\$287.50 per week		
Senior high school (Years 11–12)	\$322.50 per week		
Administration Fee	\$110 (non refundable)		
Dependants of Student Visa Holders			
<i>Education Fee</i>	<i>\$Aus (GST inclusive)</i>		
<i>Visa subclass of parent and sector</i>	<i>Yrs K–6</i>	<i>Yrs 7–10</i>	<i>Yrs 11–12</i>
570 – Independent ELICOS	\$6,500	\$6,500	\$7,500
572 – VET sector	\$6,500	\$6,500	\$7,500
572 & 570 – TAFE NSW	\$4,500	\$4,500	\$5,500
573 – Higher Education	\$4,500	\$4,500	\$5,500
574 – Post graduate Masters & King Abdullah scholarship holders students	\$4,500	\$4,500	\$5,500
574 – Post graduate doctorate students	Waived	Waived	Waived
575 – Non award	\$6,500	\$6,500	\$7,500
576 – AusAID/Defence Force	Exempt	Exempt	Exempt
Administration Fee	\$110 (non refundable)		

MICHAEL COUTTS-TROTTER,  
Director-General of Education and Training



## Protection of the Environment Operations (Waste) Regulation 2005 – General Exemption Under Part 6, Clause 51 and 51A

### The electric arc furnace slag exemption 2010

#### Name

1. This exemption is to be known as 'The electric arc furnace slag exemption 2010'.

#### Commencement

2. This exemption commences on 5 March 2010.

#### 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 Part 3 of the Regulation	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 Part 3 of the Regulation	all requirements specified in section 7 and 9
Consumer	section 48 of the Act in respect of clauses 39 and 42 of Schedule 1 to the Act Part 3 of the Regulation section 88 of the Act clause 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 furnace 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.

**Consumer** means a person who applies, causes, or permits the application to land of electric arc furnace slag within the definitions of “application to land” in accordance with the Act. The consumer may be the landholder responsible for the land to which electric arc furnace slag is applied. Where a person responsible for transporting the electric arc furnace slag to the land application site is also the party applying the electric arc furnace slag, this person must also meet the responsibilities of the consumer.

**Electric arc furnace slag** is the waste sourced from steels produced by the Electric Arc Furnace steelmaking process, and is formed after the molten solution of silicates and oxides cools and solidifies. Electric arc furnace slag does not include any bag house dust or air pollution control residues.

**Generator** means a person who generates, supplies, causes, or permits the supply of electric arc furnace slag to a processor or consumer. The generator may also be the processor.

**NA** means not applicable.

**Once-off sampling** means sampling and testing that must be conducted only once on a batch, truckload or stockpile of electric arc furnace slag that is not repeated, reproduced and does not form part of a continuous process.

**Processor** means a person who processes, mixes, blends, or otherwise incorporates electric arc furnace slag into a material for supply to a consumer.

**Routine sampling** means sampling and testing that must be conducted on the electric arc furnace slag on an ongoing and regular basis.

**Relevant waste** means electric arc furnace slag that meets the requirements of Section 7.

### 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 furnace 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. for characterisation or 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 furnace slag can only be applied to land for engineering fill in earthworks or for road making activities as follows:
    - 7.2.1. sealing aggregate,
    - 7.2.2. asphalt aggregate,
    - 7.2.3. engineered pavements (base and sub-base coarse),
    - 7.2.4. engineered fill,
    - 7.2.5. subsoil drains,
    - 7.2.6. filter aggregate.
  - 7.3. The electric arc furnace slag can only be applied to land consistent with section 7.2 where:
    - 7.3.1. it complies with a relevant specification or Australian Standard or supply agreement/s, and
    - 7.3.2. planning or development consent that has specifically considered the use of electric arc furnace slag has been granted for the project.
  - 7.4. The electric arc furnace slag can be applied to land consistent with section 7.2 when blended with other exempted materials, provided that the blended materials have been validated as compliant with the conditions of each individual exemption, for the use specified in each exemption.

### 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. Where the electric arc furnace slag is generated as part of a continuous process, the generator must undertake characterisation and routine sampling according to the requirements listed in Column 1 and Column 2 of Table 3, for the range of chemicals and other attributes listed in Column 1 of Table 2.
  - 8.3. Where the electric arc furnace slag is not generated as part of a continuous process, the generator may undertake once-off sampling of a batch, truckload or stockpile of electric arc furnace slag according to the requirements listed in Column 3 of Table 3, for the range of chemicals and other attributes listed in Column 1 of Table 2.
  - 8.4. Where there is a change in inputs that is likely to affect the properties in the electric arc furnace slag, characterisation must be repeated. Characterisation samples can be used for routine testing and subsequent calculations.
  - 8.5. Generators must keep a written record of all characterisation, routine and/or once-off test results for a period of five years.

- 8.6. Records of the quantity and proposed use of electric arc furnace slag supplied to the processor or consumer and the processor or consumer's name and address must be kept for a period of five years.
- 8.7. The generator of electric arc furnace slag must provide a written statement of compliance to the processor or consumer with each transaction, certifying that the electric arc furnace slag complies with the relevant conditions of this exemption.
- 8.8. The generator of electric arc furnace slag must make information on the latest characterisation and routine test results available to the processor and consumer.
- 8.9. The generator of electric arc furnace slag must use due diligence to ensure that the relevant waste is utilised in applications that are consistent with the conditions of this exemption.

### **Processor responsibilities**

9. The following conditions must be met by the processor for this exemption to apply:

- 9.1. Records of the quantity and proposed use of electric arc furnace slag supplied to the consumer and the consumer's name and address must be kept for a period of five years.
- 9.2. Records of the quantity of electric arc furnace slag received by the processor from the generator, and the generators name and address, must be kept for a period of five years.
- 9.3. The processor of electric arc furnace slag must provide a written statement of compliance to the consumer with each transaction, certifying that the electric arc furnace slag complies with the relevant conditions of this exemption.
- 9.4. The processor of electric arc furnace slag must make information on the latest characterisation and routine test results available to the consumer.
- 9.5. The processor of electric arc furnace slag must use due diligence to ensure that the relevant waste is utilised in applications that are consistent with the conditions of this exemption.

### **Consumer responsibilities**

10. The following conditions must be met by the consumer for this exemption to apply:

- 10.1. Records of the quantity and use of the electric arc furnace slag received by the consumer and the suppliers' name and address must be kept for a period of five years.
- 10.2. The electric arc furnace slag must not be applied in or beneath water including groundwater.
- 10.3. The consumer should note that regardless of having an exemption, the use of electric arc furnace slag remains subject to all other relevant environmental regulations within the Act and Regulations, including but not limited to land pollution (s142A) and water pollution (s120).
- 10.4. The consumer must land apply the relevant waste within a reasonable period of time.

### Chemical and other material property requirements

11. This Notice of Exemption only applies to electric arc furnace 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. Note that while limits are not included for Boron, this must be tested in each sample and records kept of results.

**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. Mercury	0.5	Not Required	1	13.1
2. Cadmium	0.5	0.5	1	13.2
3. Lead	25	25	50	13.2
4. Arsenic	5	Not Required	10	13.2
5. Beryllium	5	Not Required	10	13.2
6. Boron	NA	NA	NA	13.2
7. Chromium (total)	1%	Not Required	2%	13.2
8. Copper	100	100	200	13.2
9. Molybdenum	35	35	70	13.2
10. Nickel	50	50	100	13.2
11. Selenium	2	Not Required	5	13.2
12. Zinc	350	350	700	13.2
13. Leachable concentration (TCLP) of Chromium	0.1 mg/L	0.1 mg/L	0.2 mg/L	13.3
14. Leachable concentration (TCLP) of Copper	0.1 mg/L	0.1 mg/L	0.2 mg/L	13.3
15. Leachable concentration (TCLP) of Molybdenum	0.1 mg/L	0.1 mg/L	0.2 mg/L	13.3
16. Leachable concentration (TCLP) of Nickel	0.05mg/L	0.05mg/L	0.1mg/L	13.3
17. Leachable concentration (TCLP) of Zinc	0.5 mg/L	0.5 mg/L	1.0 mg/L	13.3
18. Electrical Conductivity	1 dS/m	1 dS/m	2 dS/m	13.4
19. pH*	9 to 12	Not Required	8 to 13	13.4

\*Note: The ranges given for pH are for the minimum and maximum acceptable pH values in the electric arc furnace slag.

## Sampling and testing requirements

12. This Notice of Exemption only applies to electric arc furnace slag sampled according to the requirements in Table 3.

**Table 3**

Column 1	Column 2	Column 3
<b>Characterisation sampling frequency</b>	<b>Routine sampling frequency</b>	<b>Once-off sampling frequency</b>
20 composite samples, by taking 1 composite sample from a different batch, truckload or stockpile. This must be repeated every year.	Either 5 composite samples per 2,000 tonnes or 5 composite samples per 3 months.	10 composite samples per 2,000 tonnes e.g discrete once-off delivery or ship load.

## Test methods

13. 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:

- 13.1. Test method for measuring the mercury concentration in electric arc furnace slag:
  - 13.1.1. Particle size reduction & sample splitting may be required.
  - 13.1.2. Analysis using USEPA SW-846 Method 7471B Mercury in solid or semisolid waste (manual cold-vapor technique), or an equivalent analytical method with a detection limit < 20% of the stated absolute maximum concentration in Table 2, Column 4 (i.e. 0.2 mg/kg dry weight).
  - 13.1.3. Report as mg/kg dry weight.
- 13.2. Test methods for measuring chemicals 2 - 12 in electric arc furnace slag:
  - 13.2.1. Particle size reduction & sample splitting may be required.
  - 13.2.2. Sample preparation by digestion using USEPA SW-846 Method 3051A Microwave assisted acid digestion of sediments, sludges, soils, and oils.
  - 13.2.3. 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 4 (i.e. 5 mg/kg dry weight for lead).
  - 13.2.4. Report as mg/kg dry weight.
- 13.3. Test method for measuring attributes 13 - 17 in electric arc furnace slag:
  - 13.3.1. Analysis using USEPA SW-846 Method 1311 Toxicity characteristic leaching procedure (or an equivalent analytical method).
  - 13.3.2. Report as mg/L.
- 13.4. Test methods for measuring the electrical conductivity and pH in electric arc furnace slag:
  - 13.4.1. Sample preparation by mixing 1 part electric arc furnace slag with 5 parts distilled water.

- 13.4.2. Analysis using Method 103 (pH) and 104 (Electrical Conductivity). *In* Schedule B (3): Guideline on Laboratory Analysis of Potentially Contaminated Soils, National Environment Protection (Assessment of Site Contamination) Measure 1999 (or an equivalent analytical method).
- 13.4.3. Report electrical conductivity in deciSiemens per metre (dS/m).

### **Exemption Granted**

**Mark Gorta**  
**Manager, Waste Management**  
**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](http://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 EPA may grant specific exemptions in certain circumstances in recognition of intellectual property rights or where it is necessary to impose specific conditions on the use or application of a waste.

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 under Part 6, Clause 51 and 51A

### The organic outputs derived from mixed waste exemption 2010

#### Name

1. This exemption is to be known as ‘The organic outputs<sup>1</sup> derived from mixed waste exemption 2010’.

#### Commencement

2. This exemption commences on 5 March 2010.

#### Duration

3. This exemption is valid until revoked by the Environment Protection Authority (EPA) in writing or 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 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 or class of persons 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.

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<sup>1</sup> These organic outputs are not the same as the source segregated outputs that are covered by the exemptions for food waste compost or raw mulch.

**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
Processor	section 48 of the Act in respect of clause 39 of Schedule 1 to the Act	all requirements specified in section 7, 8, 10 and 11
Consumer	section 48 of the Act in respect of clauses 39 and 42 of Schedule 1 to the Act section 88 of the Act clauses 47 of the Regulation	all requirements specified in section 7, 9, 10 and 11

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:

**AOAC International 18<sup>th</sup> Edition** means Dr. William Horwitz and Dr. George Latimer, Jr. Editors. "Official Methods of Analysis of AOAC International", 18<sup>th</sup> Edition Revision 2 (2007), AOAC INTERNATIONAL, Gaithersburg, MD, USA.

**Application to land** includes application by any of the following methods:

- (a) spraying, spreading or depositing organic outputs on the land,
- (b) ploughing, injecting or mixing organic outputs into the land, or
- (c) filling, raising, reclaiming or contouring the land.

**Animal waste** means dead animals and animal parts and any mixture of dead animals and animal parts.

**Biological stabilisation** means a process whereby mixed waste undergoes a process of managed biological transformation for a period of not less than a total of 6 weeks of composting and curing, or until an equivalent level of biological stability can be demonstrated.

**Biologically stabilised** means the mixed waste that has undergone biological stabilisation.

**Biosolids Guidelines** means the document entitled *Environmental Guidelines: Use and Disposal of Biosolids Products*, published by the EPA and as in force from time to time.

**Broad acre agricultural use** means application to land where the land is used for agriculture. This does not include the keeping and breeding of poultry or pigs, food root crops, vegetables or crops where the harvested parts touch or are below the surface of the land.

**Characterisation** means sampling and testing that must be conducted on the organic outputs for the range of chemicals and other attributes listed in Column 1 of Table 4.

**Composite sample** means, in relation to a sample of organic outputs for the purposes of determining in-product chemical and other attributes, a sample that combines the prescribed number of discrete sub-samples (each of the same size) into a single sample for the purpose of analysis.

**Consumer** means a person who applies, causes, or permits the application to land of organic outputs. The consumer is responsible for the land to which organic outputs are applied. Where a person responsible for transporting the organic outputs to the

land application site is also the party applying the organic outputs, this person must also meet the responsibilities of the consumer.

**Food waste** means waste from the manufacture, preparation, sale or consumption of food but does not include grease trap waste.

**Garden waste** means waste that consists of branches, grass, leaves, plants, loppings, tree trunks, tree stumps and similar materials, and includes any mixture of those materials.

**Manure** means any mixture of manure and biodegradable animal bedding (such as straw).

**Mine site** means land disturbed by mining on which rehabilitation is being carried out by or on behalf of:

- (a) the holder of an authority under the *Mining Act 1992* pursuant to an approved rehabilitation plan, or
- (b) the State of NSW.

**Mixed waste** means a mixture of:

- (a) residual household waste that contains putrescible organics,
- (b) waste from litter bins collected by or on behalf of local councils,
- (c) commercial kerbside waste collection services provided by or on behalf of councils,
- (d) commercial waste sourced from restaurants, clubs, pubs, hotels, motels, resorts, offices, schools and shopping centres that is similar in composition to household waste (but may include a higher proportion of food waste),
- (e) manure,
- (f) food waste,
- (g) animal waste,
- (h) grit or screenings from sewage treatment systems that have been dewatered so that the grit or screenings do not contain free liquids,
- (i) up to 20% source separated household garden and food waste.

This does not include special waste, hazardous waste, restricted solid waste or liquid waste as defined in clause 49 of Schedule 1 to the Act or source separated recyclable household waste other than those defined in (i) above.

**NA** means Not Applicable.

**Non-contact agricultural use** means application to land where the land is used for the growing of fruit or nut trees or vines but not where fallen produce is collected off the ground. It does not include application to land where the land is used for grazing or for any other cropping purpose.

**Organic outputs** means the pasteurised and biologically stabilised organic outputs produced from the mechanical biological treatment of mixed waste.

**Pasteurisation** means a process whereby the mixed waste is treated to significantly reduce the numbers of plant and animal pathogens and plant propagules. At a minimum, the mixed waste must have undergone:

- (a) (in the case of treatment by windrow composting) 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 the Biosolids Guidelines, and the reduction of plant propagules.

**Pasteurised** means that the mixed waste that has been subject to a process of pasteurisation.

**Pathogen** means a living organism that could be harmful to humans, animals, plants or other living organisms.

**Plantation forestry use** means application to an area of land on which the predominant number of trees or shrubs forming, or expected to form, the canopy are trees or shrubs that have been planted (whether by sowing seed or otherwise) for the purpose of timber production.

**Processor** means a person who processes, mixes, blends, or otherwise incorporates organic outputs into a material for supply to a consumer.

**Public contact sites** means land with a high potential for contact by the public, including public parks, fields, cemeteries, plant nurseries and golf courses.

**Relevant waste** means organic outputs that meet the requirements of Section 7.

**Routine sampling** means sampling and testing that must be conducted on the organic outputs on an ongoing and regular basis.

**Source separated recyclable household waste** means household waste from kerbside waste collection services that has been separated for the purpose of recycling.

### General conditions

7. This Notice of Exemption is subject to the following conditions:
  - 7.1. The chemical concentration or other attribute of the organic outputs listed in Column 1 of Table 4 must not exceed the absolute maximum concentration or other value listed in Column 2 of Table 4.
  - 7.2. The organic outputs can only be applied to land as a compost or soil amendment material for:
    - 7.2.1. soil improvement or site rehabilitation at mine sites,
    - 7.2.2. plantation forestry use until 30 June 2013, or
    - 7.2.3. non-contact agricultural use until 30 June 2013, or
    - 7.2.4. broad acre agricultural use until 30 June 2013.
  - 7.3. The organic outputs must not be used:
    - 7.3.1. in urban landscaping,
    - 7.3.2. at public contact sites,
    - 7.3.3. on or in home lawns and gardens, or
    - 7.3.4. in potting mix.

### Processor responsibilities

8. The following conditions must be met by the processor for this exemption to apply:
  - 8.1. The processor must ensure that the organic outputs do not contain contaminants that will degrade land or present a risk of harm to human health or to the environment.
  - 8.2. The processor must ensure that the organic outputs do not contain sharp pieces of glass, metal or plastic of a size, shape (e.g. glass shards), or type that might cause damage or injury to humans, animals, plants or soil.
  - 8.3. The processor must ensure that the organic outputs do not contain any asbestos.
  - 8.4. The processor must implement a lead reduction program by 1 March 2011 to reduce the lead levels in the mixed waste used as an input to the process.
  - 8.5. The processor must ensure that it provides effective pre-sorting mechanisms to remove lead-acid batteries and other sortable lead containing wastes by 31 December 2010. The quantities and nature of the lead containing wastes removed per month must be recorded.

- 8.6. The processor must review collection procedures, available technologies and processes for each facility with the aim of reducing the lead content and physical contaminant levels in the organic outputs.
- 8.7. Sampling and information on sample storage and preparation must be detailed in a written sampling plan.
- 8.8. The processor must:
  - 8.8.1. sample the organic outputs in accordance with the requirements listed in Column 1 of Table 5, and
  - 8.8.2. ensure that each of those composite samples are tested for each of the chemicals and other attributes listed in Column 1 of Table 4, using the test method prescribed for that chemical or other attribute in Column 3 of Table 4, within 25 working days from the date of sampling.
- 8.9. The processor must ensure that all practicable measures have been taken to remove:
  - 8.9.1. glass, metal and rigid plastics, and
  - 8.9.2. plastics – light, flexible or filmso that they are not present at unacceptable levels (including in particle sizes less than 2 mm and 5 mm respectively) in the organic outputs.
- 8.10. The processor must keep a written record of all characterisation test results for a period of five years.
- 8.11. For each load of organic outputs supplied, the processor must keep a written record of the following matters for a period of five years:
  - 8.11.1. the quantity of organic outputs supplied to the consumer,
  - 8.11.2. the name and address of the consumer of each delivery of organic outputs,
  - 8.11.3. the location(s) where the organic outputs are applied, including the address and paddock or plot identification.
  - 8.11.4. the rate(s) at which the organic outputs are applied to the land at each location as defined in 8.11.3.
  - 8.11.5. the date(s) upon which the organic outputs are applied to the land at each location as defined in 8.11.3.
- 8.12. The processor must provide each consumer with a copy of this exemption and inform them of the consumer responsibilities contained within this exemption.
- 8.13. The processor must provide a written statement of compliance to the consumer with each transaction, certifying that:
  - 8.13.1. the organic outputs comply with the relevant conditions of this exemption, and
  - 8.13.2. the processor has complied with the relevant conditions of this exemption.
- 8.14. The processor of organic outputs must make the latest characterisation test results available to the consumer and the EPA upon request.
- 8.15. The processor must not deliver organic outputs to a consumer unless the consumer has provided the processor with a certificate of compliance for that supply of organic outputs in accordance with section 9.14.



## Consumer responsibilities

9. The following conditions must be met by the consumer for this exemption to apply:
- 9.1. For each load of organic outputs received, the consumer must keep a written record of the following matters for a period of five years:
    - 9.1.1. the quantity of organic outputs received by the consumer,
    - 9.1.2. the name and address of the supplier of each delivery of organic outputs,
    - 9.1.3. the location(s) where the organic outputs are applied including the address and paddock or plot identification,
    - 9.1.4. the rate(s) at which the organic outputs are applied to the land at each location as defined in 9.1.3,
    - 9.1.5. the date(s) upon which the organic outputs are applied to the land at each location as defined in 9.1.3,
    - 9.1.6. for land application sites, other than mine sites, where the consumer is not the owner of the land on which the organic outputs are applied, the consumer must obtain a statement of consent from the owner of the land that the owner has received a copy of the exemption and accepts the application on the land.
  - 9.2. The consumer must land-apply the organic outputs within a reasonable period of time.
  - 9.3. The consumer must ensure that no windblown litter leaves the premises as a result of the application to land of organic outputs.
  - 9.4. For mine sites, no more than 140 tonnes/hectare (dry weight) of organic outputs may be applied in total to a given location.
  - 9.5. For plantation forestry use and for non-contact agricultural use, no more than 50 tonnes/hectare (dry weight) of organic outputs may be applied in total to a given location.
  - 9.6. For broad acre agricultural use, no more than 10 tonnes/hectare (dry weight) of organic outputs may be applied in total to a given location.
  - 9.7. Organic outputs must not be applied to land with a slope in excess of 18% ( $10^0$ ), unless used for mine site rehabilitation where all practicable measures have been taken to control stability and prevent runoff.
  - 9.8. The organic outputs must not be applied to:
    - 9.8.1. soil having a pH less than 5.0<sup>2</sup> when measured in a 1:5 soil:water extract, or
    - 9.8.2. land that is within the buffer zones for the protected areas specified in Table 2.
  - 9.9. Animals must not be allowed to graze the land for 30 days after the application of organic outputs to land.
  - 9.10. Lactating and new born animals must not be allowed to graze the land for 90 days after the application of organic outputs to land.
  - 9.11. Crops must not be harvested for 30 days after the application of organic outputs to land.

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<sup>2</sup> Where organic outputs are proposed for land application for soils (such as mine sites) where the pH is less than 5.0, a specific exemption may be considered where low concentrations of metals can be achieved.



**Table 2 Buffer zones for protected areas**

Column 1	Column 2	Column 3	Column 4
Protected Area	Minimum width of Buffer Zones (m)		
	Flat ( $< 3\%$ or $2^\circ$ slope)	Downslope ( $> 3\%$ or $2^\circ$ slope)	Upslope
Surface waters	50	100	5
Drinking water bores	250	250	250
Other bores	50	50	50

- 9.12. For applications of organic outputs greater than 10 tonnes/hectare (dry weight), prior to receiving and applying any organic outputs to land, the consumer must:
- 9.12.1. sample the soil to which the organic outputs are to be applied by taking the following samples at a depth of 0 to 15 centimetres:
- (a) For plantation forestry use and non-contact agricultural use:
    - i. For land equal to, or less than 10 hectares - 2 composite samples (comprising of 5 sub-samples each), and
    - ii. For land greater than 10 hectares - 1 composite sample (comprising of 5 sub-samples) per 10 ha.
  - (b) For mine site rehabilitation:
    - i. For land equal to, or less than, 20 hectares - 2 composite samples (comprising of 5 sub-samples each), and
    - ii. For land greater than 20 hectares - 1 composite sample (comprising of 5 sub-samples) per 20 ha.
- 9.12.2. ensure that each of the composite samples referred to in section 9.12.1 are tested for the contaminants listed in Column 1 of Table 3.
- 9.12.3. ensure that the contaminant concentrations in the soil prior to application of organic outputs to the land must not exceed the maximum levels specified for those contaminants for the relevant land use in either Column 2 or Column 3 of Table 3.
- 9.13. The soil where the organic outputs have been applied to land must be re-sampled and re-tested as set out in section 9.12 prior to receiving or applying any additional organic outputs to the land.
- 9.14. The consumer must provide a written statement of compliance to any person that it engages to supply organic outputs certifying that:
- 9.14.1. it has complied with any sampling and testing requirements listed in section 9.12 and 9.13 that are relevant to the receipt of the organic outputs, and
- 9.14.2. none of those test results show that existing contaminant concentrations in the soil exceed any of the maximum allowable soil contaminant concentrations in Table 3.

**Table 3 Maximum allowable soil contaminant concentrations prior to organic outputs application to land**

Column 1	Column 2	Column 3
Contaminant	Mine sites Maximum allowable soil contaminant concentration (dry weight of soil in mg/kg, unless otherwise specified)	Plantation forestry use, non-contact agricultural use and broad acre agricultural use land Maximum allowable soil contaminant concentration (dry weight of soil in mg/kg, unless otherwise specified)
1. Arsenic	20	20
2. Cadmium	5	1
3. Chromium (total)	250	100
4. Copper	375	100
5. Lead	150	150
6. Mercury	4	1
7. Nickel	125	60
8. Selenium	8	5
9. Zinc	700	200
10. DDT/DDD/DDE	0.5	0.5
11. Aldrin	0.2	0.02
12. Dieldrin	0.2	0.02
13. Chlordane	0.2	0.02
14. Heptachlor	0.2	0.02
15. Hexachlorobenzene (HCB)	0.2	0.02
16. Lindane	0.2	0.02
17. Benzene hexachloride (BHC)	0.2	0.02
18. Polychlorinated Biphenyls (PCBs)	0.3	0.3

Notes: Maximum allowable soil contaminant concentrations are mean concentration values based on the sampling requirements set out in Section 9.12.

## Chemical and other material property requirements

10. This Notice of Exemption only applies to organic outputs where the chemical and other attributes listed in Column 1 of Table 4 comply with the chemical concentrations and other values listed in Column 2 of Table 4, when analysed according to test methods specified in Column 3 of Table 4. Note that while limits are not included for chemicals and attributes 16 - 21, these must be tested in each sample and records kept of results.

**Table 4 Chemical and other material properties**

Column 1	Column 2	Column 3
<b>Chemicals and other attributes</b>	<b>Absolute maximum concentration</b> (dry weight in mg/kg unless otherwise specified)	<b>Test method specified within the following section of this Notice of Exemption</b>
1. Mercury	4	12.1
2. Cadmium	3	12.2
3. Lead	420 for mine sites 300 for plantation forestry use, non-contact agricultural use and broad acre agricultural use until 31 December 2011 250 for plantation forestry use, non-contact agricultural use and broad acre agricultural use from 1 January 2012 until 30 June 2013 <sup>1,2</sup>	12.2
4. Arsenic	20	12.2
5. Chromium (total)	100	12.2
6. Copper	375	12.2
7. Nickel	60	12.2
8. Selenium	5	12.2
9. Zinc	700	12.2
10. DDT/DDD/DDE	0.5	12.3
11. Other pesticides <sup>3</sup>	0.2	12.3
12. Total Polychlorinated Biphenyls (PCBs)	0.3 <sup>4</sup>	12.4
13. Glass, metal and rigid plastics > 2 mm	5% for mine sites until 31 December 2011 (as % dry matter on weight/weight basis) 4% for mine sites from 1 January 2012 until 30 June 2013 (as % dry matter on weight/weight basis) 2.5% for mine sites from 1 July 2013 (as % dry matter on weight/weight basis) <sup>1</sup>	12.5
	2.5% for plantation forestry use, non-contact agricultural use and broad acre agricultural use until 31 December 2011 (as % dry matter on weight/weight basis) 1.5% for plantation forestry use, non-contact agricultural use and broad acre agricultural use from 1 January 2012 until 30 June 2013 (as % dry matter on weight/weight basis) <sup>1</sup>	12.5

14. Plastics – light, flexible or film > 5 mm	0.5% for mine sites until 31 December 2011 (as % dry matter on weight/weight basis) 0.4% for mine sites from 1 January 2012 until 30 June 2013 (as % dry matter on weight/weight basis) 0.25% for mine sites from 1 July 2013 (as % dry matter on weight/weight basis) <sup>1</sup>	12.5
	0.25% for plantation forestry use, non-contact agricultural use and broad acre agricultural use until 31 December 2011 (as % dry matter on weight/weight basis) 0.2% for plantation forestry use, non-contact agricultural use and broad acre agricultural use from 1 January 2012 until 30 June 2013 (as % dry matter on weight/weight basis) <sup>1</sup>	12.5
15. Maximum particle size	16 mm (particle size)	12.6
16. Other metals <sup>5</sup>	NA	12.2
17. Total Polycyclic Aromatic Hydrocarbons (PAHs) <sup>6</sup>	NA	12.3
18. Phthalates <sup>7</sup>	NA	12.3
19. Pesticides (non-scheduled) <sup>8</sup>	NA	12.7
20. Monobutyltin	NA	12.8

**Notes and Definitions** for the purposes of Table 4:

1. A general exemption will be extended beyond 30 June 2013. Contaminant levels will be set after considering the outcomes of trials that are to be conducted in the interim and after considerations outlined in the notes to this Notice of Exemption.
2. The effectiveness of mechanisms, programs, and reviews implemented by each facility in clauses 8.4, 8.5 and 8.6 in reducing the levels of lead present in the organic outputs will be evaluated. The maximum lead concentration may be amended following this review.
3. **Other pesticides** means Aldrin, Dieldrin, Chlordane, Heptachlor, Hexachlorobenzene (HCB), Lindane and Benzene Hexachloride (BHC).
4. No detected PCBs at a limit of detection of 0.2 mg PCBs/kg.
5. **Other metals** means antimony, beryllium, boron, cobalt, manganese, molybdenum, tin, and vanadium.
6. **PAHs** means the following 16 USEPA priority pollutant polycyclic aromatic hydrocarbons (with CAS registry numbers): Acenaphthene (83-32-9), Chrysene (218-01-9), Acenaphthylene (208-96-8), Dibenzo(a,h)anthracene (53-70-3), Anthracene (120-12-7), Fluoranthene (206-44-0), Benzo(a)anthracene (56-55-3), Fluorene (86-73-7), Benzo(a)pyrene (50-32-8), Indeno(1,2,3-cd)pyrene (193-39-5), Benzo(b)fluoranthene (205-99-2), Naphthalene (91-20-3), Benzo(ghi)perylene (191-24-2), Phenanthrene (85-01-8), Benzo(k)fluoranthene (207-08-9), and Pyrene (129-00-0).
7. **Phthalates** means (with CAS registry numbers): Di-2-ethylhexylphthalate (DEHP) (117-81-7) and Dibutylphthalate (DBP) (84-74-2).
8. **Pesticides (non-scheduled)** means the following pesticides, herbicides, fungicides and insecticides (with CAS registry numbers): Brodifacoum (56073-10-0), Chlorpyrifos (2921-88-2), Cypermethrin (52315-07-8), Dichlofluanid (1085-98-9), Emamectin benzoate (137515-75-4 & 155569-91-8), Permethrin (52645-53-1), Profenofos (41198-08-7), Simazine (122-34-9), and Tebuconazole (107534-96-3).

## Sampling and testing requirements

11. The organic outputs must be sampled according to the requirements in Table 5:

**Table 5**

Column 1	Column 2
Characterisation frequency	Routine sampling frequency
20 composite samples (comprising 5 sub-samples each) must be taken within 12 months of the commencement of this Exemption. Each composite sample must be taken from a different batch, truckload or stockpile. A maximum of 2 composite samples may be collected per month.	Not applicable.

Note: Routine sampling requirements will be determined on review of the results of characterisation testing.

## Test Methods

12. All testing must be undertaken by analytical laboratories accredited by the National Association of Testing Authorities, or equivalent. The chemicals and other attributes listed in Column 1 of Table 4 must be measured in accordance with the relevant test methods specified below:

- 12.1. Test method for measuring the mercury concentration in organic outputs:
- 12.1.1. Particle size reduction & sample splitting may be required.
  - 12.1.2. For analysis - USEPA SW-846 Method 7471B Mercury in solid or semisolid waste (manual cold-vapor technique), or an equivalent analytical method with a detection limit < 20% of the stated absolute maximum concentration in Table 4, Column 2.
  - 12.1.3. Results must be reported as mg/kg dry weight.
- 12.2. Test methods for measuring metals 2 – 9 and 16 listed in Table 4 in organic outputs:
- 12.2.1. Particle size reduction & sample splitting may be required.
  - 12.2.2. For sample preparation by digestion - USEPA SW-846 Method 3050B acid digestion of sediments, sludges, soils, and oils, or using an equivalent digestion method.
  - 12.2.3. For analysis - 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 4, Column 2.
  - 12.2.4. Results must be reported as mg/kg dry weight.
- 12.3. Test method for measuring 10, 11, 17 and 18 listed in Table 4 in organic outputs:
- 12.3.1. For analysis - USEPA SW-846 Method 8270D Semivolatile Organic Compounds by Gas Chromatography/Mass Spectrometry (GC/MS), or equivalent.
  - 12.3.2. Results must be reported as mg/kg dry weight.

- 12.4. Test method for measuring Polychlorinated Biphenyls in organic outputs:
- 12.4.1. For analysis - USEPA SW-846 Method 8082A Polychlorinated Biphenyls (PCBs) By Gas Chromatography (GC), or equivalent.
- 12.4.2. Results must be reported as mg/kg dry weight.
- 12.5. Test method for measuring physical contaminants in organic outputs:
- 12.5.1. For analysis - Australian Standard AS4454-2003 Composts, soil conditioners and mulches, "Appendix H - Method For Determination Of Moisture Content And Level Of Visible Contamination".
- 12.5.2. Results must be reported as % contamination on a dry mass basis.
- 12.6. Test method for measuring maximum particle size of organic outputs:
- 12.6.1. For analysis - Australian Standard AS4454-2003 Composts, soil conditioners and mulches, "Appendix F – Method For Determination Of Particle Size Grading".
- 12.6.2. Results must be reported as % by mass retained on a sieve with 16 mm apertures.
- 12.6.3. The entire sample must pass through the sieve.
- 12.7. Test method for measuring pesticides (non-scheduled) in organic outputs:
- 12.7.1. For analysis - USEPA SW-846 Method 8270D Semivolatile Organic Compounds By Gas Chromatography/Mass Spectrometry (GC/MS) for all pesticides (non-scheduled) or equivalent, except for the following:
- (a) Analysis of Dichlofluanid – AOAC method 2007.01 Pesticide Residues in Foods by GC/MS.
  - (b) Emamectin benzoate – acceptable analytical methods for the determination of emamectin benzoate include high-performance liquid chromatography (HPLC) with fluorescence detection.
  - (c) Brodifacoum – acceptable analytical methods for the determination of brodifacoum include high-performance liquid chromatography (HPLC) with fluorescence detection such as AOAC International 18<sup>th</sup> Edition, Method 983.11 and *Journal of Chromatography A*, 1985, Volume 321, Pages 255-272.
- 12.7.2. Results must be reported as mg/kg dry weight.
- 12.8. Test method for measuring monobutyltin in organic outputs:
- 12.8.1. For analysis - International Organization for Standardization ISO/DIS 23161.2:2007 Selected organotin compounds – Soil quality by Gas-chromatographic method (GC), or equivalent.
- 12.8.2. Results must be reported as mg/kg dry weight.



I, Joe Woodward delegate of the EPA, grant this exemption under clauses 51 and 51A of the Protection of the Environment (Waste) Regulation 2005.

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**JOE WOODWARD**  
**Deputy Director General**  
**Environment Protection and Regulation Group**

Date: 3 March 2010

(By delegation made under section 21 of the *Protection of Environment Administration Act 1991*)

## Notes

The goal of the general exemption is to facilitate the resource recovery of fit for purpose organic outputs by minimising the amount of physical and chemical contaminants.

Trials will be conducted, completed and reported prior to 31 December 2012 that will examine the environmental and human health impacts of contaminants in the organic outputs.

The EPA intends to extend this general exemption for agricultural uses beyond 30 June 2013. The nature of the extended general exemption for broad acre agricultural use, non-contact agricultural use and plantation forestry use will be determined taking into account:

- trials that are to be conducted in collaboration with the processors of mixed waste,
- the goal of the general exemption,
- the environmental, agricultural and human health impacts of the use of organic outputs,
- the technological capabilities of AWT facilities including the adequacy of pre-sorting processes, and
- community acceptance of the use of organic outputs.

The EPA may amend or revoke this exemption at any time if problems with the higher levels of physical contaminants arise during the transitional period.

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](http://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 laws. For example, a person who pollutes land (s142A of the Act) or water (s120 of the Act), or does not meet the special requirements for asbestos waste (clause 42 of the Regulation), 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 and to human health, however, neither this exemption nor these conditions guarantee that the environment or human health 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 advice from a certified practicing soil scientist (the Australian Society of Soil Science maintains a CPSS database at <http://www.asssi.asn.au/cpss/accredlist.php>).

Application at the maximum rates allowed in this exemption can add physical contaminants to land as follows:

Glass, metal and rigid plastics > 2 mm	7 tonnes per hectare for mine sites until 31 December 2011 5.6 tonnes per hectare for mine sites until 30 June 2013 3.5 tonnes per hectare for mine sites from 1 July 2013
	1.25 tonnes per hectare for plantation forestry use and non-contact agricultural use until 31 December 2011 0.75 tonnes per hectare for plantation forestry use and non-contact agricultural use until 30 June 2013
	0.25 tonnes per hectare for broad acre agricultural use until 31 December 2011 0.15 tonnes per hectare for broad acre agricultural use until 30 June 2013
Plastics – light, flexible or film > 5 mm	0.7 tonnes per hectare for mine sites until 31 December 2011 0.56 tonnes per hectare for mine sites until 30 June 2013 0.35 tonnes per hectare for mine sites from 1 July 2013
	0.125 tonnes per hectare for plantation forestry use and non-contact agricultural use until 31 December 2011 0.1 tonnes per hectare for plantation forestry use and non-contact agricultural use until 30 June 2013
	0.025 tonnes per hectare for broad acre agricultural use until 31 December 2011 0.02 tonnes per hectare for broad acre agricultural use until 30 June 2013

Physical contaminants may also be present in substantial quantities below 2 mm (for glass, metal and rigid plastics) and 5 mm (for Plastics – light, flexible or film).

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, i.e. a landfill. 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. While not needing an exemption for use on landfills, organic outputs approval for use as cover in landfills can be sought under the conditions of the facility's Environment Protection Licence.

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 and meets any other legal requirements.

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. If the responsible person fails to comply with the conditions of the Notice of Exemption he or she will not be exempt from the provisions to which this Notice of Exemption applies.

## Protection of the Environment Operations (Waste) Regulation 2005 – General Exemption Under Part 6, Clause 51 and 51A

### The coal ash exemption 2010

#### Name

1. This exemption is to be known as 'The coal ash exemption 2010'.

#### Commencement

2. This exemption commences on 5 March 2010.

#### Duration

3. This exemption is valid unless 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 Part 3 of the Regulation	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 Part 3 of the Regulation	all requirements specified in section 7 and 9
Consumer	section 48 of the Act in respect of clauses 39 and 42 of Schedule 1 to the Act Part 3 of the Regulation section 88 of the Act clause 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:

**Brine conditioned ash** means coal ash that has been conditioned or treated with brine concentrator waste from process water treatment.

**Burning New South Wales (NSW) black coal** means burning coal that was mined in NSW. It is recognised that small quantities of other substances, such as oil, may be used as ignition start-up fuels. Burning NSW black coal is taken to include the use of such materials during the start-up process.

**Characterisation** means sampling and testing that must be conducted on the coal ash 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.

**Consumer** means a person who applies, causes, or permits the application to land of coal ash within the definitions of “application to land” in accordance with the Regulation. The consumer may be the landholder responsible for the land to which coal ash is applied. Where a person responsible for transporting the coal ash to the land application site is also the party applying the coal ash, this person must also meet the responsibilities of the consumer.

**Coal ash** means coal combustion products (CCPs), fly ash or furnace bottom ash from burning NSW black coal. This does not include brine conditioned or treated ash or salts.

**Generator** means a person who generates, supplies, causes, or permits the supply of coal ash to a processor or consumer.

**Once-off sampling** means sampling and testing that must be conducted only once on a batch, truckload or stockpile of coal ash that is not repeated, reproduced and does not form part of a continuous process.

**Processor** means a person who generates, supplies, causes, or permits the supply of coal ash to a consumer, or who processes, mixes, blends, or otherwise incorporates recovered coal ash into a material for supply to a consumer. The generator may also be the processor.

**Relevant waste** means coal ash that meets the requirements of Section 7.

**Routine sampling** means sampling and testing that must be conducted on the coal ash on an ongoing and regular basis.



### General conditions

7. This Notice of Exemption is subject to the following conditions:
  - 7.1. The chemical concentration or other attribute of the coal ash 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. for characterisation or 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 coal ash can only be applied to land as an engineered fill, stabiliser, filter or drainage material or as a sand substitute as follows:
    - 7.2.1. pipe bedding material,
    - 7.2.2. selected backfill adjacent to structures,
    - 7.2.3. road pavement, base and sub-base structures,
    - 7.2.4. composite filler in asphalt pavements,
    - 7.2.5. rigid and composite pavement structures,
    - 7.2.6. select layers which act as working platforms at the top of earthworks,
    - 7.2.7. fill for reinforced soil structures (including geo-grid applications).
  - 7.3. The coal ash can only be applied to land consistent with section 7.2 where:
    - 7.3.1. it complies with a relevant specification or Australian Standard or supply agreement/s, and
    - 7.3.2. planning or development consent that has specifically considered the use of coal ash has been granted for the project.
  - 7.4. The coal ash can be applied to land consistent with section 7.2 when blended with other exempted materials, provided that the blended materials have been validated as compliant with the conditions of each individual exemption, for the use specified in each exemption.

### 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. Where the coal ash is generated as part of a continuous process, the generator must undertake characterisation and routine sampling according to the requirements listed in Column 1 and Column 2 of Table 3, for the range of chemicals and other attributes listed in Column 1 of Table 2.
  - 8.3. Where the coal ash is not generated as part of a continuous process, the generator may undertake once-off sampling of a batch, truckload or stockpile of coal ash according to the requirements listed in Column 3 of Table 3, for the range of chemicals and other attributes listed in Column 1 of Table 2.
  - 8.4. Where there is a change in inputs that is likely to affect the properties in the coal ash, characterisation must be repeated. Characterisation samples can be used for routine testing and subsequent calculations.
  - 8.5. Generators must keep a written record of all characterisation, routine and/or once-off test results for a period of five years.

- 8.6. Records of the quantity and proposed use of coal ash supplied to the processor or consumer and the processor's or consumer's name and address must be kept for a period of five years.
- 8.7. The generator of coal ash must provide a written statement of compliance to the processor or consumer with each transaction, certifying that the coal ash complies with the relevant conditions of this exemption.
- 8.8. The generator of coal ash must make information on the latest characterisation and routine test results available to the processor or consumer.
- 8.9. The generator of coal ash must use due diligence to ensure that the relevant waste is utilised in applications that are consistent with the conditions of this exemption.

### **Processor responsibilities**

9. The following conditions must be met by the processor for this exemption to apply:

- 9.1. Records of the quantity and proposed use of coal ash supplied to the consumer and the consumer's name and address must be kept for a period of five years.
- 9.2. Records of the quantity of coal ash received by the processor from the generator, and the generators name and address, must be kept for a period of five years.
- 9.3. The processor of coal ash must provide a written statement of compliance to the consumer with each transaction, certifying that the coal ash complies with the relevant conditions of this exemption.
- 9.4. The processor of coal ash must make information on the latest characterisation and routine test results available to the consumer.
- 9.5. The processor of coal ash must use due diligence to ensure that the relevant waste is utilised in applications that are consistent with the conditions of this exemption.

### **Consumer responsibilities**

10. The following conditions must be met by the consumer for this exemption to apply:

- 10.1. Records of the quantity and use of the coal ash received by the consumer and the suppliers' name and address must be kept for a period of five years.
- 10.2. The coal ash must not be applied in or beneath water including groundwater.
- 10.3. The consumer should note that regardless of having an exemption, the use of coal ash remains subject to all other relevant environmental regulations within the Act and Regulations, including but not limited to land pollution (s142A) and water pollution (s120).
- 10.4. The consumer must land apply the relevant waste within a reasonable period of time.

## Chemical and other material property requirements

11. This Notice of Exemption only applies to coal ash 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**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>	<b>Column 5</b>
<b>Chemicals and other attributes</b>	<b>Maximum average concentration for characterisation</b> (mg/kg 'dry weight' unless otherwise specified)	<b>Maximum average concentration for routine testing</b> (mg/kg 'dry weight' unless otherwise specified)	<b>Absolute maximum concentration</b> (mg/kg 'dry weight' unless otherwise specified)	<b>Test method specified within Section</b>
1. Mercury	0.5	Not required	1	13.1
2. Cadmium	0.5	0.5	1	13.2
3. Lead	25	25	50	13.2
4. Arsenic	10	Not required	20	13.2
5. Boron	75	Not required	150	13.2
6. Chromium (total)	25	25	50	13.2
7. Copper	20	Not required	40	13.2
8. Molybdenum	10	Not required	20	13.2
9. Nickel	25	25	50	13.2
10. Selenium	10	10	20	13.2
11. Zinc	35	35	70	13.2
12. Electrical Conductivity	1 dS/m	1 dS/m	2 dS/m	13.3
13. pH*	7 to 10	7 to 10	6 to 11	13.3

\*Note: The ranges given for pH are for the minimum and maximum acceptable pH values in the coal ash.

## Sampling and testing requirements

12. This Notice of Exemption only applies to coal ash sampled according to the requirements in Table 3.

**Table 3**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Characterisation sampling frequency</b>	<b>Routine sampling frequency</b>	<b>Once-off sampling frequency</b>
20 composite samples, by taking 1 composite sample from a different batch, truckload or stockpile. This must be repeated every 2 years.	Either 5 composite samples per 10,000 tonnes or 5 composite samples per 6 months.	10 composite samples per 4,000 tonnes e.g. discrete once-off delivery or ship load.

### Test methods

13. 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:

- 13.1. Test method for measuring the mercury concentration in coal ash:
  - 13.1.1. Particle size reduction & sample splitting may be required.
  - 13.1.2. Analysis using USEPA SW-846 Method 7471B Mercury in solid or semisolid waste (manual cold-vapor technique), or an equivalent analytical method with a detection limit < 20% of the stated absolute maximum concentration in Table 2, Column 4 (i.e. 0.2 mg/kg dry weight).
  - 13.1.3. Report as mg/kg dry weight.
  
- 13.2. Test methods for measuring chemicals 2 - 11 in coal ash:
  - 13.2.1. Particle size reduction & sample splitting may be required.
  - 13.2.2. Sample preparation by digestion using USEPA SW-846 Method 3051A Microwave assisted acid digestion of sediments, sludges, soils, and oils.
  - 13.2.3. 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 4 (i.e. 5 mg/kg dry weight for lead).
  - 13.2.4. Report as mg/kg dry weight.
  
- 13.3. Test methods for measuring the electrical conductivity and pH in coal ash:
  - 13.3.1. Sample preparation by mixing 1 part coal ash with 5 parts distilled water.
  - 13.3.2. Analysis using Method 103 (pH) and 104 (Electrical Conductivity). *In* Schedule B (3): Guideline on Laboratory Analysis of Potentially Contaminated Soils, National Environment Protection (Assessment of Site Contamination) Measure 1999 (or an equivalent analytical method).
  - 13.3.3. Report electrical conductivity in deciSiemens per metre (dS/m).

### Exemption Granted

**Mark Gorta**  
**Manager, Waste Management**  
**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](http://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 EPA may grant specific exemptions in certain circumstances in recognition of intellectual property rights or where it is necessary to impose specific conditions on the use or application of a waste.

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 Under Part 6, Clause 51 and 51A

### The blast furnace slag exemption 2010

#### Name

1. This exemption is to be known as 'The blast furnace slag exemption 2010'.

#### Commencement

2. This exemption commences on 5 March 2010.

#### Duration

3. This exemption is valid unless 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 Part 3 of the Regulation	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 Part 3 of the Regulation	all requirements specified in section 7 and 9
Consumer	section 48 of the Act in respect of clauses 39 and 42 of Schedule 1 to the Act Part 3 of the Regulation section 88 of the Act clause 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:

**Blast furnace slag** is a waste formed when iron ore, a mixture of oxides of iron, silica and alumina, a fuel consisting of coke, natural gas, oxygen and pulverised coal and limestone are fed into a blast furnace during the manufacture of iron for steel production.

**Characterisation** means sampling and testing that must be conducted on the blast furnace 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.

**Consumer** means a person who applies, causes, or permits the application to land of blast furnace slag within the definitions of “application to land” in accordance with the Act. The consumer may be the landholder responsible for the land to which blast furnace slag is applied. Where a person responsible for transporting the blast furnace slag to the land application site is also the party applying the blast furnace slag, this person must meet the responsibilities of the consumer.

**Generator** means a person who generates, supplies, causes, or permits the supply of blast furnace slag to a processor or consumer. The generator may also be the processor.

**NA** means not applicable.

**Once-off sampling** means sampling and testing that must be conducted only once on a batch, truckload or stockpile of blast furnace slag that is not repeated, reproduced and does not form part of a continuous process.

**Processor** means a person who processes, mixes, blends, or otherwise incorporates blast furnace slag into a material for supply to a consumer.

**Relevant waste** means blast furnace slag that meets the requirements of Section 7.

**Routine sampling** means sampling and testing that must be conducted on the blast furnace slag on an ongoing and regular basis.

### General conditions

7. This Notice of Exemption is subject to the following conditions:
  - 7.1. The chemical concentration or other attribute of the blast furnace 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. for characterisation or 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 blast furnace slag can only be applied to land as an engineering fill in earthworks or for road making activities as follows:
    - 7.2.1. engineered fill,
    - 7.2.2. engineered pavements (base and sub-base coarse),
    - 7.2.3. filter aggregate
    - 7.2.4. asphalt aggregate
  - 7.3. The blast furnace slag can only be applied to land consistent with section 7.2 where:
    - 7.3.1. it complies with a relevant specification or Australian Standard or supply agreement/s, and
    - 7.3.2. planning or development consent that has specifically considered the use of blast furnace slag has been granted for the project.
  - 7.4. The blast furnace slag can be applied to land consistent with section 7.2 when blended with other exempted materials, provided that the blended materials have been validated as compliant with the conditions of each individual exemption, for the use specified in each exemption.

### 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. Where the blast furnace slag is generated as part of a continuous process, the generator must undertake characterisation and routine sampling according to the requirements listed in Column 1 and Column 2 of Table 3, for the range of chemicals and other attributes listed in Column 1 of Table 2.
  - 8.3. Where the blast furnace slag is not generated as part of a continuous process, the generator may undertake once-off sampling of a batch, truckload or stockpile of blast furnace slag according to the requirements listed in Column 3 of Table 3, for the range of chemicals and other attributes listed in Column 1 of Table 2.
  - 8.4. Where there is a change in inputs that is likely to affect the properties in the blast furnace slag, characterisation must be repeated. Characterisation samples can be used for routine testing and subsequent calculations.
  - 8.5. Generators must keep a written record of all characterisation, routine and/or once-off test results for a period of five years.
  - 8.6. Records of the quantity and proposed use of blast furnace slag supplied to the processor or consumer and the processor or consumer's name and address must be kept for a period of five years.

- 8.7. The generator of blast furnace slag must provide a written statement of compliance to the processor or consumer with each transaction, certifying that the blast furnace slag complies with the relevant conditions of this exemption.
- 8.8. The generator of blast furnace slag must make information on the latest characterisation and routine test results available to the processor and consumer.
- 8.9. The generator of blast furnace slag must use due diligence to ensure that the relevant waste is utilised in applications that are consistent with the conditions of this exemption.

### **Processor responsibilities**

9. The following conditions must be met by the processor for this exemption to apply:

- 9.1. Records of the quantity and proposed use of blast furnace slag supplied to the consumer and the consumer's name and address must be kept for a period of five years.
- 9.2. Records of the quantity of blast furnace slag received by the processor from the generator, and the generators name and address, must be kept for a period of five years.
- 9.3. The processor of blast furnace slag must provide a written statement of compliance to the consumer with each transaction, certifying that the blast furnace slag complies with the relevant conditions of this exemption.
- 9.4. The processor of blast furnace slag must make information on the latest characterisation and routine test results available to the consumer.
- 9.5. The processor of blast furnace slag must use due diligence to ensure that the relevant waste is utilised in applications that are consistent with the conditions of this exemption.

### **Consumer responsibilities**

10. The following conditions must be met by the consumer for this exemption to apply:

- 10.1. Records of the quantity and use of the blast furnace slag received by the consumer and the suppliers' name and address must be kept for a period of five years.
- 10.2. The blast furnace slag must not be applied in or beneath water including groundwater.
- 10.3. The consumer should note that regardless of having an exemption, the use of blast furnace slag remains subject to all other relevant environmental regulations within the Act and Regulations, including but not limited to land pollution (s142A) and water pollution (s120).
- 10.4. The consumer must land apply the relevant waste within a reasonable period of time.

### Chemical and other material property requirements

11. This Notice of Exemption only applies to blast furnace 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. Note that while limits are not included for Boron, this must be tested in each sample and records kept of results.

**Table 2**

Column 1	Column 2	Column 3	Column 4	Column 5
<b>Chemicals and other attributes</b>	<b>Maximum average concentration for characterisation</b> (mg/kg 'dry weight' unless otherwise specified)	<b>Maximum average concentration for routine testing</b> (mg/kg 'dry weight' unless otherwise specified)	<b>Absolute maximum concentration</b> (mg/kg 'dry weight' unless otherwise specified)	<b>Test method specified within Section</b>
1. Mercury	0.5	Not Required	1	13.1
2. Cadmium	0.5	0.5	1	13.2
3. Lead	10	10	20	13.2
4. Arsenic	5	Not Required	10	13.2
5. Beryllium	10	Not Required	20	13.2
6. Boron	NA	NA	NA	13.2
7. Chromium (total)	50	Not Required	100	13.2
8. Copper	10	Not Required	20	13.2
9. Molybdenum	5	5	10	13.2
10. Nickel	10	Not Required	20	13.2
11. Selenium	2	Not Required	5	13.2
12. Zinc	25	25	50	13.2
13. Electrical Conductivity	1 dS/m	1 dS/m	2 dS/m	13.3
14. pH *	7.5 to 12	Not Required	7 to 13	13.3

\*Note: The ranges given for pH are for the minimum and maximum acceptable pH values in the blast furnace slag.

### Sampling and testing requirements

12. This Notice of Exemption only applies to blast furnace slag sampled according to the requirements in Table 3.

**Table 3**

Column 1	Column 2	Column 3
<b>Characterisation sampling frequency</b>	<b>Routine sampling frequency</b>	<b>Once-off sampling frequency</b>
20 composite samples, by taking 1 composite sample from a different batch, truckload or stockpile. This must be repeated every 2 years.	Either 5 composite samples per 10,000 tonnes or 5 composite samples per 6 months.	10 composite samples per 4,000 tonnes e.g. discrete once-off delivery or ship load.

### Test methods

13. 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:

- 13.1. Test method for measuring the mercury concentration in blast furnace slag:
  - 13.1.1. Particle size reduction & sample splitting may be required.
  - 13.1.1. Analysis using USEPA SW-846 Method 7471B Mercury in solid or semisolid waste (manual cold-vapor technique), or an equivalent analytical method with a detection limit < 20% of the stated absolute maximum concentration in Table 2, Column 4 (i.e. 0.2 mg/kg dry weight).
  - 13.1.2. Report as mg/kg dry weight.
  
- 13.2. Test method for measuring chemicals 2 - 12 in blast furnace slag:
  - 13.2.1. Particle size reduction & sample splitting may be required.
  - 13.2.2. Sample preparation by digestion using USEPA SW-846 Method 3051A Microwave assisted acid digestion of sediments, sludges, soils, and oils.
  - 13.2.3. 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 4 (i.e. 2 mg/kg dry weight for lead).
  - 13.2.4. Report as mg/kg dry weight.
  
- 13.3. Test methods for measuring the electrical conductivity and pH in blast furnace slag:
  - 13.3.1. Sample preparation by mixing 1 part blast furnace slag with 5 parts distilled water.
  - 13.3.2. Analysis using Method 103 (pH) and 104 (Electrical Conductivity). *In* Schedule B (3): Guideline on Laboratory Analysis of Potentially Contaminated Soils, National Environment Protection (Assessment of Site Contamination) Measure 1999 (or an equivalent analytical method).
  - 13.3.3. Report electrical conductivity in deciSiemens per metre (dS/m).

### Exemption Granted

**Mark Gorta**  
**Manager, Waste Management**  
**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](http://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 EPA may grant specific exemptions in certain circumstances in recognition of intellectual property rights or where it is necessary to impose specific conditions on the use or application of a waste.

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 Under Part 6, Clause 51 and 51A

### The steel furnace slag exemption 2010

#### Name

1. This exemption is to be known as 'The steel furnace slag exemption 2010'.

#### Commencement

2. This exemption commences on 5 March 2010.

#### 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 Part 3 of the Regulation	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 Part 3 of the Regulation	all requirements specified in section 7 and 9
Consumer	section 48 of the Act in respect of clauses 39 and 42 of Schedule 1 to the Act Part 3 of the Regulation section 88 of the Act clause 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 steel furnace 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.

**Consumer** means a person who applies, causes, or permits the application to land of steel furnace slag within the definitions of "application to land" in accordance with the Act. The consumer may be the landholder responsible for the land to which steel furnace slag is applied. Where a person responsible for transporting the steel furnace slag to the land application site is also the party applying the steel furnace slag, this person must also meet the responsibilities of the consumer.

**Generator** means a person who generates, supplies, causes, or permits the supply of steel furnace slag to a processor or consumer. The generator may also be the processor.

**NA** means not applicable.

**Once-off sampling** means sampling and testing that must be conducted only once on a batch, truckload or stockpile of steel furnace slag that is not repeated, reproduced and does not form part of a continuous process.

**Processor** means a person who processes, mixes, blends, or otherwise incorporates steel furnace slag into a material for supply to a consumer.

**Relevant waste** means the steel furnace slag that meets the requirements of Section 7.

**Routine sampling** means sampling and testing that must be conducted on the steel furnace slag on an ongoing and regular basis.

**Steel furnace slag** is a waste formed from the reaction of molten iron, scrap steel and fluxes in a Basic Oxygen Steel (BOS) furnace during the manufacture of steel. Steel furnace slag does not include any bag house dust or air pollution control residues.

### General conditions

7. This Notice of Exemption is subject to the following conditions:
  - 7.1. The chemical concentration or other attribute of the steel furnace 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. for characterisation or 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 steel furnace slag can only be applied to land as an engineering fill in earthworks or for road making activities as follows:
    - 7.2.1. sealing aggregate,
    - 7.2.2. asphalt aggregate,
    - 7.2.3. engineered pavements (base and sub-base coarse),
    - 7.2.4. engineered fill,
    - 7.2.5. subsoil drains,
    - 7.2.6. filter aggregate.
  - 7.3. The steel furnace slag can only be applied to land consistent with section 7.2 where:
    - 7.3.1. it complies with a relevant specification or Australian Standard or supply agreement/s, and
    - 7.3.2. planning or development consent that has specifically considered the use of steel furnace slag has been granted for the project.
  - 7.4. The steel furnace slag can be applied to land consistent with section 7.2 when blended with other exempted materials, provided that the blended materials have been validated as compliant with the conditions of each individual exemption, for the use specified in each exemption.

### 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. Where the steel furnace slag is generated as part of a continuous process, the generator must undertake characterisation and routine sampling according to the requirements listed in Column 1 and Column 2 of Table 3, for the range of chemicals and other attributes listed in Column 1 of Table 2.
  - 8.3. Where the steel furnace slag is not generated as part of a continuous process, the generator may undertake once-off sampling of a batch, truckload or stockpile of steel furnace slag according to the requirements listed in Column 3 of Table 3, for the range of chemicals and other attributes listed in Column 1 of Table 2.
  - 8.4. Where there is a change in inputs that is likely to affect the properties in the steel furnace slag, characterisation must be repeated. Characterisation samples can be used for routine testing and subsequent calculations.

- 8.5. Generators must keep a written record of all characterisation, routine and/or once-off test results for a period of five years.
- 8.6. Records of the quantity of steel furnace slag supplied to the processor or consumer and the processor's or consumer's name and address must be kept for a period of five years.
- 8.7. The generator of steel furnace slag must provide a written statement of compliance to the processor or consumer with each transaction, certifying that the steel furnace slag complies with the relevant conditions of this exemption.
- 8.8. The generator of steel furnace slag must make information on the latest characterisation and routine test results available to the processor and consumer.
- 8.9. The generator of steel furnace slag must use due diligence to ensure that the relevant waste is utilised in applications that are consistent with the conditions of this exemption.

### **Processor responsibilities**

9. The following conditions must be met by the processor for this exemption to apply:

- 9.1. Records of the quantity and proposed use of steel furnace slag supplied to the consumer and the consumer's name and address must be kept for a period of five years.
- 9.2. Records of the quantity of steel furnace slag received by the processor from the generator, and the generators name and address, must be kept for a period of five years.
- 9.3. The processor of steel furnace slag must provide a written statement of compliance to the consumer with each transaction, certifying that the steel furnace slag complies with the relevant conditions of this exemption.
- 9.4. The processor of steel furnace slag must make information on the latest characterisation and routine test results available to the consumer.
- 9.5. The processor of steel furnace slag must use due diligence to ensure that the relevant waste is utilised in applications that are consistent with the conditions of this exemption.

### **Consumer responsibilities**

10. The following conditions must be met by the consumer for this exemption to apply:

- 10.1. Records of the quantity and use of the steel furnace slag received by the consumer and the suppliers' name and address must be kept for a period of five years.
- 10.2. The steel furnace slag must not be applied in or beneath water including groundwater.
- 10.3. The consumer should note that regardless of having an exemption, the use of steel furnace slag remains subject to all other relevant environmental regulations within the Act and Regulations, including but not limited to land pollution (s142A) and water pollution (s120).
- 10.4. The consumer must land apply the relevant waste within a reasonable period of time.

### Chemical and other material property requirements

11. This Notice of Exemption only applies to steel furnace 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. Note that while limits are not included for Boron, this must be tested in each sample and records kept of results.

**Table 2**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>	<b>Column 5</b>
<b>Chemicals and other attributes</b>	<b>Maximum average concentration for characterisation</b> (mg/kg 'dry weight' unless otherwise specified)	<b>Maximum average concentration for routine testing</b> (mg/kg 'dry weight' unless otherwise specified)	<b>Absolute maximum concentration</b> (mg/kg 'dry weight' unless otherwise specified)	<b>Test method specified within Section</b>
1. Mercury	0.5	Not Required	1	13.1
2. Cadmium	0.5	0.5	1	13.2
3. Lead	10	10	20	13.2
4. Arsenic	5	Not Required	10	13.2
5. Beryllium	10	Not Required	20	13.2
6. Boron	NA	NA	NA	13.2
7. Chromium (total)	1000	Not Required	2000	13.2
8. Copper	20	Not Required	40	13.2
9. Molybdenum	15	15	30	13.2
10. Nickel	30	30	60	13.2
11. Selenium	2	Not Required	5	13.2
12. Zinc	50	50	100	13.2
13. Leachable concentration (TCLP) of Chromium	0.1 mg/L	0.1 mg/L	0.2 mg/L	13.3
14. Leachable concentration (TCLP) of Zinc	0.5 mg/L	0.5 mg/L	1.0 mg/L	13.3
15. Electrical Conductivity	1 dS/m	1dS/m	2 dS/m	13.4
16. pH*	7.5 to 12	Not Required	7 to 13	13.4

\*Note: The ranges given for pH are for the minimum and maximum acceptable pH values in the steel furnace slag.

## Sampling and testing requirements

12. This Notice of Exemption only applies to steel furnace slag sampled according to the requirements in Table 3.

**Table 3**

Column 1	Column 2	Column 3
Characterisation sampling frequency	Routine sampling frequency	Once-off sampling frequency
20 composite samples, by taking 1 composite sample from a different batch, truckload or stockpile. This must be repeated every 2 years.	Either 5 composite samples per 10,000 tonnes or 5 composite samples per 6 months.	10 composite samples per 4,000 tonnes e.g discrete once-off delivery or ship load.

## Test methods

13. 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:

- 13.1. Test method for measuring the mercury concentration in steel furnace slag:
  - 13.1.1. Particle size reduction & sample splitting may be required.
  - 13.1.2. Analysis using USEPA SW-846 Method 7471B Mercury in solid or semisolid waste (manual cold-vapor technique), or an equivalent analytical method with a detection limit < 20% of the stated absolute maximum concentration in Table 2, Column 4 (i.e. 0.2 mg/kg dry weight).
  - 13.1.3. Report as mg/kg dry weight.
- 13.2. Test methods for measuring chemicals 2 - 12 in steel furnace slag:
  - 13.2.1. Particle size reduction & sample splitting may be required.
  - 13.2.2. Sample preparation by digestion using USEPA SW-846 Method 3051A Microwave assisted acid digestion of sediments, sludges, soils, and oils.
  - 13.2.3. 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 4 (i.e. 2 mg/kg dry weight for lead).
  - 13.2.4. Report as mg/kg dry weight.
- 13.3. Test method for measuring attributes 13 - 14 in steel furnace slag:
  - 13.3.1. USEPA SW-846 Method 1311 Toxicity characteristic leaching procedure (or an equivalent analytical method).
  - 13.3.2. Report as mg/L.
- 13.4. Test methods for measuring the electrical conductivity and pH in steel furnace slag:
  - 13.4.1. Sample preparation by mixing 1 part steel furnace slag with 5 parts distilled water.
  - 13.4.2. Analysis using Method 103 (pH) and 104 (Electrical Conductivity). *In* Schedule B (3): Guideline on Laboratory Analysis of Potentially Contaminated Soils, National Environment Protection (Assessment of

Site Contamination) Measure 1999 (or an equivalent analytical method).

13.4.3. Report electrical conductivity in deciSiemens per metre (dS/m).

**Exemption Granted**

**Mark Gorta  
Manager, Waste Management  
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](http://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 EPA may grant specific exemptions in certain circumstances in recognition of intellectual property rights or where it is necessary to impose specific conditions on the use or application of a waste.

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.



# PRIVATE ADVERTISEMENTS

## COUNCIL NOTICES

### ALBURY CITY COUNCIL

#### Naming of Roads

NOTICE is hereby given that in accordance with section 162 of the Roads Act 1993, Albury City Council has named the following roads:

<i>Location</i>	<i>Road Name</i>
Lane west of and parallel to Urana Road, Lavington, this lane connects Heathwood Avenue and Welsh Street.	Louisa Lane.
Lane coming off the western side of Louisa Lane and running west to Albert Street.	Joseph Lane.

Mr LESLIE G. TOMICH, General Manager, Albury City Council, PO Box 323, Albury NSW 2640. [5112]

### FAIRFIELD CITY COUNCIL

#### Local Government Act 1993

#### Land Acquisition (Just Terms Compensation) Act 1991

#### Notice of Compulsory Acquisition of Land

FAIRFIELD CITY COUNCIL declares with the approval of Her Excellency the Governor that the land described in the Schedule below, excluding any mines or deposits of minerals in the land, is acquired by compulsory process in accordance with the provisions of the land Acquisition (Just Terms Compensation) Act 1991 for public car parking purposes.

Dated at Fairfield City Council this Thursday, 25th day of February 2010. ALAN YOUNG, General Manager, Fairfield City Council, PO Box 21, Fairfield NSW 1860.

#### SCHEDULE

Lot 245, DP 803241. [5113]

### KEMPSEY SHIRE COUNCIL

#### Heritage Act 1977

#### Interim Heritage Order No. 1

UNDER section 25 of the Heritage Act 1977 Kempsey Shire Council does by order:

Make an interim heritage order to cover the item of the environmental heritage specified or described in Schedule 'A'.

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

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

Dated: 4 March 2009. DAVID RAWLINGS, General Manager, Kempsey Shire Council.

#### SCHEDULE 'A'

Moreton Bay Fig tree located at Lot 2, DP 506885 5-7 Barnard Street, Gladstone. [5114]

### MAITLAND CITY COUNCIL

#### Naming of Public Roads

NOTICE is hereby given that Maitland City Council, in pursuance of section 162 of the Roads Act 1993 and Part 2 of the Roads (General) Regulation 2000, has approved the following change of suffix to road name/s for gazettal:

<i>Deposited Plan/Location</i>	<i>Road Name</i>
DP 1069064, East Maitland.	Durban Crescent.
DP 1144851, Aberglasslyn.	Fuschia Close.
DP 1144851, Aberglasslyn.	Heath Avenue.
DP 1133194, Rutherford.	Sabre Close.

The above road names have been notified. No objections to the proposed name/s have been received. DAVID EVANS, General Manager, Maitland City Council, High Street (PO Box 220), Maitland NSW 2320. [5115]

### PENRITH CITY COUNCIL

PURSUANT to Clause 9 of the Roads (General) Regulation 2000, notice is hereby given of the naming of the following road/s:

<i>Name</i>	<i>Location</i>
Waterford Way	Glenmore Park
Yenna Place	Glenmore Park

For further information please contact Mr Eric Hausfeld, Development Engineering Coordinator, Penrith City Council (02) 4732 7777. [5116]

### RIVERINA WATER COUNTY COUNCIL

#### Local Government Act 1993, Section 553

#### Extension of Watermains

NOTICE is hereby given pursuant to Section 553 of the Local Government Act 1993, that Riverina Water County Council's water mains have been extended to service the lands described hereunder:

#### WAGGA WAGGA

Sunshine Grove Stage 4C – Mima Street: from hydrant in front of Lot 167, east for a distance of 135 metres. Bindari Avenue: from Mima Street, north for a distance of 86 metres. Drawing No.: 1-3101. Oct 2009.

The owners of all lands within the prescribed distance will be liable for water supply charges as from the expiration of twenty-one (21 days) after the publication of this notice, or the date of connection of the properties to the water main, whichever is the earlier date. G. W. PIEPER, General Manager, Riverina Water County Council, PO Box 456, Wagga Wagga NSW 2650. [5117]

**SINGLETON COUNCIL**

## Erratum

THE notice appearing in *New South Wales Government Gazette* dated 11 December 2009 (4988) and that part of the erratum notice appearing in *New South Wales Government Gazette* dated 31 December 2009 (5019) which refers to Lot 4, Deposited Plan 263134 and the erratum dated 22 January 2010 (5045) are rescinded and replaced in full by the following notice:

Roads Act 1993

Section 10

## Dedication of Land as Public Road

NOTICE is hereby given that Singleton Council, in accordance with the provisions of section 10 of the Roads Act 1993, the land held by Council as described in the Schedule below is hereby dedicated as public road. SCOTT GREENSILL General Manager, Singleton Council, PO Box 14, Singleton NSW 2330.

## SCHEDULE

Lot 1 and Lot 2, Deposited Plan 1145111, Parish Tangory,  
County Durham. [5118]

**TWEED SHIRE COUNCIL**

Roads Act 1993

## Renaming of Public Road

NOTICE is hereby given that the Tweed Shire Council, in pursuance of section 162 of the Roads Act 1993, has renamed Condong Street, Kunghur, as:

Ted Brown Close

Authorised by resolution of the Council on 16 February 2010, General Manager, Tweed Shire Council, Civic Centre, Tumbulgum Road, Murwillumbah NSW 2484. [5119]

**WOOLLAHRA MUNICIPAL COUNCIL**

## Notification of Dedication as a Public Road

ON 2 November 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 Certificate of Title Volume 225, Folio 84 at Sutherland Avenue, Paddington, 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: 3 February 2010. GARY JAMES, General Manager, Woollahra Municipal Council, PO Box 61, Double Bay NSW 1360. [5120]

## WARREN SHIRE COUNCIL

Local Government Act 1993, Section 713

## Sale of Land for Unpaid Rates

NOTICE is hereby given to persons named hereunder that the Warren Shire Council has resolved in pursuance of section 713 of the Local Government Act 1993 to sell the land described hereunder of which the persons named appear to be the owners or in which they appear to have an interest and on which the amount of rates stated in each case, as at 31 January 2010 was due.

<i>Owners or persons having an interest in the land</i>  (a)	<i>Description of land</i>  (b)	<i>Amount of rates (including extra charges) overdue for more than five (5) years</i>  (c) \$	<i>Amount of all other rates (including extra charges) due and in arrearsd</i>  (d) \$	<i>Total</i>  (e) \$
Damien John ANDREWS	2 Mageibra Place, Warren – Lot 29, DP 258611	8,837.73	1,071.14	9,908.87
Estate of the Late Leslie Francis HAYDEN	33 Narromine Street, Nevertire – Sec 11, Lot 3, DP 758766	1,538.32	225.61	1,763.93
Phillip George Nathan ORCHARD	Wambianna Street, Collie – Sec 12, Lot 8, DP 758264	2,859.07	246.96	3,106.03
Mark STOCKTON	Coonamble Street, Collie – Sec 5, Lot 24, DP 758264	2753.06	242.60	2,995.66
Estate of the Late Ronald Leslie THREADGATE	9-11 Warren Street, Nevertire – Sec 6, Lots 10 & 11, DP 758766	5,511.38	458.96	5,970.34
Milton Clyde PIKE Marjorie Lynette PIKE	44 Chester Street, Warren – Lot 13, DP 667938	7,362.97	977.46	8,340.43
Joshua Aboriginal Corporation Dandaloo District	42 Trangie Street, Nevertire – Sec 11, Lot 16, DP 758766	2,316.22	247.46	2,563.68
Joshua Aboriginal Corporation Dandaloo District	12 Cremorne Street, Nevertire – Sec 11, Lot 18, DP 758766	2,180.23	247.46	2,427.69

In default of payment to the Council of the amount stated in Column (e) above and any other rates (including extra charges) becoming due and payable after publication of this notice or an arrangement satisfactory to the Council for payment of all such rates being entered into by the rateable person, before the time fixed for the sale, the said land will be offered for sale by public auction by LANDMARK WILSON RUSS Auctioneers, in the Council Chambers, Warren Shire Council, 115 Dubbo Street, Warren on Friday, 18 June 2010, at 2.00 pm. ASHLEY WIELINGA, General Manager, Warren Shire Council, 115 Dubbo Street, Warren NSW 2824.

[5121]

## TUMUT SHIRE COUNCIL

Local Government Act 1993, Section 713

Sale of Land for Overdue Rates and Charges

NOTICE is hereby given to the persons named hereunder, that the Council of Tumut Shire has resolved, in pursuance of section 713 of Local Government Act 1993, sell the land described hereunder of which the persons named are known to the Council to be the owners or to have an interest in the land on which the amount of rates stated in each case, as at 31 January 2010, is due:

<i>Owners or persons having interest in land</i>  (a)	<i>Description of land</i>  (b)	<i>Amount of rates (including extra charges) overdue for more than five (5) years</i>  (c) \$	<i>Amount of all other rates (including extra charges) payable and unpaid</i>  (d) \$	<i>Total</i>  (e) \$
G. Smith	Snowy Mountains Highway, Batlow Lot 450, DP 757211	896.90	8,211.64	9,108.54
Est W. T. Perkins	Grahamstown Road, Grahamstown, Lot 594 and Lot 963, DP 757211	0.00	3,312.21	3,312.21
P. J. Watts	13 Selwyn Street, Batlow, Lot 5, DP 314419, Parish Batlow	3,797.17	14,771.67	18,568.84
L. G. Ryan	Lot 1, DP 125954, Parish Hindmarsh	729.08	3,206.38	3,935.46
ACN 079 357 243 Pty Ltd	Eberlin Place, Tumut, Lot 10, DP 857035	603.50	10,480.63	11,084.13
ACN 084 331 260 Pty Limited	Herbert Street, Tumut, Lot 24, DP 854809	6,066.72	12,883.91	18,950.63
ACN 079 357 243 Pty Ltd	McAlister Street, Tumut, Lot 4, DP 846854	1,947.90	8,867.25	10,815.15

In default of payment to the Council of the amount stated in column (e) above and any other rates (including extra charges) becoming due and payable after 31 January 2010 or any arrangements satisfactory to the Council for payment of all such rates being entered into by the rateable person before the time fixed for the sale, the said land will be offered for sale by public auction, at the Riverina Room, Riverina Highlands Building, 76 Capper Street, Tumut on Thursday 27 May 2010 at 10.00 am., ROBERT K. STEWART, General Manager, Tumut Shire Council, 76 Capper Street, Tumut NSW 2720. [5122]

## ESTATE NOTICES

NOTICE of intended distribution of estate. – Any person having any claim upon the estate of KATHLEEN JOSE HUMPHREY, formerly of Kirribilli but late of Mosman, in the State of New South Wales, retired, who died on 13 November 2009, must send particulars of the claim to the executrix, Anne Sinclair McLean, care of Mervyn Finlay, Thorburn & Marshall, Solicitors, Level 2, 225 Macquarie Street, Sydney NSW 2000, within 31 days from publication of this notice. After that time and after six months from the date of death of the deceased 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 executrix has notice. Probate was granted in New South Wales on 8 February 2010. MERVYN FINLAY, THORBURN & MARSHALL, Solicitors, Level 2, 225 Macquarie Street, Sydney NSW 2000, tel.: (02) 9223 6544. Reference: DLT:24009. [5123]

Darlinghurst (formerly of South Coogee), in the State of New South Wales, who died on 24 October 2009, retired works manager, must send particulars of their claim to the executor, Joseph James Seddon, care of Bennett Stewart & Shirvington, Solicitors of Level 1, 1 York Street, Sydney NSW, within 31 days from publication of this notice. After that time and after six months from the date of death of the deceased 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 executors have notice. Probate was granted in New South Wales on 26 February 2010. BENNETT STEWART & SHIRVINGTON, Solicitors of Level 1, 1 York Street, Sydney NSW 2000, tel.: (02) 9247 5563. Reference: Peter Court. [5124]

NOTICE of intended distribution of estate. – Any person having any claim upon the estate of PETER ANTHONY IKIN late of Elizabeth Bay in the State of New South Wales, who died on 12 November 2008, retired company executive, must send particulars of their claim to the executors, Peter Kennedy Court and Michael Irving Grose, care of Bennett Stewart & Shirvington, Solicitors of Level 1, 1 York Street,

Sydney NSW within 31 days from publication of this notice. After that time and after six months from the death of the deceased 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 executors have notice. Probate was granted in New South Wales on 22 February 2010. BENNETT STEWART & SHIRVINGTON, Solicitors of Level 1, 1 York Street, Sydney NSW 2000, tel.: (02) 9247 5563, Ref.: Peter Court. [5125]

NOTICE of intended distribution of estate – Any person having any claim upon the estate of JOHN RAYMOND MATTERSON, late of Lemon Tree Passage, in the State of New South Wales, who died on 11 July 2009, must send particulars of his claim to the executor, MARK ERNEST JOHN MATTERSON, care of Newnhams Solicitors, Level 7, 233 Castlereagh Street, Sydney, within one calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution he has notice. Probate was granted in New South Wales on 22 February 2010. NEWNHAMS, Solicitors, Level 7, 233 Castlereagh Street, Sydney World Square NSW 2002 (DX 11495 Sydney Downtown), tel.: (02) 9264 7788. [5126]

## COMPANY NOTICES

NOTICE of final general meeting. – K & V HOWARD PTY LIMITED, ACN 001 319 375 (in voluntary liquidation). – In accordance with section 509 of the Corporations Act, notice is hereby given that the final general meeting of the abovenamed company will be held on 9 April 2010 at 11.00 am, for the purpose of having laid before it by the liquidator an account showing how the winding up has been conducted and the manner in which the assets of the company have been distributed and a hearing of an explanation of the account by the liquidator and to authorise the liquidator to destroy all books and records of the company on completion of all duties. Dated: 5 March 2010. GORDON SHRUBSOLE, Liquidator Shrubsole & Rabbitt Services Pty Limited, Unit 26, 15-23 Kumulla Road, Miranda NSW 2228, tel.: (02) 9526 8011. [5127]

NOTICE of final meeting. – ROBANJURI PTY LIMITED (In members voluntary liquidation), ACN 001 129 111. – Notice is hereby given that, in terms of section 509 of the Corporations Law, a Final General Meeting of the company will be held at the offices of Kellow Parbery & Associates, 24 Church Street, Bega NSW on 7 April 2010, at 10.30am, for the purpose of laying before it the liquidator's account showing how the winding-up has been conducted and the property of the company disposed of. Dated: 1 March 2010. RICHARD BRUCE KELLOW, Liquidator, 24 Church Street, Bega NSW 2550. [5128]

NOTICE of final meeting. – THE REVESBY BOWLING AND RECREATION CLUB LIMITED (In Liquidation) ACN 000 214 737. – Notice is given that a final meeting of members of the company will be held at Suite 71, 14 Narabang Way, Belrose NSW, on 8 April 2010 at 10.00am.

The purpose of the meeting is to receive the Liquidator's account showing how the winding up has been conducted and the property of the company has been disposed of and to receive any explanation of the account. Dated 3 March 2010. ROBERT BRENNAN, Liquidator, RT Hospitality Solutions, Suite 71, 14 Narabang Way, Belrose NSW 2085, tel: (02) 9986 3166. [5129]

## OTHER NOTICES

### INTEGRAL ENERGY AUSTRALIA

Electricity Supply Act 1995

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Easement

INTEGRAL ENERGY AUSTRALIA declares, with the approval of Her Excellency the Governor and the Executive Council, that the interest in land described in Schedule 1 of this notice affecting the land described in Schedule 2 of this notice is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Electricity Supply Act 1995.

In so far as any Native Title rights and interests may exist over any of the Land (in Schedule 2), the "non-extinguishment principle" as defined in section 238 of the Native Title Act 1993 (Cth) applies to the acquisition.

Dated at Huntingwood this 1st day of March 2010.

ROD HOWARD,  
Group General Manager Network,  
Integral Energy Australia

51 Huntingwood Drive,  
Huntingwood NSW 2148  
IE Ref: 2004/03753/001

### SCHEDULE 1

Easement for underground cables as set out in Memorandum No 9262885 filed at Land and Property Information (NSW). For the purpose of this notice, in Memorandum No 9262885 "lot burdened" means Lot 7042 DP1059895 & Lot 7003 DP1059895.

### SCHEDULE 2

All that piece or parcel of land at Ulladulla, in the Local Government Area of Shoalhaven, Parish of Ulladulla and County of St Vincent, being:

- the site of the proposed easement for underground cables 1 wide designated (B) in DP 1115491 affecting Lot 7042, DP 1059894; and
- the site of the proposed easement for underground cables 2 wide designated (C) in DP 1115491 affecting Lot 7003, DP 1059894

The land is said to be Crown Reserve R56477 for Public Recreation GAZ 2/6/1972, owned by the Crown and managed by Shoalhaven City Council as the appointed Corporate Manager. [5130]

Authorised to be printed

DENIS H. HELM, Government Printer.