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LEGISLATION

Online notification of the making of statutory instruments

Week beginning 24 August 2009

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

Regulations and other statutory instruments

- [Administrative Decisions Tribunal Regulation 2009](#) (2009-435) — published LW 28 August 2009
- [Agricultural Industry Services Regulation 2009](#) (2009-424) — published LW 28 August 2009
- [Casino Control Regulation 2009](#) (2009-425) — published LW 28 August 2009
- [Child Protection \(Offenders Registration\) Regulation 2009](#) (2009-447) — published LW 28 August 2009
- [Civil Liability Regulation 2009](#) (2009-436) — published LW 28 August 2009
- [Consumer, Trader and Tenancy Tribunal Regulation 2009](#) (2009-437) — published LW 28 August 2009
- [Driving Instructors Regulation 2009](#) (2009-448) — published LW 28 August 2009
- [Election Funding and Disclosures Regulation 2009](#) (2009-438) — published LW 28 August 2009
- [Gaming Machines Amendment \(Exemptions\) Regulation 2009](#) (2009-439) — published LW 28 August 2009
- [Health Services Amendment \(Bureau of Health Information\) Order 2009](#) (2009-440) — published LW 28 August 2009
- [Holiday Parks \(Long-term Casual Occupation\) Regulation 2009](#) (2009-441) — published LW 28 August 2009
- [Insurance Regulation 2009](#) (2009-426) — published LW 28 August 2009
- [Landlord and Tenant Regulation 2009](#) (2009-442) — published LW 28 August 2009
- [National Parks and Wildlife Regulation 2009](#) (2009-427) — published LW 28 August 2009
- [Occupational Health and Safety Amendment \(National Code of Practice and National Standard for Licensing\) Regulation 2009](#) (2009-443) — published LW 28 August 2009
- [Professional Standards Regulation 2009](#) (2009-444) — published LW 28 August 2009
- [Public Sector Employment and Management Regulation 2009](#) (2009-428) — published LW 28 August 2009
- [Stock Diseases Regulation 2009](#) (2009-429) — published LW 28 August 2009
- [Subordinate Legislation \(Postponement of Repeal\) Order 2009](#) (2009-430) — published LW 28 August 2009

[Sydney Cricket Ground and Sydney Football Stadium By-law 2009 \(2009-431\)](#) — published LW 28 August 2009

[Sydney Turf Club Amendment Regulation 2009 \(2009-445\)](#) — published LW 28 August 2009

[Weapons Prohibition Regulation 2009 \(2009-432\)](#) — published LW 28 August 2009

[Wild Dog Destruction Regulation 2009 \(2009-433\)](#) — published LW 28 August 2009

[Zoological Parks Regulation 2009 \(2009-446\)](#) — published LW 28 August 2009

Environmental Planning Instruments

[State Environmental Planning Policy \(Infrastructure\) Amendment \(Associated Public Transport Facilities\) 2009 \(2009-434\)](#) — published LW 28 August 2009

OFFICIAL NOTICES**Department of Lands**

DUBBO OFFICE**142 Brisbane Street (PO Box 865), Dubbo NSW 2830****Phone: (02) 6883 3300 Fax: (02) 6882 6920****NOTIFICATION OF CLOSING OF ROADS**

IN pursuance of the provisions of the Roads Act 1993, the roads hereunder specified are closed and the lands comprised therein are freed and discharged from any rights of the public or any other person to the same as highways.

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

Description

Local Government Area and Land District of Dubbo

Lot 1, DP 1141147, Parish of Coolbaggie, County of Lincoln (not being land under the Real Property Act).

File No.: DB05 H 251.

Note: On closing, the title for Lot 1 shall vest in the State of New South Wales as Crown Land.

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

DISSOLUTION OF RESERVE TRUST

PURSUANT to section 92(3) of the Crown Lands Act 1989, the reserve trust specified in Column 1 of the Schedule hereunder, which was established in respect of the reserve specified opposite thereto in Column 2 of the Schedule, is dissolved.

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
National Parks and Wildlife Reserve Trust.	Reserve No.: 1002890. Public Purpose: Public recreation, conservation and mineral and petroleum exploration. Notified: 17 December 1999.
	Reserve No.: 1002891. Public Purpose: Public recreation, conservation and mineral and petroleum exploration. Notified: 17 December 1999.
	Reserve No.: 1002888. Public Purpose: Public recreation, conservation and mineral and petroleum exploration. Notified: 17 December 1999.
	Reserve No.: 1002887. Public Purpose: Public recreation, conservation and mineral and petroleum exploration. Notified: 17 December 1999.
	File No.: GF99 R 81/1.

**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>
Phillip Thomas FOGARTY.	Lakes Road Reserve Trust.	Reserve No.: 69040. Public Purpose: Future public requirements. Notified: 23 February 1940. Reserve No.: 83057. Public Purpose: Future public requirements. Notified: 24 February 1961. File No.: GF04 R 20.
For a term commencing the date of this notice and expiring 3 March 2010.		

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>
Ian MURRAY (new member), Denis Bede MATTHEWS (new member), Ian James JULEFF (re-appointment), Kathy PATCH (new member), Deborah IVAN (new member), Jennifer Ann JULEFF (new member).	Dunoon Public Recreation and Public Hall Reserve Trust.	Reserve No.: 85191. Public Purpose: Public hall and public recreation. Notified: 15 January 1965. File No.: GF81 R 317.

Term of Office

For a term commencing the date of this notice and expiring 3 September 2014.

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

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>
Ralph CLARKE (new member), Margaret Mary RYALL (re-appointment), Murray Ross MAGUIRE (re-appointment), Kevin Maxwell JOHNSTONE (re-appointment).	Barmedman Showground Trust.	Reserve No.: 44511. Public Purpose: Showground. Notified: 27 October 1909. File No.: GH93 R 10/3.

Term of Office

For a term commencing the date of this notice and expiring 3 September 2014.

SCHEDULE 2

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
The person for the time being holding the office of Secretary, Griffith PSO, Robert CAPPELLO (ex-officio member). The person for the time being holding the office of Chairperson, Griffith PSO, Anne NAPOLI (ex-officio member).	Post School Options/Ningana (R.83392) Reserve Trust.	Reserve No.: 83392. Public Purpose: School for sub-normal children. Notified: 11 August 1961. File No.: GH03 R 3/1.

Term of Office

For a term commencing the date of this notice and expiring 20 September 2012.

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 Schedules hereunder.

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

SCHEDULE 1

Parishes – Bunganbil, Bolaro and Beremabere;
County – Cooper; Land District – Narrandera;
L.G.A. – Narrandera

Road Closed: Lot 1, DP 1136252.

File No.: GH06 H 34 (MR).

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

SCHEDULE 2

Parish – Ariaah; County – Cooper;
Land District – Narrandera; L.G.A. – Bland

Road Closed: Lot 1, DP 1139442.

File No.: 08/7988 (MR).

Note: 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 CORPORATION TO MANAGE
RESERVE TRUST**

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

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Barooga Sport Club Ltd.	Barooga Public Recreation (R96725) Reserve Trust.	Reserve No.: 96725. Public Purpose: Public recreation. Notified: 22 April 1983. File No.: HY83 R 6.

For a term commencing 4 September 2009.

NOTIFICATION OF CLOSING OF PUBLIC ROAD

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

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

Description

Land District of Deniliquin; L.G.A. – Conargo

Lot 1 in DP 1140332, Parish of Willeroo, County of Townsend.

File No.: HY99 H 4.

Note: On closing, title for the land comprised in Lot 1, DP 1140332 remains vested in the State of New South Wales as Crown Land.

Description

*Land District of Balranald South;
L.G.A. – Wakool and Balranald*

Lot 1, DP 1136242, Parishes of Kyalite and Tararie, Counties of Wakool and Caira.

File No.: HY98 H 156.

Note: On closing, title for the land comprised in Lot 1, DP 1136242 remains vested in the State of New South Wales as Crown Land.

Description

Land District of Hay; L.G.A. – Hay

Lots 1 and 2 in DP 1137659, Parish of Bedarbidgal, County of Waradgery.

File No.: HY81 H 702.

Note: On closing, title for the land comprised in Lots 1 and 2, DP 1137659 remains vested in the State of New South Wales as Crown Land.

Description

Land District of Deniliquin; L.G.A. – Berrigan

Lot 1 in DP 1132955, Parish of Osborne, County of Denison.

File No.: HY89 H 885.

Note: On closing, title for the land comprised in Lot 1, DP 1132955 remains vested in the State of New South Wales as Crown Land.

Description

Land District of Deniliquin; L.G.A. – Conargo

Lot 1, DP 1136240, Parishes of Kirrabirri, Billabong and Hindmarsh, Counties of Wakool and Townsend.

File No.: HY97 H 63.

Note: On closing, title for the land comprised in Lot 1, DP 1136240 remains vested in the State of New South Wales as Crown Land.

MAITLAND OFFICE

Corner Newcastle Road and Banks Street (PO Box 6), East Maitland NSW 2323

Phone: (02) 4937 9300 Fax: (02) 4934 2252

ERRATUM

IN the notification appearing in the *New South Wales Government Gazette* of 3 July 2009, at folio 3877, under the heading 'NOTIFICATION OF CLOSING OF ROAD', then under Sub-heading 'Description'; delete the word "Dungog" after Local Government Area; and insert the words "Dungog and Singleton".

File No.: MD05 H 130.

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

NOTIFICATION OF CLOSING OF ROAD

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

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

Description

*Parish – Wallarah; County – Northumberland;
Land District – Gosford;
Local Government Area – Lake Macquarie*

Road Closed: Lots 1, 2 and 3, DP 1140078 at Swansea Heads.

File No.: MD98 H 34.

Schedule

On closing, the land within Lots 1, 2 and 3, DP 1140078 becomes vested in the State of New South Wales as Crown Land. Lot 1, DP 1140078 is to be added to Reserve 88033 for public recreation, notified 4 December 1970; Lot 3 is to be added to Reserve 91128 for public recreation, notified 28 April 1978; Lot 2 is below MHW and is part of Reserve 1011268 for future public requirements, notified 3 February 2006.

Council's Reference: F2004/10582.

Description

*Parish – Gosforth; County – Northumberland;
Land District – Maitland;
Local Government Area – Maitland*

Road Closed: Lot 1, DP 1142454 at Rutherford.

File No.: MD05 H 543.

Schedule

On closing, the land within Lot 1, DP 1142454 remains vested in Maitland City Council as operational land for the purposes of the Local Government Act 1993.

Council's Reference: 122/901 (673318).

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

Column 1

Land District: Gosford.
Local Government Area:
Lake Macquarie City
Council.
Locality: Caves Beach.
Lot 1, DP No. 1140078,
Parish Wallarah,
County Northumberland.
Area: 1773 square metres.
File No.: MD98 H 34/1.

Column 2

Reserve No.: 88033.
Public Purpose: Public
recreation.
Notified: 4 December 1970.
Lot 7044, DP No. 755266#,
Parish Wallarah,
County Northumberland.
Lot 7045, DP No. 755266#,
Parish Wallarah,
County Northumberland.
Lot 7046, DP No. 755266#,
Parish Wallarah,
County Northumberland.
New Area: 2.917 hectares.

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

SCHEDULE 2

Column 1

Land District: Gosford.
Local Government Area:
Lake Macquarie City
Council.
Locality: Caves Beach.
Lot 3, DP No. 1140078,
Parish Wallarah,
County Northumberland.
Area: 495 square metres.
File No.: MD98 H 34/1.

Column 2

Reserve No.: 91128.
Public Purpose: Public
recreation.
Notified: 28 April 1978.
Lot 7031, DP No. 1021284,
Parish Wallarah,
County Northumberland.
Lot 7032, DP No. 1074454#,
Parish Wallarah,
County Northumberland.
Lot 7028, DP No. 1021285,
Parish Wallarah,
County Northumberland.
Lot 7029, DP No. 1021285,
Parish Wallarah,
County Northumberland.
Lot 7033, DP No. 1074451#,
Parish Wallarah,
County Northumberland.
Lot 7030, DP No. 1021284,
Parish Wallarah,
County Northumberland.
New Area: 8.656 hectares.

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

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

Road Closed: Lot 1, DP 1141989 at Catherine Hill Bay.

File No.: 08/5643.

Note: On closing, the land within Lot 1, DP 1141989 will remain vested in the Crown as Crown Land.

Description

*Parish – Stowell; County – Gloucester;
Land District – Newcastle;
Local Government Area – Port Stephens*

Road Closed: Lots 1, 2 and 3, DP 1142534 at Bobs Farm.

File No.: 07/5299.

Note: On closing, the land within Lots 1, 2 and 3, DP 1142534 will remain vested in the Crown as Crown Land.

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

*Parish – Tupa; County – Hunter;
Land District – Singleton;
Local Government Area – Singleton Council*

Part Crown public road, known as Box Gap Road having a width of 20.115m running approximately 2.095km from the southern boundary of Lot 10, DP 1116861. Within Lot 19, DP 753816 located at Putty (being the section of crown road highlighted in the below diagram).



SCHEDULE 2

Roads Authority: Singleton Council.

Council's Reference: SA33/2003.

Lands File Reference: 09/03673.001.

SCHEDULE 1

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

That part of Crown public road, being the corner of Elanet Avenue and Crane Close having a variable width of 20.115m located at Cameron Park (highlighted on below diagram).



SCHEDULE 2

Roads Authority: Lake Macquarie Council.

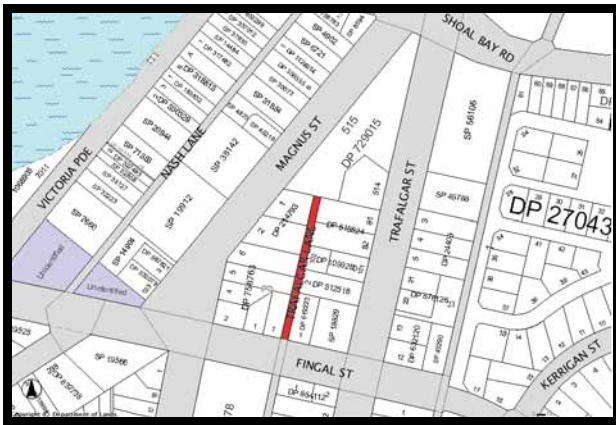
Council's Reference: 1/2518/0010.

Lands File Reference: 09/05266.001.

SCHEDULE 1

*Parish – Tomaree; County – Gloucester;
Land District – Newcastle;
Local Government Area – Port Stephens Council*

Part Crown public road, known as Trafalgar Lane from the corner of Fingal Street to the southern boundary of Lot 515, DP 729015 having a variable width of 6.7 metres located at Nelson Bay (being the highlighted section shown on the diagram below).



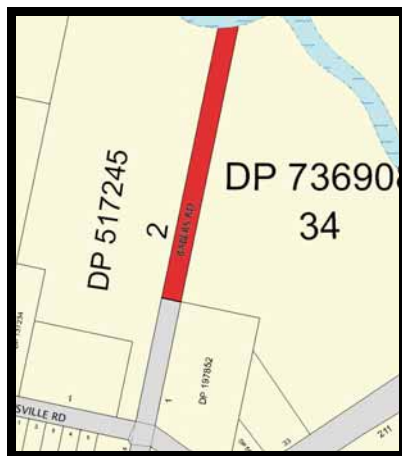
SCHEDULE 2

Roads Authority: Port Stephens Council.
 Council's Reference: PSC2006-1248.
 Lands File Reference: 09/03666.

SCHEDULE 1

*Parish – Mandalong; County – Northumberland;
 Land District – Gosford;
 Local Government Area – Lake Macquarie Council*

That part of Crown public road known as Babers Road from the most northern boundary of Lot 34, DP 736908 to the northern boundary of Lot 1, DP 197852. Having a variable width of 20.115 metres located at Coorangbong (being the highlighted section of road on the diagram below).



SCHEDULE 2

Roads Authority: Lake Macquarie Council.
 Council's Reference: F2007/010038.
 Lands File Reference: 09/03659.001.

SCHEDULE 1

*Parish – Heddon; County – Northumberland;
 Land District – Maitland;
 Local Government Area – Cessnock City Council*

That part of Crown public road known as Church Street, from the corner of Gingers Lane to the northern boundary of Lot 2, DP 1058063, having a variable width of 20.12 metres located at Weston (being the highlighted section of road on the diagram below).



SCHEDULE 2

Roads Authority: Cessnock City Council.
 Council's Reference: DA8/2007/889/1.
 Lands File Reference: 09/06830.001.

SCHEDULE 1

*Parish – Morisset; County – Northumberland;
 Land District – Gosford;
 Local Government Area – Lake Macquarie Council*

Crown public road known as Goodwins Roads from the most western boundary of Lot 1, DP 860244 to the most eastern boundary of Lot 77, DP 755242 to the corner of Awaba Street. That part of Awaba Street being the south-western boundary of Lot 76, DP 755242 to the south-western boundary of Lot 78, DP 755242. Having a variable width of 20.115 metres located at Morisset (being the highlighted sections of road on the diagram below).



SCHEDULE 2

Roads Authority: Lake Macquarie Council.
 Council's Reference: DA/1189/2007.
 Lands File Reference: 09/03676.001.

SCHEDULE 1

*Parish – Dungog; County – Durham;
Land District – Maitland;
Local Government Area – Dungog Council*

Being Crown road north of Lot 241, DP 752457 having a variable width of 20.115 metres located at Dungog (being the highlighted section of crown road on the below diagram).



SCHEDULE 2

Roads Authority: Dungog Shire Council.
Council’s Reference: DA86/07-21469 TAGW.
Lands File Reference: 09/03665.001.

MOREE OFFICE

Frome Street (PO Box 388), Moree NSW 2400
Phone: (02) 6750 6400 Fax: (02) 6752 1707

NOTIFICATION OF CLOSING OF ROADS

IN pursuance of the provisions of the Roads Act 1993, the roads hereunder described are 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 roads is extinguished.

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

Description

*Land District – Wialalda; Council – Gwydir Shire;
Parish – Hadleigh; County – Burnett*

Roads Closed: Lots 1, 2 and 3 in DP 1141296.
File No.: ME05 H 235.

Note: On closing, the land within Lots 1, 2 and 3 in DP 1141296 remains vested in the State of New South Wales as Crown Land.

Description

*Land District – Wialalda; Council – Gwydir Shire;
Parish – Nunga Nunga; County – Burnett*

Road Closed: Lot 1 in DP 1140873.
File No.: ME05 H 386.

Note: On closing, the land within Lot 1 in DP 1140873 remains vested in the State of New South Wales as Crown Land.

NEWCASTLE OFFICE

437 Hunter Street, Newcastle NSW 2300 (PO Box 2185, Dangar NSW 2309)

Phone: (02) 4920 5000 Fax: (02) 4925 3489

NOTICE OF PUBLIC PURPOSE PURSUANT TO SECTION 34A (2) (B) OF THE CROWN LANDS ACT 1989

PURSUANT to section 34A(2)(b) of the Crown Lands Act 1989, the Crown reserve specified in Column 1 of the Schedule is to be occupied for the additional purpose specified in Column 2 of the Schedule.

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

SCHEDULE

Column 1

Reserve No.: 500258.
Public Purpose: Public recreation.
Notified: 10 October 1958.
Locality: Undercliffe.

Reserve No.: 754407.
Public Purpose: Future public requirements.
Notified: 29 June 2007.
Parish: Comboyne.
Country: Macquarie.

Reserve No.: 750390.
Public Purpose: Future public requirements.
Notified: 29 June 2007.
Parish: Lindsay.
Country: Bathurst.

Reserve No.: 750315.
Public Purpose: Future public requirements.
Notified: 29 June 2007.
Parish: Wangan.
County: Baradine.

Column 2

Communication Facilities.

Communication Facilities.

Communication Facilities.

Communication Facilities.

Column 1

Reserve No.: 755323.
Public Purpose: Future public requirements.
Notified: 29 June 2007.
Parish: Crawney.
County: Parry.

Reserve No.: 85232.
Public Purpose: Public recreation.
Notified: 12 February 1965.
Locality: Moree.

Reserve No.: 84220.
Public Purpose: Local government purposes.
Notified: 1 March 1963.
Locality: Bateau Bay.

Reserve No.: 755904.
Public Purpose: Future public requirements.
Notified: 29 June 2007.
Parish: Benandarah.
County: St Vincent.

Reserve No.: 79813.
Public Purpose: Public recreation.
Notified: 23 August 1957.
Locality: Asquith.

File No.: 08/6163.

Column 2

Communication Facilities.

Communication Facilities.

Communication Facilities.

Communication Facilities.

Communication Facilities.

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

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 reserves 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>
Sydney Catchment Authority Reserve Trust.	Dedication No.: 580092. Public Purpose: Preservation of water supply. Notified: 8 August 1924. Dedication No.: 1020248. Public Purpose: Water supply. Notified: 8 December 1915. File No.: 08/1843.

APPOINTMENT OF CORPORATION TO MANAGE RESERVE TRUST

PURSUANT to section 95 of the Crown Lands Act 1989, the corporation specified in Column 1 of the Schedule hereunder, is appointed to manage the affairs of the reserve trust specified opposite thereto in Column 2, which is trustee of the reserves 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>
Sydney Catchment Authority.	Sydney Catchment Authority Reserve Trust.	Dedication No.: 1020248. Public Purpose: Water supply. Notified: 8 December 1915. Dedication No.: 580092. Public Purpose: Preservation of water supply. Notified: 8 August 1924. File No.: 08/1843.

Commencing this day.

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 – Congo; County – Dampier;
Land District – Moruya;
Local Government Area – Eurobodalla

Road Closed: Lot 1, DP 1141832 at Congo.

File No.: NA06 H 55.

Schedule

On closing, the land within Lot 1, DP 1141832 remains vested in Eurobodalla Shire Council as operational land for the purposes of the Local Government Act 1993.

Council Reference: 05.9342.

Description

Parish – Wallaya; County – Camden;
Land District – Nowra;
Local Government Area – Shoalhaven

Road Closed: Lot 1, DP 1140884 at Brogers Creek.

File No.: 07/4335.

Schedule

On closing, the land within Lot 1, DP 1140884 remains vested in State of New South Wales as Crown Land.

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

ERRATUM

CROWN LANDS ACT 1989

REVOCATION OF RESERVATION OF CROWN LAND

IN the notice appearing in the *New South Wales Government Gazette* No. 114 of the 21 August 2009, Folio 4824, under the heading "REVOCATION OF RESERVATION OF CROWN LAND", under "Column 2", "DP 750152" should be deleted and "DP 1135352" inserted in lieu and Parish "Parkes" should be deleted and Parish "Currajong" inserted in lieu.

File No.: OE80 H 794.

**REVOCATION AND APPOINTMENT OF A
RESERVE TRUST AS TRUSTEE OF A RESERVE**

PURSUANT to section 92(3) (c) of the Crown Lands Act 1989, the reserve trust specified in Column 1 of the Schedule hereunder, is revoked over part of the reserve specified opposite in Column 3.

PURSUANT to section 92(1) of the Crown Lands Act 1989, the reserve trust specified in Column 2 of the Schedule hereunder, is appointed as trustee of part of the reserve specified opposite 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>
Yeoval (R17) Reserve Trust.	Banjo Paterson Park Trust.	Reserve No.: 17. Public Purpose: Public recreation. Notified: 22 May 1886. The part being that part of Lot 116 in DP 753223, east of Renshaw-McGirr Way at Yeoval. File No.: OE87 H 463.

**ESTABLISHMENT OF A RESERVE TRUST AND
APPOINTMENT OF A TRUST MANAGER**

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 part of the reserve specified opposite in Column 3.

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

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Wirrinya Water Supply Reserve Trust.	Forbes Shire Council.	Reserve No.: 87821. Public Purpose: Water supply. Notified: 19 June 1970. The part being Lots 82 and 109 in DP 752937 at Wirrinya. File No.: 09/10418.

For a term commencing this day.

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 William McINTYRE (new member), Ian Vivian COOMBS (new member), David Stanley NOCK (re-appointment), Colin John McKAY (re-appointment), Ronald Thomas LEES (re-appointment).	Bogan Gate Showground and Racecourse Trust.	Reserve No.: 43144. Public Purpose: Racecourse and showground. Notified: 14 October 1908. File No.: OE80 R 309.

Term of Office

For a term commencing the date of this notice and expiring 3 September 2014.

SCHEDULE 2

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
William Thomas HAYDON (re-appointment), Dennis Michael DOWD (re-appointment), Christopher Val PEARCE (re-appointment).	Gooloogong Public Recreation and Racecourse Trust.	Reserve No.: 95500. Public Purpose: Racecourse and public recreation. Notified: 3 July 1981. File No.: OE80 R 188.

Term of Office

For a term commencing the date of this notice and expiring 3 September 2014.

SCHEDULE 3

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Graham Charles WALLACE (new member).	Morongla Creek Showground Trust.	Reserve No.: 74010. Public Purpose: Public recreation. Notified: 5 February 1951. File No.: OE81 R 84.

Term of Office

For a term commencing the date of this notice and expiring 22 January 2014.

SCHEDULE 4

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Timothy Alexander WRIGHT (new member), Kylie Anne REEVES (new member), David Leslie CLARK (new member), Barry David COX (new member).	Gooloogong Memorial Hall Trust.	Dedication No.: 590022. Public Purpose: War Memorial (hall site). Notified: 1 October 1954. File No.: OE80 R 202.

Term of Office

For a term commencing the date of this notice and expiring 24 February 2010.

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>
Peak Hill Leisure Arts and Crafts Centre Reserve Trust.	Reserve No.: 12361. Public Purpose: Town Hall. Notified: 9 August 1890. File No.: 09/10486.

APPOINTMENT OF CORPORATION TO MANAGE RESERVE TRUST

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

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Parkes Shire Council.	Peak Hill Leisure Arts and Crafts Centre Reserve Trust.	Reserve No.: 12361. Public Purpose: Town Hall. Notified: 9 August 1890. File No.: 09/10486.

Term of Office

For a term commencing the date of this notice.

NOTIFICATION OF CLOSING OF ROAD

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

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

Description

Land District – Forbes; L.G.A. – Forbes

Road Closed: Lot 1, DP 1138406 at Forbes, Parish Wongajong, County Forbes.

File No.: 09/00994.

Schedule

On closing, the land within Lot 1, DP 1138406 remains vested in the State of New South Wales as Crown Land.

SYDNEY METROPOLITAN OFFICE
Level 12, Macquarie Tower, 10 Valentine Avenue, Parramatta 2150
(PO Box 3935, Parramatta NSW 2124)
Phone: (02) 8836 5300 Fax: (02) 8836 5265

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

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

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Hawkesbury City Council.	Richmond Golf Course (R81554) Reserve Trust.	Richmond Golf Course (R81554), notified in the <i>New South Wales Government Gazette</i> of 24 April 1959, for the purpose of public recreation at Richmond. File No.: MN79 R 58/3.

**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

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Lands Administration Ministerial Corporation.	Richmond Golf Course (R81554) Reserve Trust.	Richmond Golf Course (R81554), notified in the <i>New South Wales Government Gazette</i> of 24 April 1959, for the purpose of public recreation at Richmond. File No.: MN79 R 58/3.

**REVOCATION OF APPOINTMENT OF RESERVE
TRUST AS TRUSTEE**

PURSUANT to section 92(3)(C) of the Crown Lands Act 1989, the reserve trust specified in Column 1 of the Schedule hereunder, is removed as trustee of those parts of the reserve as specified opposite thereto in Column 2 of the Schedule.

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Independent Cemetery Trust, Necropolis.	Those parts of the Independent portion of the Rockwood Necropolis within the dedication of 2 December 1887 and being Lots 1, 4 and 5 in Deposited Plan 1140277. Torrens Title Identifiers: 1/1140277, 4/1140277, 5/1140277 (D500906). File No.: 08/2732.

**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 those parts 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.	Those parts of the Rockwood Necropolis within the dedication of 2 December 1887 and being Lots 1 and 5 in Deposited Plan 1140277. Torrens Title Identifiers: 1/1140277, 5/1140277.

SCHEDULE 2

<i>Column 1</i>	<i>Column 2</i>
Muslim Cemetery Trust, Necropolis.	That part of the Rockwood Necropolis within the dedication of 2 December 1887 and being Lots 4 in Deposited Plan 1140277. Torrens Title Identifiers: 4/1140277. (D500904)

NOTIFICATION OF CLOSING OF ROAD

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

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

Description

Land District – Metropolitan; L.G.A. – Liverpool

Lot 100, DP 1136342 at Denham Court, Parish Minto, County Cumberland.

File No.: MN07 H 78.

Note: On closing, title for the land in Lot 100 remains vested in the Crown.

TAMWORTH OFFICE

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

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

ERRATUM

THE notice appearing in *New South Wales Government Gazette* No. 99 on 3rd July 2009, Folio 3882, under the heading "NOTIFICATION OF CLOSING OF A ROAD" and under the subheading "Description" LGA – Gunnedah Shire should be replaced with LGA – Liverpool Plains.

File No.: TH05 H 284.

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

REVOCATION OF RESERVATION OF CROWN LAND

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

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

SCHEDULE*Column 1*

Land District: Gunnedah.
Local Government Area:
Gunnedah Shire Council.
Locality: Curlewis.
Reserve No.: 96852.
Public Purpose: Future
public requirements.
Notified: 15 July 1983.
File No.: 07/4957.

Column 2

The whole being Lot 248,
DP No. 755490, Parish
Curlewis, County Pottinger,
of an area of 11.26 hectares.

NOTIFICATION OF CLOSING OF A ROAD

IN pursuance to the provisions of the Roads Act 1993, the road hereunder specified 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

*Locality – Gunnedah; Land District – Gunnedah;
L.G.A. – Gunnedah*

Road Closed: Lot 1 in Deposited Plan 1138402, Parish Gunnedah, County Pottinger.

File No.: 06/9180.

Note: On closing, title to the land comprised in Lot 1 will remain vested in the State of New South Wales as Crown Land.

Department of Primary Industries

MINERAL RESOURCES

NOTICE is given that the following applications have been received:

EXPLORATION LICENCE APPLICATIONS

(T09-0152)

No. 3759, CENTRAL WEST SCIENTIFIC PTY LTD (ACN 128 344 507), area of 36 units, for Group 1, dated 7 August, 2009. (Sydney Mining Division).

(09-5738)

No. 3770, CASCADE COAL PTY LTD (ACN 119 180 620), area of 1216 hectares, for Group 9, dated 25 August, 2009. (Singleton Mining Division).

(09-5739)

No. 3771, CASCADE COAL PTY LTD (ACN 119 180 620), area of 8370 hectares, for Group 9, dated 25 August, 2009. (Orange Mining Division).

(09-5735)

No. 3773, COALWORKS LIMITED (ACN 114 702 831), area of 720 hectares, for Group 9, dated 26 August, 2009. (Armidale Mining Division).

(T09-0165)

No. 3774, HUDSON RESOURCES LIMITED (ACN 008 720 965), area of 24 units, for Group 2, dated 31 August, 2009. (Sydney Mining Division).

(T09-0166)

No. 3775, ALPHADALE PTY LIMITED (ACN 050 409 008), area of 48 units, for Group 1, dated 31 August, 2009. (Armidale Mining Division).

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

NOTICE is given that the following applications have been granted:

EXPLORATION LICENCE APPLICATIONS

(T09-0096)

No. 3705, now Exploration Licence No. 7390, GOLDEN CROSS OPERATIONS PTY. LTD. (ACN 050 212 827), County of Yancowinna, Map Sheets (7133, 7233, 7234), area of 139 units, for Group 1, dated 20 August, 2009, for a term until 6 March, 2010. As a result of the grant of this title, Exploration Licence No. 6518 and Mineral Claim No. 159 (Act 1992) have ceased to have effect.

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

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

(T01-0120)

Exploration Licence No. 5891, DENIS MICHAEL WALSH, area of 1 units. Application for renewal received 28 August, 2009.

(T02-0079)

Exploration Licence No. 6002, BROKEN HILL OPERATIONS PTY LTD (ACN 054 920 893), area of 13 units. Application for renewal received 26 August, 2009.

(T03-0035)

Exploration Licence No. 6132, PLATSEARCH NL (ACN 003 254 395), EAGLEHAWK GEOLOGICAL CONSULTING PTY LTD (ACN 061 324 454) AND TRIAKO RESOURCES LIMITED (ACN 008 498 119), area of 43 units. Application for renewal received 31 August, 2009.

(04-656)

Exploration Licence No. 6465, SCORPIO RESOURCES PTY LTD (ACN 109 158 769), area of 27 units. Application for renewal received 28 August, 2009.

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

RENEWAL OF CERTAIN AUTHORITIES

NOTICE is given that the following authorities have been renewed:

(04-605)

Exploration Licence No. 6377, COLUMBINE RESOURCES PTY LTD (ACN 110 711 656), Counties of Ashburnham and Bathurst, Map Sheets (8630, 8631), area of 32 units, for a further term until 31 January, 2010. Renewal effective on and from 1 September, 2009.

(06-240)

Exploration Licence No. 6612, INTERNATIONAL MINERALS CORPORATION PTY LIMITED (ACN 106 416 513), County of Darling, Map Sheet (9037), area of 6 units, for a further term until 17 August, 2011. Renewal effective on and from 28 August, 2009.

(06-7055)

Exploration Licence No. 6767, SULTAN CORPORATION LIMITED (ACN 061 219 985), County of Georgiana, Map Sheet (8729), area of 13 units, for a further term until 1 May, 2011. Renewal effective on and from 28 August, 2009.

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

CANCELLATION OF AUTHORITY AT REQUEST OF HOLDER

NOTICE is given that the following application for cancellation has been received:

Mining Lease No. 421 (Act 1973), UNIMIN AUSTRALIA LIMITED (ACN 000 971 844, County of Auckland, area of 9.1 hectares. Request for cancellation was received on 1 September 2009.

NOTICE is given that the following authority has been cancelled:

(T99-0203)

Exploration Licence No. 5709, ILUKA RESOURCES LIMITED (ACN 008 675 018), County of Wentworth, Map Sheet (7430), area of 39 units. Cancellation took effect on 14 August, 2009.

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

TRANSFERS

(08-4417)

Exploration Licence No. 4512, formerly held by CALIBRE MINING (AUSTRALIA) PTY LTD (ACN 117 327 429) has been transferred to CLANCY EXPLORATION LIMITED (ACN 105 578 756). The transfer was registered on 21 August, 2009.

(08-4417)

Exploration Licence No. 7187, formerly held by CALIBRE MINING (AUSTRALIA) PTY LTD (ACN 117 327 429) has been transferred to CLANCY EXPLORATION LIMITED (ACN 105 578 756). The transfer was registered on 21 August, 2009.

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

MINE SUBSIDENCE COMPENSATION ACT 1961

Appointment of nominated member to the
Mine Subsidence Board

I, Professor Marie Bashir, CVO Governor of New South Wales, with the advice of the Executive Council and pursuant to section 5 of the Mine Subsidence Compensation Act 1961, hereby appoint Margaret MacDonald-Hill as the Minister for Mineral Resources' nominee to the Mine Subsidence Board for a term from the date of this appointment until 21 March 2012.

Dated this 2nd day of September 2009.

By Her Excellency's Command

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

**DELEGATION OF AUTHORITY TO SIGN CERTAIN
DOCUMENTS RELATING TO CATTLE TICK DIP
SITE LEASES**

I, IAN MACDONALD MLC, Minister for Primary Industries, hereby authorise Mr Larry Falls in his position as Manager, Cattle Tick Operations, Wollongbar, to sign the following categories of documents on my behalf:

1. Renewals of existing cattle tick dip site leases;
2. Consents to registration of plans of subdivision of land on which dip sites are situated;
3. Consents to registration of other dealings including mortgages affecting the land on which dip sites are situated; and
4. Surrenders of leases on land on which cattle tick dip sites are situated.
5. Withdrawals of caveats on current expired leases.

Dated this 25th day of August 2009.

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

MINE SUBSIDENCE COMPENSATION ACT 1961

Appointment of nominated member to the
Mine Subsidence Board

I, Professor Marie Bashir, CVO Governor of New South Wales, with the advice of the Executive Council and pursuant to section 5 of the Mine Subsidence Compensation Act 1961, hereby appoint Margaret MacDonald-Hill as the Minister for Mineral Resources' nominee to the Mine Subsidence Board for a term from 21 March 2009 until the date of this appointment.

Dated this 2nd day of September 2009.

By Her Excellency's Command

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

MINE SUBSIDENCE COMPENSATION ACT 1961

Appointment of nominated member to the
Mine Subsidence Board

I, Professor Marie Bashir, CVO Governor of New South Wales, with the advice of the Executive Council and pursuant to section 5 of the Mine Subsidence Compensation Act 1961, hereby appoint Peter Joseph HAYES as the nominee of the proprietors of colliery holdings as a member of the Mine Subsidence Board from 2 November 2008 until the date of this appointment.

Dated this 2nd day of September 2009.

By Her Excellency's Command

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

Roads and Traffic Authority

ROAD TRANSPORT (GENERAL) ACT 2005

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

LIVERPOOL PLAINS 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: 31 August 2009.

General Manager,
Liverpool Plains Shire Council
(by delegation from the Minister for Roads)

SCHEDULE

1. Citation

This Notice may be cited as Liverpool Plains Shire Council 25 Metre B-Double route Notice No 01/2009

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

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

4. Application

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

5. Routes

Type	Road No	Road Name	Starting Point	Finishing Point	Conditions
25		Liverpool Plains Shire Council area. Refer to starting and finishing points for areas and points of exclusions.	Additional streets in the town of Quirindi conditional to a one way direction west from Station Street: – Nowland Street – Right turn into Collarene Street – Left turn into Munro Street – Left turn into Corbould Street, – Left turn into Cromarty Street – Right turn into Collarene Street, and – Left turn into Nowland Street		That B-Double transport operators be advised that: (1) This notice for streets in Quirindi is for a one way direction only. (2) Extreme care must be taken on the route especially during school bus hours. (3) It is their responsibility as the driver of the B-Double transport to satisfy themselves that the proposed route is suitable for use under the conditions existing at the time and undertake a risk assessment of the route prior to travelling the route to assess the suitability of travel along the route. (4) temporary route restrictions may be imposed when routes become impassable for heavy vehicles. (5) Following rainfall the driver of a B-Double transport must check with the Liverpool Plains Shire Council, or the RTA Area Office, regarding possible road closures.

ROAD TRANSPORT (GENERAL) ACT 2005

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

BLAND 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.

General Manager
Bland Shire Council
(by delegation from the Minister for Roads)

SCHEDULE
1. Citation

This Notice may be cited as Bland Shire Council Road Train Notice No 01/2009

2. Commencement

This Notice takes effect on the date of publication in the NSW Government Gazette

3. Effect

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

4. Application

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

5. Routes

<i>Type</i>	<i>Road No</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
RT		Showground Rd (West Wyalong town By-pass)	Mid Western Highway	Saleyards Access	Length 340m

ROADS ACT 1993

Order - Section 31

Fixing or Varying of Levels
of part of the Pacific Highway
in the Clarence Valley Council area

The Roads and Traffic Authority of New South Wales, by this Order under section 31 of the Roads Act 1993, fixes or varies the levels of part of Pacific Highway between 33.81 km and 34.82 km north of Grafton as shown on Roads and Traffic Authority plan No 0010 086 RC 1672.

Mr David Bell
Regional Manager Northern
Roads and Traffic Authority, NSW
31 Victoria Street, Grafton NSW 2460

(RTA Papers: FPP 9M3687; RO 10/86.1210.04/05)

ROADS ACT 1993

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

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

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

SCHEDULE

All those pieces or parcels of land situated in the Kogarah City Council area, Parish of St George and County of Cumberland, shown as Lots 7 and 8 Deposited Plan 237692.

(RTA Papers: FPP 9M3346; RO 237.12054)

ROADS ACT 1993

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

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

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

SCHEDULE

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

<u>Description of Land</u>	<u>Title Particulars</u>
The area of $\frac{3}{10}$ perch shown on Deposited Plan 348654 and being the whole of the land shown in the plan marked "A" annexed to dealing D271739 registered at Land and Property Information	Certificate of Title Volume 2973 Folio 160
The area of $1 \frac{5}{10}$ perches shown on Deposited Plan 340566 and being the whole of the land shown in the plan marked "A" annexed to dealing C783492 registered at Land and Property Information	Certificate of Title Volume 2958 Folio 38
The area of $2 \frac{7}{10}$ perches shown on Deposited Plan 435861 and being the whole of the land shown in the plan marked "A" annexed to dealing F564768 registered at Land and Property Information	Certificate of Title Volume 4003 Folio 122

(RTA Papers: FPP 9M3346; RO 237.12054)

ROADS ACT 1993

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

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

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

SCHEDULE

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

<u>Description of Land</u>	<u>Title Particulars</u>
The area of 4 ½ perches shown on Deposited Plan 437939	Certificate of Title Volume 4674 Folio 63
Lot 2 Deposited Plan 346186	Certificate of Title Volume 5133 Folio 97
The area of 3 ¼ perches shown on Deposited Plan 430730	Certificate of Title Volume 5153 Folio 173
Lot A Deposited Plan 343184	Certificate of Title Volume 5006 Folio 100
Lot 1 Deposited Plan 183607	Auto Consol 4442 - 215
Lot 3 Deposited Plan 183607	Auto Consol 4442 - 215
Lot 2 Deposited Plan 183607	Certificates of Title: Volume 3195 Folio 221; Volume 6405 Folio 159; and Volume 3664 Folio 83

(RTA Papers: FPP 9M3346; RO 237.12054)

Other Notices

APRENTICESHIP AND TRAINEESHIP ACT 2001

NOTICE is given of establishing a new Vocational Training Order for the recognised traineeship vocation of Community Services - Children's Services under Section 6 of the Apprenticeship and Traineeship Act 2001.

The Order specifies a number of matters relating to the required training for this vocation, including the term/s of training, probationary period/s, competency outcome/s and course/s of study to be undertaken.

The Order will take effect from the date of publication in the *NSW Government Gazette*.

A copy of the Order may be inspected at any State Training Services Regional Office of the Department of Education and Training or on the Internet at <http://apprenticeship.det.nsw.edu.au/html/cibs/419.htm>

ASSOCIATIONS INCORPORATION ACT 1984

Reinstatement of cancelled association
pursuant to Section 54A

THE incorporation of COLEAMBALLY DARLINGTON POINT JUNIOR RUGBY LEAGUE INC (Y0868106) cancelled on 22 August 2008 is reinstated pursuant to section 54A of the Associations Incorporation Act 1984.

Dated 27th day of August 2009.

ROBERT HAYES,
A/g Manager, Financial Analysis,
Registry of Co-operatives & Associations,
Office of Fair Trading,
Department of Commerce

ASSOCIATIONS INCORPORATION ACT 1984

Reinstatement of Cancelled Association
Pursuant to Section 54A

The incorporation of PARKWAY PIRATES FISHING CLUB INCORPORATED (INC9880480) cancelled on 3 October 2008 is reinstated pursuant to section 54A of the Associations Incorporation Act 1984.

Dated: 2nd day of September 2009.

ROBERT HAYES,
A/g Manager, Financial Analysis,
Registry of Co-operatives & Associations,
Office of Fair Trading,
Department of Commerce

BANKS AND BANK HOLIDAYS ACT 1912

PROCLAMATION

(L.S.) Marie Bashir, Governor.

I, Professor Marie Bashir, AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 19 (1) of the Banks and Bank Holidays Act 1912, do, by this my Proclamation, appoint Saturday, 3 April 2010, to be observed as a public holiday throughout New South Wales for the purpose of Easter Saturday.

Signed and sealed at Sydney, this 2nd day of September 2009.

By Her Excellency's Command,

JOHN HATZISTERGOS, M.L.C.,
Minister for Industrial Relations

GOD SAVE THE QUEEN!

BANKS AND BANK HOLIDAYS ACT 1912

PROCLAMATION

(L.S.) Marie Bashir, Governor.

I, Professor Marie Bashir, AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 20 of the Banks and Bank Holidays Act 1912, in that it has been made to appear to me that it is inexpedient that Monday, 26 April 2010, should be a bank holiday under that Act for the purpose of celebrating the Anniversary of the Birthday of Her Majesty the Queen, do, by this my Proclamation, appoint Monday, 14 June 2010, to be a bank holiday instead of that first mentioned day for the purpose of that celebration.

Signed and sealed at Sydney, this 2nd day of September 2009.

By Her Excellency's Command,

JOHN HATZISTERGOS, M.L.C.,
Minister for Industrial Relations

GOD SAVE THE QUEEN!

BANKS AND BANK HOLIDAYS ACT 1912

PROCLAMATION

(L.S.) Marie Bashir, Governor.

I, Professor Marie Bashir, AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 19 (1) of the Banks and Bank Holidays Act 1912, do, by this my Proclamation, appoint Monday, 14 June 2010, to be observed as a public holiday throughout New South Wales for the purpose of celebrating the Anniversary of the Birthday of Her Majesty the Queen.

Signed and sealed at Sydney, this 2nd day of September 2009.

By Her Excellency's Command,

JOHN HATZISTERGOS, M.L.C.,
Minister for Industrial Relations

GOD SAVE THE QUEEN!

BANKS AND BANK HOLIDAYS ACT 1912

PROCLAMATION

(L.S.) Marie Bashir, Governor.

I, Professor Marie Bashir, AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 19 (1) of the Banks

and Bank Holidays Act 1912, do, by this my Proclamation, appoint Monday, 4 October 2010, to be observed as a public holiday throughout New South Wales for the purpose of Labour Day.

Signed and sealed at Sydney, this 2nd day of September 2009.

By Her Excellency's Command,
JOHN HATZISTERGOS, M.L.C.,
 Minister for Industrial Relations
GOD SAVE THE QUEEN!

CONTAMINATED LAND MANAGEMENT ACT 1997

Environment Protection Authority
 Notice to End Significantly Contaminated
 Land Declaration
 (Section 44 of the Contaminated Land
 Management Act 1997)

Notice Number 20094401; Area Number 3177

Background

The land to which this notice applies was declared as "significantly contaminated land" (declaration No. 21052) and has been the subject of an agreement to a voluntary management proposal (agreement no. 26079 and agreement No. 26084) issued by the Environment Protection Authority ("the EPA")*. The proponents carried out management works under the agreement. The management has been completed and the results have been made available to the EPA.

Repeal

Having reviewed the results of the management, the EPA is satisfied that it no longer has reason to believe that the land to which this notice applies is contaminated and that the contamination is significant enough to warrant regulation under the Act.

Pursuant to section 44 of the Contaminated Land Management Act 1997, Declaration of significantly contaminated land number 21052, dated 11 May 2004, gazetted on 14 May 2004 cease to be in force on the date on which this notice is published in the NSW Government Gazette.

Land to which this notice applies

Description	Address
Lots 10 and 11 in DP 1016734	Located between Derbyshire Street, Moore Street and Balmain Road, Leichhardt

Date: 26 August 2009.

NIALL JOHNSTON,
 Manager, Contaminated Sites,
 Department of Environment,
 Climate Change and Water

NOTE:

Information recorded by the EPA

Section 58 of the Contaminated Land Management Act 1997 requires the EPA to maintain a public record. A copy of this notice will be included in the public record.

Information recorded by councils

Section 59 of the Act requires the EPA to give a copy of this notice to the relevant local council. The council may then make appropriate consequential modifications to the planning certificate issued in relation to the land to which this notice applies pursuant to section 149 of the Environmental Planning and Assessment Act 1979.

Relationship to other regulatory instrument

This repeal notice does not affect the provisions of any relevant environmental planning instruments which apply to the land or provisions of any other environmental protection legislation administered by the EPA.

Previous regulatory instrument

As of 1 July 2009, all current declarations for investigation area or declarations for remediation sites are taken to be declarations for significantly contaminated land, and all current orders for investigation area and orders for remediation site are taken to be management orders.

* The DECCW exercises certain statutory powers in the name of the EPA.

DISTRICT COURT OF NEW SOUTH WALES

Direction

PURSUANT to section 173 of the District Court Act 1973, I direct that the District Court shall sit in its criminal jurisdiction at the place and time shown as follows:

Armidale	10.00am	30 November 2009 (3 weeks)
Port Macquarie	10.00am	30 November 2009 (3 weeks) Sittings cancelled

Dated this 28th day of August 2009.

R. O. BLANCH,
 Chief Judge

FLUORIDATION OF PUBLIC WATER SUPPLIES ACT 1957

Variation of Approval of Addition of Fluorine to a Public Water Supply

(Rous County Council – Lismore LGA)

PURSUANT to section 6 of the Fluoridation of Public Water Supplies Act 1957, I, Professor Debora Picone, AM, Director-General of the Department of Health, do hereby VARY that earlier approval given to Rous County Council, a water supply authority, to add fluorine to the public water supply under its control to all areas of the Lismore local government area, that approval having been previously published in the NSW Government Gazette no.182 on 14 December 2007 at page 9645, as follows:

1. by omitting the words "the proposed fluorine dosing points located at Howard's Grass, Gonellabah, Clunes and Dorrroughby" and inserting instead the following words:

"the proposed fluorine dosing points located at Corndale, Clunes and Dorrroughby"; and

2. by omitting the words "by no later than 31 December 2008" and inserting instead the following words:
"by no later than 31 December 2010".

All the other terms and conditions of the gazettal of approval to Rous County Council published on 14 December 2007 as referred to above shall remain unaffected.

Signed at Sydney this 31st day of August 2009.

Dr RICHARD MATTHEWS,
Acting Director-General

FOOD ACT 2003

THE NSW Food Authority advises of convictions under the Food Act 2003 relating to offences in the handling, storage and sale of food made against the business entity known as Project Paragon Pty Ltd, trading as TUCKERBOX BAKERY CAFÉ at the business addresses of 57 Sydenham Road, Marrickville NSW 2204. The defendant was charged with eleven offences under sections 21 (1), 64 and 122 (1) of the Food Act 2003. The total penalty imposed under the Act was \$45,000 plus court and legal costs of \$15,000. This notice is made after the statutory time for appeal has elapsed.

NSW Food Authority,
PO Box 6682,
Silverwater NSW 1811

FORESTRY ACT 1916

Proclamation

(L.S.) MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales in pursuance of the provisions of the Forestry Act, 1916, and with the advice of the Executive Council, do, by this my Proclamation, declare that the land described in the Schedule hereto is dedicated as a State Forest.

SCHEDULE

CENTRAL DIVISION

*Land District Deniliquin;
Murray Shire Council Area;
Western Forestry Region*

Perricoota State Forest No. 395, No. 2 Extension. An area of about 63 hectares in the Parish of Toorangabby, County of Cadell, being FIRSTLY, the land within the former public road 40.23 metres wide and variable width extending from the westerly prolongation of the northern boundary of Lot 1 in Deposited Plan 608945 southeasterly, southerly and generally easterly to the western side of a former road 30.175 metres wide separating this land from Portion 36, and being the road delineated on plan catalogued 16737-1603 in the Department of Lands, Sydney, TOGETHER WITH the former road 20.115 metres wide separating Portion 14 and Lot 31 in Deposited Plan 608944 from Lot 32 in Deposited Plan 608944, and being the roads closed by Government Gazette notification of 9 April 2009, Folio 1636, and SECONDLY, the part of Swan Lagoon which separates Portion 43 from Portion 45, Lot 2 in Deposited Plan 608945, Perricoota State Forest No 395 dedicated 13 April 1917, Portion 14, the former public road variable width delineated on plan

catalogued 16737-1603 in the Department of Lands and Portion 41, and being former Reserve 56146 for Sale or Lease Generally notified 11 May 1923 and former Reserve 1011268 for Future Public Requirements notified 3 February 2006, revoked by *Government Gazette* notification of 24 April 2009. Folio 1794. (06/0592)

Signed and sealed at Sydney, this fifth day of August, 2009.

By Her Excellency's Command,

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

GOD SAVE THE QUEEN!

LOCAL GOVERNMENT ACT 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land and Easements

THE Moree Plains Shire declares, with the approval of His Excellency the Lieutenant Governor, that the lands and easements described in the Schedule below, excluding mines and deposits of minerals within the lands, are acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for sewerage purposes.

Dated at Moree this 28th day of April 2009.

DAVID ABER,
General Manager

SCHEDULE

LAND

Lots 1 and 2 in Deposited Plan 1114920.

INTEREST IN LAND

Easement rights for sewer pipeline in the terms set out hereunder over the site shown in Deposited Plan 1114920 as:

'(D) Proposed Easement For Sewer Main 5 Wide'

Easement rights for access in the terms set out hereunder over the site shown in Deposited Plan 1114920 as:

'(C) Proposed Easement For Access 8 Wide'

Rights to be Acquired:

Easement for Sewer Pipeline

FULL AND FREE right for the Body having the benefit of this easement (being a public or local authority) and every person authorised by it from time to time and at all times to pass and convey sewage in any quantities through the servient tenement TOGETHER WITH the right to use for the purpose of the easement any line of pipes (including works ancillary thereto) already laid within the servient tenement for the purposes of the passage and conveyance of such sewage or any pipe or pipes (including works ancillary thereto) in replacement, substitution or duplication thereof and where no such line of pipes exists to lay place and maintain a line of pipes of sufficient internal diameter (including works ancillary thereto) beneath the surface of the servient tenement AND TO lay place and maintain upon the surface of the servient tenement any works ancillary to the said line of pipes AND TOGETHER WITH the right

for the Body having the benefit of this easement (being a public or local authority) and every person authorised by it with any tools, implements, or machinery, necessary for the purposes, to enter upon the servient tenement and to remain there for any reasonable time for the purposes of laying, inspecting, cleansing, repairing, maintaining, or renewing such pipeline or any part thereof (including works ancillary thereto) AND for any of the aforesaid purposes to open the soil of the servient tenement to such extent as may be necessary PROVIDED THAT the Body having the benefit of this easement (being a public or local authority) and every person authorised by it will take all reasonable precautions to ensure as little disturbance as possible to the surface of the servient tenement and will restore that surface as nearly as practicable to its original condition.

Easement for Access

FULL AND FREE right for the Body having the benefit of this easement (being a public or local authority) and every person authorised by it from time to time and at all times to go, pass and repass for all purposes with or without materials, tools, implements, plant, machinery, or vehicles upon and over the surface of the servient tenement TOGETHER WITH the right to enter upon the servient tenement from time to time and at all times with any materials, tools, implements, plant machinery, or vehicles and to remain there for any reasonable time for the purpose of laying upon the surface of the servient tenement, rock, stone, gravel, bitumen, concrete or other material, or for the purpose of removing the surface and undersurface of the servient tenement and substituting thereof either in whole or part, rock, stone, gravel, bitumen, concrete or other material and of forming and maintaining a road thereon to such standards as may from time to time be determined by the Body having the benefit of this easement.

SPA Reference 383.

MOTOR ACCIDENTS COMPENSATION ACT 1999

Amendment to the Claims Assessment Guidelines
issued under section 69 (1) of the
Motor Accidents Compensation Act 1999

PURSUANT to section 69 (2) of the Motor Accidents Compensation Act 1999, version 4 of the Claims Assessment Guidelines, as published in the *New South Wales Government Gazette* No. 87 on 11 July 2008, is amended, with effect from 1 October 2009, by deleting clauses 8.11.2 and 8.11.3 and inserting instead:

8.11.2 the fault of the owner or driver of a motor vehicle, in the use or operation of the vehicle, is not denied by the insurer of that vehicle, but the insurer of that vehicle makes an allegation in its written notice issued in accordance with section 81, that the claimant, or in a claim for an award of damages brought under the Compensation to Relatives Act 1897 the deceased, was at fault or partly at fault and claims a reduction of damages of more than 25%;

(Note: this clause applies to all new applications received at CARS on or after 1 October 2009 and all matters current at CARS on or after that date that have not been determined.)

8.11.3 the claimant, or in a claim for an award of damages brought under the Compensation to Relatives Act 1897 one of the dependents, is a 'person under a legal incapacity';

(Note: See definition in Chapter 1 at clause 1.6.27)

(Note: this clause applies to all new applications received at CARS on or after 1 October 2009 and all matters current at CARS on or after that date that have not been determined.)

NATIONAL PARKS AND WILDLIFE ACT 1974

Gardens of Stone National Park
Burra Creek Nature Reserve
Plans of Management

THE Minister for Climate Change and the Environment adopted a plan of management for Gardens of Stone National Park on 24 June 2009, and a plan for Burra Creek Nature Reserve on 28 March 2009.

Copies of the Gardens of Stone plan may be obtained from the NPWS office at Govetts Leap Road, Blackheath (phone 4787 8877). Copies of the Burra Creek plan may be obtained from the NPWS office at 11 Farrer Place, Queanbeyan (phone 6229 7000). The plans are also on the website: www.environment.nsw.gov.au.

NATIONAL PARKS AND WILDLIFE ACT 1974

Proclamation

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 the powers vested in me under Section 68 of the National Parks and Wildlife Act, 1974, with the consent of every owner and occupier do, on the recommendation of the Director-General of the Department of Environment and Climate Change, by this my Proclamation declare the lands described hereunder to be a wildlife refuge for the purposes of the abovementioned Act.

To be known as "Valley View Wildlife Refuge"

Signed and sealed at Sydney this 19th day of August 2009.

MARIE BASHIR,
Governor

By Her Excellency's Command

CARMEL TEBBUTT, M.P.,
Minister for Climate Change and the Environment

GOD SAVE THE QUEEN!

Description

*Land District – Cooma;
Council – Cooma-Monaro*

County of Beresford, Parish of Billilingra, 415.74 hectares, being Lot 21, DP 1034930, Lots 23, 24 and 41, DP 750523. DECC FIL09/5583.

NATIONAL PARKS AND WILDLIFE ACT 1974

Notice of Reservation of a Nature Reserve

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, reserve the land described in the Schedule below, and assign to that land the name Burrell Yurrul Nature Reserve under the provisions of section 30A (1) and section 30A (2) of the National Parks and Wildlife Act 1974.

Signed and sealed at Sydney this 26th day of August 2009.

MARIE BASHIR,
Governor

By Her Excellency's Command,

CARMEL TEBBUTT, M.P.,
Minister for Climate Change and the Environment

GOD SAVE THE QUEEN!

SCHEDULE

*Land District – Warrialda;
LGA – Inverell*

County Arrawatta, Parishes Trigamon, 1341 hectares,
being Lot 2, DP 1088585. NPWS/03/00837.

POISONS AND THERAPEUTIC GOODS ACT 1966

Authorisation to supply restricted substances
(Schedule 4 substances) and substances in Schedule 2
and Schedule 3 of the Poisons List

IN accordance with clauses 170 and 171 of the Poisons and Therapeutic Goods Regulation 2008, I, BRUCE BATTYE, Acting Chief Pharmacist, a duly appointed delegate of the Director-General of the New South Wales Health Department, do hereby grant AUTHORITY to ambulance officers, hereby specified as a class of persons, to supply Schedule 2 substances, Schedule 3 substances, and restricted substances, in accordance with clauses 17 and 53 of that Regulation, and subject to the following conditions:

- (1) The ambulance officer is employed by the Ambulance Service of New South Wales; and
- (2) The ambulance officer is approved for the time being by the Ambulance Service of New South Wales to supply Schedule 2 substances, Schedule 3 substances or restricted substances; and
- (3) The storage of Schedule 2 substances, Schedule 3 substances, and restricted substances shall be in accordance with clause 29 of the Poisons and Therapeutic Goods Regulation 2008; and
- (4) The recording of the supply of Schedule 2 substances, Schedule 3 substances, and restricted substances shall be in accordance with clause 38 of the Poisons and Therapeutic Goods Regulation 2008; and
- (5) The labelling of Schedule 2 substances, Schedule 3 substances, and restricted substances supplied shall be in accordance with Appendix A of the Poisons and Therapeutic Goods Regulation 2008.

Signed at Sydney this thirty-first day of August 2009.

BRUCE BATTYE,
Acting Chief Pharmacist,
New South Wales Department of Health

PRACTICE NOTE DC (CIVIL) No. 1**CASE MANAGEMENT IN THE GENERAL LIST**

THIS practice note is issued under sections 56 and 57 of the Civil Procedure Act 2005 and is intended to facilitate the just, quick and cheap resolution of the real issues in all proceedings before the Court. It applies to all matters in the general list in the Sydney, Gosford and Newcastle registries commencing 7 September, 2009. This practice note supersedes and replaces the previous practice note referable to case management in the general list. As this practice note incorporates the provisions of Practice Notes DC (Civil) No. 3, No. 4, No. 9 and No. 13 those practice notes are hereby revoked.

1. TIME STANDARD

- 1.1 The Court aims to have cases completed within 12 months of commencement.
- 1.2 Parties should expect to be allocated a trial date within 12 months of the commencement of proceedings and plan to meet this time standard.

2. COMMENCING PROCEEDINGS

- 2.1 Plaintiffs must not commence proceedings until they are ready to comply with the requirements of the Uniform Civil Procedure Rules (UCPR) and the Court's practice notes for preparation and trial. This means that, except in special circumstances, the plaintiff's preparation for trial must be well advanced before filing the statement of claim.
- 2.2 In cases under the Motor Accidents Compensation Act 1999 or Part 2A of the Civil Liability Act 2002, the plaintiff should obtain evidence that the relevant impairment threshold for damages for non-economic loss has been reached before commencing proceedings.
- 2.3 Rules 15.12 and 15.13 provide that in personal injury cases and claims under the Compensation to Relatives Act 1897 the plaintiff must file and serve particulars and serve the supporting documentation on the defendant or the defendant's insurer or solicitor either with the statement of claim or as soon as practicable after the service of the statement of claim. In order to protect the plaintiff's privacy, the Court does not require the particulars to be served personally on the defendant.
- 2.4 If it has not already done so, the defendant must commence its preparation on receipt of the statement of claim. In a personal injury case, the defendant must start preparing for trial based on the matters alleged in the statement of claim and rule 15.12 or 15.13 particulars. The defendant's solicitor must arrange medical examinations on receipt of these documents.
- 2.5 Before commencing proceedings or filing a defence, legal practitioners must give their clients notice in writing about the requirements of this practice note and of the Court's insistence on compliance with its orders. That notice must state that the Court may dismiss actions or cross claims or strike out defences if orders are not complied with and that the Court may make costs

orders against parties who fail to comply with its orders.

- 2.6 This practice note does not apply to a statement of claim in which a liquidated amount is claimed until a defence is filed. When a defence is filed, the Court will list the case for a pre-trial conference.

3. PROPOSED CONSENT ORDERS

- 3.1 The plaintiff must serve proposed consent orders for the preparation of the case on the defendant with the statement of claim. The orders must be drafted specifically for each case. They must include all steps necessary to ensure that the case will be ready to be referred to mediation and/or arbitration or listed for trial at the status conference.
- 3.2 If the defendant does not agree with the proposed orders or wants to add additional steps, it must serve amended consent orders on the plaintiff's solicitor at least 7 days before the pre-trial conference.
- 3.3 The Court expects that, in most cases, the defendant will have requested particulars of the statement of claim, which the plaintiff will have supplied before the pre-trial conference. The defendant should also have filed and served a defence and any cross claims.
- 3.4 In a personal injury case, the Court expects that the plaintiff will have served complete rule 15.12 or 15.13 particulars and primary medical reports and have qualified the experts who will prepare reports, including any liability or economic loss expert. The Court expects that the defendant will have arranged medical examinations and issued subpoenas.

4. REPRESENTATION

- 4.1 The Court requires proper representation at all appearances. If a party is legally represented, a legal practitioner with adequate knowledge of the case must represent that party whenever the case is listed before the Court. That legal practitioner must have sufficient instructions to answer the Court's questions and to enable the Court to make all appropriate orders and directions.
- 4.2 Cases should not be mentioned by consent unless they are settled or ready for a hearing date.
- 4.3 It is generally inappropriate for parties to be represented by agents or clerks. If a party is represented by an agent, that agent should have adequate instructions to deal with any questions asked by the Court.
- 4.4 If there is no proper representation, the case will either be stood down or stood over to another day to allow proper representation. The adjournment will be at the cost of the party not properly represented and usually such costs will be payable by that party's legal representative.

5. PRE-TRIAL CONFERENCE

- 5.1 In all cases in the case managed list, (except defamation cases, child care appeals and Family Provision cases in Newcastle) the Court will

allocate a pre-trial conference date when the statement of claim is filed. The plaintiff must notify the defendant of the date and time of the pre-trial conference when the statement of claim is served.

- 5.2 The pre-trial conference will be held two months after commencement of proceedings.
- 5.3 No case may be entered into the Commercial, Construction or Professional Negligence lists before the pre-trial conference.
- 5.4 An application may be made at the pre-trial conference for a case to be placed in one of the specialist lists. Any application must be supported by an affidavit setting out the reasons for entering a case in the list. The Court will carefully consider each application, even if both parties consent.
- 5.5 Cases will generally not be put into specialist lists for case management unless they are of a significant value and/or complexity so as to require detailed management. Cases concerning a claim for less than \$150,000 and cases which do not require special case management will not usually be listed in the specialist lists. The majority of cases will be managed in the General List.
- 5.6 At the pre-trial conference, the Court will examine the orders proposed by the parties and make all appropriate directions and orders to ensure that the case is ready to be listed for hearing at the status conference. Disputes between the parties will be resolved or a hearing date fixed for a motion. The orders of the Court must be strictly complied with. Failure to comply with those orders will be treated seriously and may lead to costs orders.
- 5.7 The Court will give directions for the service of expert reports under rule 31.19 UCPR at the pre-trial conference. The parties must be able to tell the Court the precise nature of any expert evidence to be relied on and the names of all experts so that appropriate directions can be made. All reports must be served at least 28 days before the status conference.
- 5.8 In cases under the Motor Accidents Compensation Act 1999 or Part 2A of the Civil Liability Act 2002, the defendant should tell the plaintiff whether or not it agrees that the relevant threshold has been reached at or before the pre-trial conference. In a motor accident case, the proposed orders must provide for any referral to the Medical Assessment Service if the matter has not yet been referred.
- 5.9 In an appropriate case, the Court will allocate a trial or arbitration date at the pre-trial conference or refer the parties to mediation.

6. SUBPOENAS

- 6.1 Parties must issue subpoenas as early as possible so that documents can be produced and inspected and are available for the proper preparation of the case, including submission to experts.
- 6.2 A return date will be fixed at the pre-trial conference if the parties have not already issued subpoenas.

6.3 Parties should inspect all documents produced under subpoena and serve any documents on which they rely before the status conference. Parties must ensure that they follow up any non-production of documents and file any necessary notices of motion before the status conference.

7. MOTIONS and SUMMONSES

7.1 Interlocutory disputes between the parties should generally be resolved by filing a notice of motion. Parties must file any motions as soon as practicable. The parties should not wait until the next occasion when the case is before the Court to consider seeking orders or filing a motion.

7.2 A motion will be allocated a hearing date in the general motions list on the first available Friday and the parties should be ready to argue the motion on the first return date.

7.3 An Assistant Registrar will be available in court between 9.00 a.m. and 9.30 a.m. on Friday to deal with any consent orders and applications for adjournments of motions. At 9.30 a.m. the Assistant Registrar will call through the list and refer the notices of motion requiring hearing to the Judicial Registrar or Motions Judge.

7.4 The Judicial Registrar will allocate a hearing date to any notice of motion which the parties anticipate will require more than two hours hearing time.

7.5 Long motions will generally be case managed with the substantive case and will be allocated a hearing date as soon as they are ready for hearing.

7.6 All summonses (other than costs appeals or child care appeals) will be listed before the Judicial Registrar for case management.

7.7 Where there are more than two parties to the proceedings and the dispute to be resolved by way of notice of motion does not affect a party the appearance of that party may be mentioned by consent.

7.8 Counsel are not required to robe for the hearing of motions and summonses.

7.9 Affidavits in support of motions will be returned to the parties at the conclusion of the hearing of the motion.

8. STATUS CONFERENCE

8.1 All cases, except for those which for good reason cannot be heard within 12 months of commencement, will be required to take a hearing date within a period between 8 and 11 months from commencement.

8.2 Cases in the General List will be required to take a hearing date at the status conference even though there are still some matters to be completed before the hearing. Appropriate orders will be made.

8.3 Matters allocated a hearing date will generally be referred to mediation unless the parties can satisfy the Court that mediation is not appropriate.

8.4 When parties attend a status conference they must have instructions about mediation, details of the availability of their client, witnesses and counsel

together with an estimate of the length of the case to allow a hearing or arbitration date to be fixed.

8.5 Any cases, except those which have a genuine need for an additional time for preparation, will be subject to an enquiry as to why they have not been prepared for hearing, orders will be made for their further preparation and costs orders will be made. In cases not ready to proceed to a hearing, the party responsible may have to show cause why the case or cross claim should not be dismissed or the defence struck out.

8.6 Unless orders are made at the status conference, the Court will usually not allow parties to rely on medical reports and experts' reports served later than 28 days before the status conference. Reports which are not served in accordance with the Court's orders are usually inadmissible (see rule 31.28).

8.7 If a case requires a conference between expert witnesses or the parties seek that expert witnesses give evidence concurrently, the parties should seek directions from the Court at the status conference.

8.8 The Court will generally order that final particulars under rule 15.12 or 15.13 be filed and served before the status conference.

9. LONG TRIAL DATES

9.1 In cases estimated to take 5 days or more, the Court will allocate long trial dates at the status conference or any subsequent directions hearing.

9.2 Long cases will be referred to mediation unless the parties can satisfy the Court that the case is unsuitable for mediation. The parties must have instructions about mediation when they seek to have a long trial date allocated.

9.3 When a long case is fixed for trial, the Court will make every effort to ensure that it proceeds. For that reason, the Court will not adjourn long cases unless there are exceptional circumstances.

9.4 Cases with an estimated trial time of 2 weeks or more will be listed before the Court for case management directions. Each party should be represented on that date by counsel briefed on the trial or the solicitor with conduct of the case to enable all proper directions to be made.

10 ALTERNATE DISPUTE RESOLUTION

10.1 The Court will refer all appropriate cases for alternate dispute resolution under Part 4 of the Civil Procedure Act. The parties must have instructions about suitability for mediation, arbitration or other alternate dispute resolution when they ask for a hearing date. Parties should note that the Court's power to order mediation does not depend on the consent of the parties.

10.2 If a case has not been the subject of alternate dispute resolution, the Court may order that the parties arrange and hold a settlement conference before the hearing date. The parties and their legal representatives must attend that settlement conference. In the case of an insured party, an officer with authority to resolve the case must attend.

11. DIRECTIONS HEARINGS and SHOW CAUSE HEARINGS

- 11.1 At any stage, the Court may refer a case to a directions hearing before the Civil List Judge or the Judicial Registrar. If a case is not ready for hearing at the status conference it will be referred for directions. Any order to provide statements or file affidavits must be strictly complied with. Generally, the Court will not accept statements, affidavits or submissions which have not been provided in accordance with an order.
- 11.2 Cases in which parties have failed to comply with Court orders will be referred to the Civil List Judge at an early time.
- 11.3 Where there has been non-compliance with Court orders, the Court may list a case for
- the plaintiff to show cause why the case should not be dismissed for want of prosecution
 - the defendant to show cause why the defence should not be struck out and/or any cross claim dismissed for want of prosecution

The party ordered to show cause should expect to pay the costs of the show cause hearing.

- 11.4 At least 5 days before the show cause hearing, the legal practitioner for the party in default (or the party, if self-represented) must file and serve an affidavit setting out the reasons why he or she has not complied with the Court's orders and/or this practice note. In addition, any other party who wishes the Court to consider any submissions must put those submissions in writing, file and serve them at least 5 days before the show cause hearing.

12. ADJOURNMENTS

- 12.1 If a hearing date is in jeopardy as a result of non-compliance with orders or intervening events, either party must immediately approach the Court by filing an affidavit in the registry. The registry will allocate a directions hearing before the Civil List Judge. The affidavit and details of the listing date and time must be served on all other parties forthwith. If adjournment of the hearing date is later sought, the Court will take any failure to approach the Court under this clause into account when considering the adjournment application.
- 12.2 The Court will only grant adjournment applications where there are very good reasons. The failure to comply with orders will normally not be a reason for adjournment. Parties who breach orders may be restricted in the evidence which they can rely on at the hearing.
- 12.3 An application for adjournment of a trial or arbitration is made by notice of motion and supporting affidavit and must be made at the earliest possible opportunity.
- 12.4 Where appropriate, the Court will make costs orders in a fixed sum payable at a nominated time. The Court will, almost invariably, make an order for costs against a party whose legal representative has failed to ascertain the availability of the parties and their witnesses before taking a date

for trial or arbitration. The Court may call on legal practitioners to show cause why they should not pay the costs of an adjournment personally or reimburse their client for those costs.

13 SETTLED MATTERS

- 13.1 Practitioners are requested to advise the list office immediately on 9377 5833 when cases with hearing dates are settled.
- 13.2 Until terms of settlement, consent orders or a notice of discontinuance is filed, the parties must attend when the case is listed before the Court. Parties should aim to file settlement documents in court on that day. If settlement documents are not available when the case is listed for hearing, the case will be listed for directions.
- 13.3 Settlement documents must be filed promptly and, if they have not been filed, parties must attend on the directions date. The Court may dismiss cases for want of prosecution if settlement documents are not filed or if the parties do not appear.

Dated: 28 August 2009.

The Hon. Justice R. O. BLANCH A.M.
Chief Judge

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:

Monaro Team Incorporating:
Bombala Council
Cooma-Monaro Shire Council
Snowy River Shire Council

The Local Bush Fire Danger period has been extended for the period 14 September until 30 September 2009.

During this period permits pursuant to section 87 of the Rural Fires Act 1997, as amended, will be required for the lighting of fire for the purposes of land clearance or fire breaks.

ROB ROGERS, AFSM,
Assistant Commissioner,
Director Operational Services
Delegate



SAFE WORK ON ROOFS

PART 1: COMMERCIAL AND INDUSTRIAL BUILDINGS

CODE OF PRACTICE 2009

making a difference



New South Wales Government

Disclaimer

This publication may contain occupational health and safety and workers compensation information. It may include some of your obligations under the various legislations that WorkCover NSW administers. To ensure you comply with your legal obligations you must refer to the appropriate legislation.

Information on the latest laws can be checked by visiting the NSW legislation website (www.legislation.nsw.gov.au) or by contacting the free hotline service on 02 9321 3333.

This publication does not represent a comprehensive statement of the law as it applies to particular problems or to individuals or as a substitute for legal advice. You should seek independent legal advice if you need assistance on the application of the law to your situation.

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1. WHAT IS AN APPROVED INDUSTRY CODE OF PRACTICE?

An approved industry code of practice is a practical guide for employers and others who have duties under the *Occupational Health and Safety Act 2000* (OHS Act) and the *Occupational Health and Safety Regulation 2001* (OHS Regulation) with respect to occupational health, safety and welfare.

An industry code of practice may be approved by the Minister administering the OHS Act, having regard to any recommendation by WorkCover. An approved code of practice comes into force on the day specified in the code or, if no day is specified, on the day it is published in the NSW Government Gazette (Gazette). It may be amended (or revoked) by publication in the Gazette.

Although not mandatory, it is recommended that an approved industry code of practice should be adopted unless an alternative course of action that achieves the same or a better level of health, safety and welfare at work is being followed.

An approved industry code of practice is intended to be used in conjunction with the requirements of the OHS Act and the OHS Regulation but does not have the same legal force. It is advisory rather than mandatory. Its purpose is to provide guidance on occupational health and safety (OHS) obligations. However, in legal proceedings under the OHS Act or OHS Regulation, failure to observe a relevant approved industry code of practice is admissible as evidence concerning an offence under the OHS Act or OHS Regulation.

A WorkCover NSW inspector can draw attention to an approved industry code of practice in an improvement or prohibition notice as a way of indicating the measures that could be taken to remedy an alleged contravention or non-compliance with the OHS Act or OHS Regulation. Failure to comply with an improvement or prohibition notice without reasonable excuse is an offence.

In summary, an approved industry code of practice:

- gives practical guidance on how health, safety and welfare at work can be achieved
- should be adopted unless an alternative course of action that achieves the same or a better level of health, safety and welfare in the workplace is being followed
- can be referred to in support of the preventive enforcement provisions of the OHS Act or OHS Regulation
- can be used as evidence to support a prosecution for failing to comply with or contravening the OHS Act or OHS Regulation.

2. WHAT IS THIS CODE OF PRACTICE ABOUT?

This *Code of Practice for Safe Work on Roofs – Part 1: Commercial and Industrial Buildings* (the Code) provides clients, employers, self-employed persons, contractors, subcontractors and workers with practical advice on preventing injury to persons engaged in work on roofs. This edition of the Code replaces and revokes the version published in 1993. It has been updated to reflect changes in legislation and industry practice since that time.

The Code has been developed by an industry working party and has involved extensive consultation with construction industry stakeholders.

The scope of the Code:

- a. applies to the planning, preparation and conduct of work for the installation and maintenance of roofs, the maintenance of roof-mounted equipment and structures, the removal of roof coverings, and the movement of those working on roofs, on commercial and industrial buildings
- b. does not apply to work carried out by emergency service personnel – including the state emergency service, fire, police and ambulance personnel – as part of emergency procedures
- c. does not apply to work associated with the erection of the roof supporting structure.

This is an industry code of practice approved by the Minister under section 43 of the OHS Act on the recommendation of WorkCover NSW.

The Code takes effect on 1 October 2009.

The Code incorporates several Australian Standards, listed under 'further information' at the end of this document.

3. CONSULTATION AND RISK MANAGEMENT

The OHS Act and the OHS Regulation require employers to address workplace health and safety through a process of risk management and consultation. Self-employed persons must address workplace health and safety through a process of risk management and coordination – see 3.3 Coordination of responsibilities.

To effectively implement the Code, employers should be aware of these requirements and have procedures in place to comply with them.

Employers and self-employed persons are advised to refer to the OHS Act and the OHS Regulation, as well as the *Code of Practice for Occupational Health and Safety Consultation* and the *Code of Practice for Risk Assessment* for details of these requirements and how they can be met.

3.1 CONSULTATION AT THE WORKPLACE

Employers must consult with their workers when taking steps to assess and control workplace risks. They must set up consultation arrangements and develop consultation procedures.

3.1.1 Consultation arrangements

Section 16 of the OHS Act provides three alternatives for OHS consultation arrangements.

Arrangement	Number of workers	Circumstances
OHS committee	20 or more workers	<ul style="list-style-type: none"> if requested by a majority of workers, or if directed by WorkCover
OHS representative	any size	<ul style="list-style-type: none"> if at least one worker requests an election, or if directed by WorkCover
Other agreed arrangements	any size	<ul style="list-style-type: none"> if agreed to by both the employer and workers (in a small workplace it may be a regular safety meeting with workers)

Before using the code, an employer should ensure that consultation arrangements are in place. Clause 27 of the OHS Regulation outlines the obligations of the employer, including the requirement for them to record the decided consultation arrangements and to advise all existing and new workers.

3.1.2 When should consultation be undertaken?

Employers must consult their workers when decisions are being considered that may affect a worker's health, safety or welfare at work. This includes assessing, reviewing and monitoring risks to health and safety. This may be when:

- a. eliminating or controlling risks to health and safety
- b. planning for new premises, or modifying existing premises or plant
- c. purchasing new plant, equipment or substances
- d. planning, designing or changing work tasks or jobs
- e. determining or reviewing workplace amenities
- f. determining or reviewing consultation arrangements.

Other decisions that could also affect health and safety include:

- g. developing procedures for investigating incidents or accidents
- h. developing emergency procedures.

Any procedures that are developed to encompass these activities should incorporate consultation. It may not be practicable or reasonable to involve the OHS committee or the OHS representative in, for example, every purchase decision or task change, but they must be consulted on what process is used.

3.1.3 How should consultation be undertaken?

Employers must:

- a. share all relevant information with their workers – eg if an employer is going to change a work task, workers must be told of any risk to health and safety that may arise and what will be done to eliminate or control those risks
- b. give workers the opportunity to express their views and to contribute in a timely fashion to the resolution of OHS issues
- c. value the views of workers and take them into account when the decision is made to resolve the matter – in many cases, agreement will be reached on how the safety issues are to be addressed.

3.2 RISK MANAGEMENT

A hazard identification and risk assessment process must be carried out at the planning and preparation stage, in consultation with the persons doing the work, to determine what risks may arise when the work is being carried out. Safe systems of work must then be put in place to eliminate or control these risks.

3.2.1 Hierarchy of control measures

Clause 5 of the OHS Regulation prescribes a hierarchy of controls that must be used when eliminating or minimising a risk to health and safety in the workplace.

The hierarchy of controls involves:

- a. eliminating the risk – eg discontinue the activity, don't use the plant, fabricate the roof on the ground and lift into position with a crane

- b. minimising the risk by:
 - i. substituting the system of work or plant (with something safer)
 - ii. isolating the hazard – eg introduce and enforce a restricted work area
 - iii. introducing engineering controls – eg guardrails or scaffolding
 - iv. adopting administrative controls, such as safe work practices – eg hazard warning signs ('persons working above', 'nail gun in use') – and specific training and work instructions – eg for brittle or fragile roofs
 - v. using personal protective equipment (PPE) – eg fall arrest equipment, safety footwear, eye protection.

Eliminating the risk gives the best results and should be adopted where possible. When minimising the risk, the control measures in the hierarchy of controls apply in descending order. Usually, the measures higher up in the hierarchy are more effective and require less frequent reviews of the controls than those lower down. In some situations, a combination of control measures may be used, such as engineering means and PPE.

Risk control measures identified by contractors must be incorporated in the safe work method statement (SWMS) and supplied to the principal contractor, who must include them in the OHS management plan for the site.

3.2.2 Risk assessment and control measures

To determine what risks may arise when the work is being carried out, a hazard identification and risk assessment process must be carried out at the planning and preparation stage by the employer, self employed person or contractor. Safe systems of work must then be put in place to eliminate or control these risks – and these systems must be documented in the SWMS.

The process of risk management includes:

- a. identifying the hazards – eg access to heights above ground level
- b. assessing the risks from the hazards – eg serious injury or death
- c. using appropriate control measures to eliminate or control the risk
- d. reviewing control measures from time to time to ensure their continued effectiveness – including supervising workers to ensure that the control measures are used.

3.2.3 Monitor and review risk assessments and control measures

Clauses 12 and 37 of the OHS Regulation state that employers and controllers of premises must review a risk assessment and any measures adopted to control a risk, whenever:

- a. there is evidence that the risk assessment is no longer valid
- b. an injury or illness results from exposure to a hazard to which the risk assessment relates
- c. a significant change is planned to the place of work, work practices or work procedures to which the risk assessment relates.

3.2.4 Planning by the designer

Architectural and engineering designs of roofs, including the supporting structure and cladding, should take into account whether the work practices necessary to carry out the installation and maintenance of the roof can be carried out safely.

With due regard to the hierarchy of controls, the designer should consider:

- a. designing buildings that minimise work at heights, as far as practicable – eg pre-assembling sections on the ground and installing guard-railing systems or brackets
- b. the ease of installing fall prevention equipment, such as guardrails or guardrail attachments at the perimeter, where appropriate
- c. measures to prevent falls through the roof, such as safety mesh and pedestrian-grade roof cladding
- d. providing anchorage points for a fall arrest system, where required, for use during installation, subsequent work on the roof and maintenance – see 5.5 Fall arrest systems
- e. the strength of roof members and other elements of the building to which guardrails are attached, or which act as an anchorage point for a fall arrest system
- f. providing permanent safe access to the roof for future maintenance purposes
- g. providing safe access to all sides of the roof
- h. providing parapet walls as edge protection.

3.2.5 Planning by the principal contractor

Clause 210 of the OHS Regulation requires a principal contractor to be appointed:

- where the cost of the construction work is over \$250,000, or
- where the work involves high-risk construction work (including work at a height above three metres), or
- for demolition work or asbestos removal work, for which a licence is required under chapter 10 of the OHS Regulation.

For information on work on asbestos cement roofs and principal contractors, see chapter 8 of the OHS Regulation.

Note: In some instances, the roofing contractor may become a principal contractor.

Where the cost of construction work is over \$250,000, the principal contractor must prepare and implement an OHS management plan in accordance with clause 226 of the OHS Regulation.

If a principal contractor is not appointed and the cost of construction is over \$250,000 or it is high-risk construction work, the owner is taken to be the principal contractor. For demolition or asbestos removal work that requires a licence, the person carrying out the work is taken to be the principal contractor.

Before roof operations start, the principal contractor, in consultation with the contractors doing the work, must undertake an assessment of the risks involved in carrying out the work and:

- a. where practicable use building methods that reduce work at heights
- b. consider the type and placement of scaffolding required for access and falls prevention
- c. consider the most effective methods of controlling the risk of falls and injury, over the perimeter and through the roof
- d. ensure that the roof structure is complete and braced
- e. ensure that the strength of the roof members is adequate to support the system to be used for controlling the risks of a fall injury, including, where appropriate, a fall arrest system
- f. provide suitable and safe access to and from the construction site, including the working areas on the roof
- g. implement specific risk controls if slippery, brittle or fragile roofing materials are encountered, or the work involves the removal of asbestos cement – see 5.6 and 5.7
- h. place roofing materials in a position on the ground so that risks (including falling material) from moving and lifting to the roof are minimised
- i. plan for positioning of bundles of roof materials to avoid excessive point loading on the structure
- j. plan to prevent materials slipping or rolling off roofs
- k. provide a firm, level surface for mobile plant
- l. ensure that electrical safety and systems of work conform with WorkCover's *Code of Practice: Electrical Practices for Construction Work*
- m. observe the distances from overhead powerlines recommended in the *Code of Practice for Work Near Overhead Powerlines*
- n. identify the presence of any asbestos at the worksite or in the roof
- o. ensure that all workers have received appropriate training and instruction
- p. ensure that all contractors and subcontractors have been provided with the parts of the site safety management plan that are relevant to their work on the roof
- q. obtain SMWSs from the subcontractors, that adequately describe the work to be carried out.

3.2.6 Planning by contractors

In addition to coordinating with the principal contractor, all contractors doing work must:

- a. undertake an assessment of the risk involved in carrying out the work – see relevant hazards outlined in the OHS Regulation
- b. determine the most effective methods of controlling the risk of falls, falling objects and other incidents by taking into account the nature of the work being done, such as:
 - i. roof work – eg installing the cladding, roof mesh, slippery conditions
 - ii. accessory work – eg penetrations, roof capping, interior box gutters
 - iii. perimeter work – eg eaves, gutters, box gutters at permanent edge
 - iv. manual raising and lowering of materials, tools and equipment
- c. maintain suitable and safe access to and from the roof
- d. provide a written SWMS, describing how the work is to be done safely – it should take into account an assessment of the risks involved in carrying out the work

- e. plan to distribute materials and other equipment that is placed on the roof so that excessive point loading on the roof structure is avoided
- f. implement specific risk controls if brittle or fragile roofing material is encountered, or if the work involves removal of material containing asbestos
- g. install roof-edge protection, anchor points or other fall prevention measures resulting from (b)
- h. ensure that everyone carrying out or affected by the work is provided with appropriate PPE if required – see 3.3, Coordination of responsibilities. The use of PPE is the least preferred means of controlling risks – see 3.2.1, Hierarchy of control measures.

The contractor should also:

- i. place roofing materials in an appropriate position to assist in manual handling – see 5.8
- j. distribute roofing material and other equipment so that excessive point loading on the roof structure is avoided
- k. consider the experience and training of a worker when allocating tasks, so as to minimise risks
- l. as far as reasonably practicable, perform tasks at ground level – in order to reduce the risk to workers from falling and falling objects (eg tools)
- m. ensure that safety systems for electrical work conform with WorkCover's *Code of Practice for Electrical Practices for Construction Work* and, when work is near powerlines, with the *Code of Practice for Work Near Overhead Powerlines*
- n. develop a system, prior to installing the roof cladding, to ensure that safety mesh (when used) is inspected and certified by a competent person as being installed in accordance with the manufacturer's recommendations
- o. avoid storing old roofing material on the roof; instead, they should transfer it from point of removal to the ground
- p. prevent anyone from entering the area below the roof while any sort of roof work is being carried out, including the raising and lowering of material
- q. minimise skin exposure to sunlight
- r. control exposure to excessive electromagnetic radiation from devices such as antennas
- s. control exposure to harmful biological agents – eg bacteria in cooling towers.

3.2.7 OHS management plan

Before work commences, where the legislation requires the appointment of a principal contractor, the principal contractor must ensure that a site-specific OHS management plan has been prepared for each place of work at which construction work is to be carried out. The plan must be maintained and kept up-to-date during the course of the work. The principal contractor must provide subcontractors with a copy of relevant parts of the plan and should brief them on the contents of the plan and the risks to which they may be exposed.

The plan must include:

- a. the OHS responsibilities of specific people and/or positions
- b. the arrangements for OHS induction training as set out in part 8.2 of the OHS Regulation

- c. the arrangements for managing OHS incidents, including identity and contact details of the person responsible for managing OHS incidents
- d. site-safety rules and how they are communicated to any person on site
- e. SWMSs for relevant work activities.

3.2.8 Safe work method statement (SWMS)

The SWMS:

- a. describes how the work is to be carried out
- b. identifies the work activities assessed as having safety risks
- c. identifies the safety risks
- d. describes the control measures that will be applied to work activities
- e. is site-specific
- f. includes a description of the equipment used in the work, the standards or codes to be complied with, the qualifications of the personnel doing the work and the training required to do the work.

An SWMS should show the work method in a logical sequence. The hazards associated with each process should be identified, and the measures for controlling these hazards specified. Employees should be involved and consulted during the development and implementation of any SWMS. All persons involved in carrying out the work should understand the SWMS before commencing the work.

The SWMS may be used to nominate the competencies, the number of workers and the items of plant that are required to safely perform the work tasks, together with any permits and licences that are required under the OHS Regulation. It may also be useful to provide copies of relevant documents and training records with the SWMS.

3.2.9 Preparing for work to commence

Before work commences, all controls outlined in the OHS management plan, the SWMS and the risk assessments must be put in place and checks made that no new hazards have been created.

To control risks, preparing for the commencement of work should include checking or assessment of:

- a. fall prevention systems – eg scaffolding, guardrails, safety mesh, netting
- b. access to and from the workplace – eg whether persons can pass through the edge protection system without having to climb over rails
- c. the climatic and environmental conditions – eg moisture, lichen or dust on the roof, wind, weather forecast
- d. PPE
- e. induction training
- f. specific instructions for workers
- g. electrical practices – eg portable electrical tools and equipment
- h. emergency and rescue procedures – eg rescuing a worker from a fall arrest harness

- i. the identified dedicated areas for the operation of plant, such as cranes, elevating work platforms, elevators and personnel hoists
- j. the crane placement schedule.

Prior to commencing work on an existing roof, an inspection should be conducted by a competent person to determine:

- k. the presence and integrity of safety mesh
- l. the structural soundness of the roof and supporting structures
- m. the fragility of the roof and roof sheets
- n. the presence of asbestos
- o. the presence of sky lights.

To ensure the necessary control measures are being applied as the construction of the roof progresses, an ongoing review of the work should be carried out.

3.3 COORDINATION OF RESPONSIBILITIES

There may be a number of parties involved in a construction project, such as:

- a. the principal contractor
- b. controllers of premises, plant or substances
- c. designers
- d. employers (principal contractors or subcontractors) who employ persons at the site, including labour hire agencies providing persons to the site
- e. self-employed persons
- f. suppliers of plant, materials or prefabricated components
- g. manufacturers of plant.

Where more than one party has responsibilities at a specific workplace, clause 8 of the OHS Regulation provides that each party retains their legal responsibilities and discharge their responsibilities in a coordinated manner.

When coordinating responsibilities, all the parties in the workplace should be aware that:

- h. the person controlling the work has obligations, not only to their workers but also to contractors and their workers
- i. the level of responsibility for health and safety matters is related to the degree of control the person has over the work or premises, regardless of the number of contractors and subcontractors involved
- j. contractors should obtain information on the hazards presented by the roofs located on their premises, such as the presence of brittle roofing, skylights or asbestos – for information on work on asbestos cement roofs, see chapter 7
- k. if asbestos is present, the controller of the premises must update the register of asbestos – see chapter 7
- l. information about health and safety matters must be communicated to those who may be affected by these matters
- m. those affected should be consulted when deciding how to eliminate or control risks.

3.4 TRAINING AND SUPERVISION

The OHS Regulation places specific requirements upon employers and self-employed persons to help ensure the health and safety of all workers on construction sites, in particular those involved in high-risk construction work on roofs – see chapter 8, part 8.2 of the OHS Regulation.

All those involved in work on roofs must be trained to follow systems of work and work practices that enable them to perform their work in a manner that is safe and without risks to the health of themselves and others. Only those who have received appropriate training and instruction may carry out work on roofs.

To ensure that safe systems and work practices are being followed, workers and systems of work should be monitored, and, where necessary, refresher training should be provided. Training and instruction must include:

- a. work activities and site inductions
- b. measures contained in the SWMS, such as:
 - i. methods to load materials onto the roof, and to handle, position and fix materials
 - ii. control measures to prevent injuries or falls
 - iii. methods to gain access to the roof and all areas of the roof
 - iv. the use, care and storage (according to manufacturers' instructions) of PPE – including fall arrest systems – and tools and equipment
 - v. the use of plant and associated equipment, including electrical equipment and hazardous substances
- c. procedures in the event of an incident, injury or emergency.

Employers must ensure that workers are provided with such supervision as may be necessary to ensure the health and safety of the workers and anyone else at the employer's workplace. Supervision must be undertaken by a competent person and should take into account the competence, experience and age of each worker.

4. LEGISLATIVE REQUIREMENTS – PREVENTING FALLS FROM HEIGHTS

Clause 56(1)(a) of the OHS Regulation requires an employer or self-employed person to ensure that risks associated with falls from a height are controlled. They must provide and maintain:

- i. a stable and securely fenced work platform – eg scaffolding
- ii. if compliance with subparagraph (i) is not reasonably practicable, secure perimeter screens, fencing, handrails or other forms of physical barriers that are capable of preventing the fall of a person, or
- iii. if compliance with subparagraph (ii) is not reasonably practicable, other forms of physical restraints that are capable of arresting the fall of a person from a height of more than two metres.

These requirements constitute a ‘hierarchy of controls’. An employer or self-employed person must apply the first control measure or, if not reasonably practicable to use it, consider the next one – and so on – see clause 5 of the OHS Regulation, and 3.2.1 of this code.

The OHS Regulation does not specify a minimum height at which the control measures must be implemented – risks are associated with working from any elevated position. Where there is a risk of falling, control measures are required. However, if fencing, guardrails and the like are impracticable, a restraint or fall arrest system capable of arresting the fall must be used. In some cases, multiple control measures may be appropriate. If the controls highest in the hierarchy are considered impracticable, the reasons should be documented.

5. HAZARDS AND CONTROL MEASURES

5.1 ACCESS TO ROOFS

Safe access must be provided to all areas in a workplace, including access to different levels and to all parts of the roof. Before choosing a type of access, consideration should be given to:

- a. any tools and equipment that may be required while on the roof – and the risks of carrying them
- b. the frequency of access for routine maintenance
- c. the number of people required to access the roof
- d. the nature of the work.

Particular risk control measures are prescribed for brittle or fragile roofs – see 5.6.

Common types of access include:

- e. scaffolds
- f. personnel hoists
- g. permanent access, where feasible
- h. ladders
- i. mobile elevating work platforms.

Some limitations apply. If a ladder is used, it should:

- j. be manufactured for industrial use and comply with the relevant parts of AS 1892 *Portable ladders*
- k. have non-slip feet, and be secured at its top and bottom against movement
- l. be positioned on firm, level ground
- m. extend at least one metre above the landing place
- n. be at least three metres clear of powerlines (or any electrical conductors) if it is a metal or wire-reinforced ladder – otherwise use a non-conducting ladder
- o. not be placed so that it requires a person to climb over the top guardrail or mid-rail of any edge protection.

For further information on the safe use of ladders, see WorkCover's guide *Portable ladders, Working off stepladders* (a position paper) and AS 1892.5 *Portable ladders* Part 5 – *Selection, safe use and care*.

Elevating work platforms are not intended as a means of access but, in some instances, they may be the safest option to access a roof. If a person is required to leave the basket of an elevating work platform, they should conform with the procedure specified in AS 2550.10 *Cranes, hoists and winches* Part 10 – *Safe use – Mobile elevating work platforms*.

5.2 PROTECTION AT THE EDGE OF A ROOF

5.2.1 Use of scaffolding and guardrail systems

There are many types of purpose-designed roof-edge protection systems, including modified scaffolding. The design requirements for these systems, including the strength to withstand the impact of someone falling against them, are outlined in AS/NZS 4994.1 *Temporary edge protection, Part 1 – General requirements*. Roof-edge protection systems, including the use of scaffolding as roof-edge protection, should conform to the requirements of this standard.

AS/NZS 4994.2 *Temporary edge protection, Part 2 – Roof edge protection – Installation and dismantling* provides guidance on determining the appropriate type of roof-edge protection system and explains how to use it. These standards apply to roofs with a pitch not greater than 35 degrees and should be used at the planning stages to ensure that systems of work conform to the requirements.

To determine the best type of roof-edge protection, ensure that it is strong enough to withstand the force of someone falling on it. The force will depend upon the momentum of the falling person, which in turn depends upon:

- a. the type of roof surface – a person is likely to generate more momentum when falling down a slippery roof, eg when it is wet or ice is formed on the surface
- b. the pitch of the roof – the steeper the pitch, the more speed that is generated
- c. the length from the top ridge to the roof-edge protection – a person will generate more speed the further they fall.

Regardless of the pitch of the roof, guardrails (including those on scaffolding) must have a top rail, mid-rail and a toe-board (bottom rails may be used in place of toe-boards if risks of falling objects can be controlled using rails) – or a top rail and an infill panel that serves the function of a mid-rail and toe-board. When the pitch of the roof exceeds 26 degrees, infill panels should be used in addition to mid-rails and toe-boards, so that the forces imposed by a falling person is spread along the guardrail and an injury caused by the mid-rail or toe-board is minimised.

The top rail should be at least 900 mm above the point where a person could stand on the roof. For a slope greater than 10 degrees, this is measured at not less than 300 mm from the edge of the roof structure. Ensure this height is maintained when the guardrails are erected at the edge of a sloping roof.

When installing safety mesh or other material that spans the roof, a roof-edge protection system that incorporates a platform, including scaffolding, has the advantage of providing a firm surface from which to work.

5.2.2 Particular requirements for scaffolding

Clause 58(d) of the OHS Regulation requires that the erection and dismantling of scaffolds and temporary erected structures – intended or used to support sheetings, hoardings, guardrails, means of access or egress, or entertainment equipment – be carried out in accordance with AS/NZS 1576.1 1995 *Scaffolding Part 1 – General requirements*.

Scaffolding, when used to provide edge protection, should have working or access platforms brought as close as practicable to the underside of the roof, no lower than one metre beneath the edge of the roof. A suitable access platform bay or stairs should be provided between the roof edge and the platform.

A person who erects or alters a scaffold from which a person or object can fall four metres or more must hold a scaffolding certificate of competency. There are three certificate levels, dependent upon the complexity of the scaffolding required.

Figure 1 shows a scaffold that has been adapted as a form of roof-edge protection.

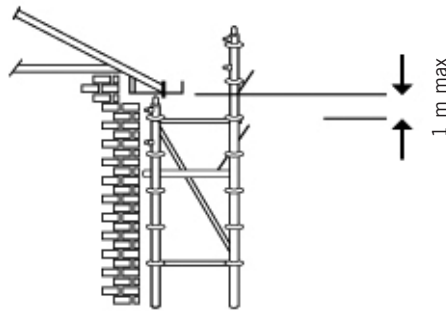


Figure 1: Scaffold as roof-edge protection (end guardrail omitted for clarity)

5.2.3 Guardrail systems

Before installing a guardrail system at the edge of a roof, ensure that it is suitable for that particular roof. Ensure that the supporting members can support the load of a person falling against the rails. The roof design engineer should be consulted for advice on the roof's compatibility with different guardrail systems.

Ensure that the system can be erected to follow the roof's profile, and will contain no gaps through which a person could fall. Buildings with unusual plan profiles or roof construction may pose additional hazards. If a system is not available to fully secure the edge, gaps between the roof and the guardrail system should be in-filled on-site.

Before commencing work on a roof, a guardrail system should be in place and it should not be removed until all work on the roof (or a section of the roof) is complete. If the guardrail is removed from a section of roof, access to that section should be prevented.

A method must be developed that allows the guardrail system to be safely installed and dismantled. If it does not involve scaffolds, a temporary work platform may be required, such as an elevating work platform.

Some guardrail systems use sacrificial brackets that are left connected when the roof is completed. A competent person should assess both the brackets and their fixings before they are to be used for subsequent work on the roof.

Guardrail systems should only be erected and dismantled by a competent person.

Figures 2 and 3 indicate the use of various types of roof-edge protection systems according to the pitch of the roof. More detailed examples are given in AS/NZS 4994.1.

Guardrails should be installed as close as practicable to the eaves, no more than 100 mm away from the edge. Provide means of preventing objects falling through the gap, if there is such a risk.

5.2.4 Roofs with a pitch between 26–35 degrees

Where the pitch of the roof is 26–35 degrees, a platform should be constructed to minimise the likelihood of a person falling onto the top rail, or over the guardrailing system – see figure 2. The platform should be no less than 450 mm wide (two scaffold planks), and should include guardrails and infill panels on its outside perimeter. The platform should not be used for any purpose that may lead to additional hazards – eg trips and slips, falls onto materials.

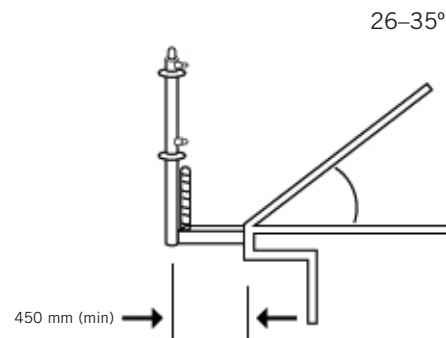


Figure 2: Roofs with pitch between 25 and 35 degrees require a two-plank platform guardrail system (end guardrail omitted for clarity)

5.2.5 Roofs with pitch greater than 35 degrees

Where the pitch of the roof exceeds 35 degrees, a risk assessment should be undertaken to determine the additional safeguards required. Consider wider platforms, higher guardrails, mesh infill panels, fall arrest systems, perimeter scaffolding (see figure 3), or use boom-type elevating work platforms (cherry pickers).

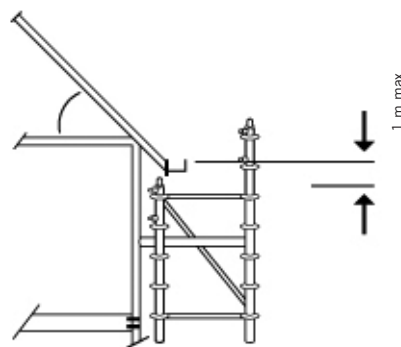


Figure 3: Scaffolding as edge protection for roofs greater than 35 degrees pitch (end guardrail omitted for clarity).

5.3 PROTECTION FROM FALLING THROUGH THE ROOF

Those working away from the roof's edge must also be safeguarded against the risks of falling through a partially complete or fragile roof, or through openings in the roof. Safety mesh is a commonly-used means of preventing falls through a roof.

5.3.1 Safety mesh

Safety mesh is often installed between the roof structure and the cladding, irrespective of the spacing of the purlins or rafters. It is used to protect those who install cladding at the leading edge of the roof and to protect those who undertake maintenance work on the roof.

Safety mesh is not designed as a working platform and should not be walked upon unless it is designed for that purpose.

a. Criteria

If safety mesh is used, ensure that it:

- i. conforms to AS/NZS 4389 *Safety mesh* – ie comprises 2 mm diameter wire of at least 450 mega Pascals tensile strength, welded into a mesh with longitudinal wire spacing of 150 mm and cross wire spacing of 300 mm
- ii. is appropriate for the roof – ie truss (lateral) and purlin (longitudinal) layout, pitch and span length
- iii. is installed safely and in accordance with the manufacturer's instructions (have this verified in writing by a competent person – this record should be kept, together with details of the mesh and an outline of the installation process – see appendix B)
- iv. has its integrity inspected by a competent person, prior to roof maintenance or removal.

The principal contractor should issue a copy of the safety mesh verification record to the owner of the building – see appendix B.

All those involved in the installation of safety mesh must be properly trained, competent to perform the task and provided with appropriate supervision to ensure they work safely.

b. Obligations related to information

There are a number of parties that hold obligations in relation to safety mesh and they include:

- i. safety mesh designers – should provide information on handling, storage, how to select for the intended purpose, how to use and limitations
- ii. manufacturers and suppliers – should ensure the mesh complies with AS/NZS 4389 and should ensure that all relevant information is included with the mesh (eg lapping adjoining lengths of mesh, minimum lap lengths, maximum span and the like) to confirm it is adequate for its intended purpose and to enable its correct installation
- iii. contractors – must ensure that all relevant information has been made available to workers.

c. Installing safety mesh

i. Set-up

- Use mesh complying with AS/NZS 4389.
- Ensure the longitudinal wires are parallel to the sheeting corrugations and in contact with the top of the immediate sheeting supports.
- Ensure the transverse wires (cross wires) are at right angles to the direction of the corrugations – transverse wires should be on top of the longitudinal wires.

- Cut a length of mesh from the roll and run out over the roof using a continuous mechanical or manual rope system.
- Work safely from a scaffold or an elevating work platform, positioned at each side of the roof – see figure 4.

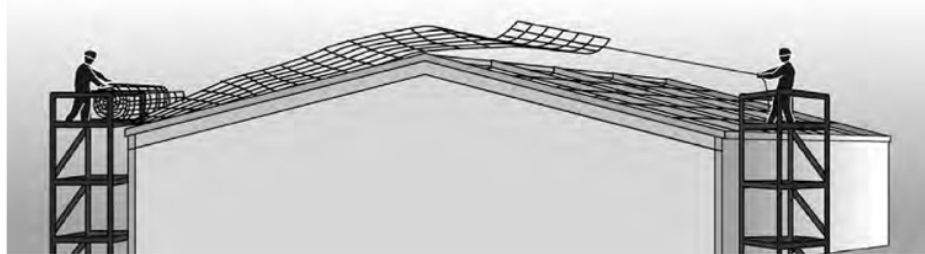


Figure 4: Installing mesh
(Image provided by WorkSafe Victoria)

ii. Fixing to end purlins

- Fix the mesh to metal purlins by passing each longitudinal wire through a hole drilled in the top of the purlin or wrap every longitudinal wire around the purlin – see figure 5. If practicable, drill holes in the purlins before installing them on the structure.
- Tie off each longitudinal wire at least four full turns around the same wire – see figure 5.
- If fixing to timber purlins, ensure that each longitudinal wire is firmly fixed using 40 mm x 3.5 mm or larger staples, or wrapping around as shown in figure 5.
- Wrap each tail wire at least four times around the same wire.

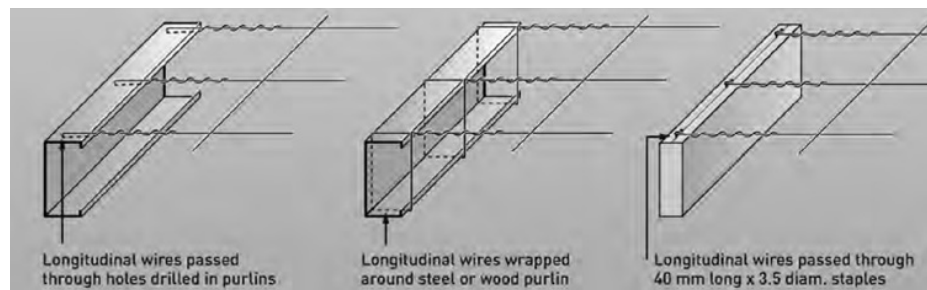


Figure 5
(Image provided by WorkSafe Victoria)

iii. Side laps

- Side-lap runs of mesh by at least 150 mm (one opening width).
- If the purlin spacing exceeds 1.7 m, side-laps of runs should be joined together using staples, ties or twitches, or as per the manufacturer's recommendations.
- Staple lap joints from underneath.

iv. End joints

- Order the mesh in long lengths so that longitudinal joints can be avoided.
- For longitudinal end joints, knot and tie using the full length of each tail wire – ie 300 mm long.
- To get a 300 mm tail wire, the longitudinal wire should be cut close to the joint.
- Tie the first tail wire at least three times around the knot.
- Place the other tail wire under the longitudinal wire and tie around the transverse wire at least three times.
- The joint should be the full width of the mesh, and every longitudinal wire should be joined (see figure 6).

Alternatively, instead of joining two ends of the mesh, secure the ends of the two parts of mesh to the purlins (see figure 5).

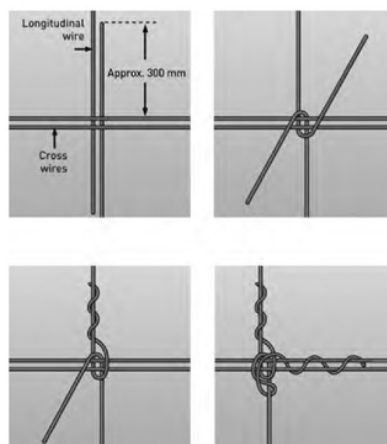


Figure 6
(Images provided by WorkSafe Victoria)

5.4 RESTRAINT SYSTEMS

A restraint system provides control of a person's movement, by connecting them to an anchor in such a way that it will physically prevent the person from reaching a position at which there is a risk of a fall, eg over an edge or through a surface. If there are adjustable components, the system should prevent access to a fall location regardless of any adjustment.

The system should have sufficient controls to maintain its effectiveness as a restraint, eg preventing the users from introducing longer lanyards that would enable them to reach a position of risk.

Note: Restraint systems are not necessarily designed for the impact loads applied in fall arrest. If there is a risk of a person falling, a fall arrest system should be used (this can include a hybrid restraint/fall arrest system, appropriately configured).

5.5 FALL ARREST SYSTEMS

Clause 56(2) of the OHS Regulation

If a fall arrest device is provided for use by persons at work, the employer must ensure that:

- a. all anchorage points for the device are inspected by a competent person before their first use and then on a regular basis so they are capable of supporting the design loads, and
- b. if the load-bearing capacity of an anchorage point is impaired, the anchorage is immediately made inoperable so as to prevent its use, and
- c. any harness, safety line or other component of the device that shows wear or weakness to the extent it may cause the device to fail is not used, and
- d. all persons using the device have received training in the selection, assembly and use of the system, and
- e. adequate provision is made for the rescue of a person whose fall is arrested by a fall arrest device.

A fall arrest system is designed to arrest a person's fall and minimise injuries. It provides a lesser level of risk control than preventing the fall in the first place. A fall arrest system should only be used when it is not practicable to control the risk with a higher-level control measure, such as scaffolding or edge protection. However, a fall arrest system is often used in conjunction with higher-level control measures, such as elevating work platforms.

The user of a fall arrest system should be competent in its set-up and use, and should inspect it for wear and damage before and after use, storage and transport. They should ensure that it is effective, creates no new hazards (such as trip hazards) and allows movement so that the task can be performed safely.

Components of an industrial fall arrest system should be used in accordance with the manufacturer's instructions and should conform to the relevant parts of AS/NZS 1891. Parts 1 to 3 of this standard provide design, testing and marking requirements, and part 4 provides information on selection, use and maintenance. Employers should request confirmation from the supplier that the equipment complies with the relevant parts of the standard and ensure that the manufacturer's instructions are provided. The manufacturer's instructions are not a substitute for training and instruction.

The various components of a fall arrest system should be compatible. The anchorage points should also be compatible with the host structure. All connections should fit together so as to avoid excessive wear, jamming, failure of the locking mechanism or loading of the latch gate (this is especially relevant when components from different manufacturers are used).

5.5.1 Anchorage points

Anchorage points, and the connections and structures to which they are connected, should be designed and selected to resist maximum likely force. AS/NZS 1891.4 *Industrial fall arrest systems* Part 4 – *Selection, use and maintenance* specifies that the ultimate capacity of a single fall arrest anchorage point for one person is 15 kN (or approximately 1500 kg) – equivalent to the weight of a family sedan. AS/NZS 1891.4 specifies capacity requirements for other situations, apart from proprietary static lines (ie horizontal lifelines), whose anchorage loads are provided by the supplier as they can depend on the system design.

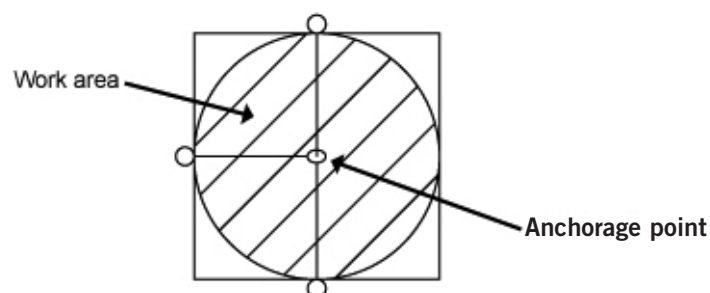
Anchorage points should be inspected in accordance with AS/NZS 1891.4, either on a scheduled basis or prior to use (if used infrequently).

Roof trusses can only be used as an anchorage point if they are capable of supporting anchors. Roof trusses with temporary bracing should not be used as anchorage points.

5.5.2 Configuration

- a. Where practicable, a fall arrest system should be used in restraint mode to prevent a worker moving to unsafe areas on the roof. Figure 7 indicates a single anchor and fixed-length lanyard used in restraint mode, which prevents the user falling off the edge, only allowing them to reach the edge at four isolated points.
- b. If the work is to be performed at the edge of the roof, the fall arrest system should be configured so as to reduce the potential fall distance (generally, the greater the fall, the greater the potential for injury). A fall arrest system with a harness must be configured so that it begins to arrest the fall before the worker has fallen more than two metres.
- c. Although the fall arrest must begin within two metres, the worker continues to fall, so there must be sufficient clearance to arrest the fall before the worker hits the ground. AS/NZS 1891.4 provides guidance on calculating the appropriate clearance distances.
- d. If a line and rope-grab fall arrester device is used, it is manually operated from the front. A harness with a front-fall arrest connection point should be considered.
- e. There should be minimum slack in the lanyard or safety line between the person and anchorage attachment.
- f. Energy absorbers should be used as part of the lanyard to reduce shocks to the body and anchorage point, unless the system configuration ensures the load will not exceed 6 kN (approximately 600 kg).
- g. The lines of inertia reels should be maintained without slack during use. Attachment of lanyards should be avoided as they may introduce slack.
- h. The fall arrest system should be selected by a competent person and all users should be adequately trained in its safe use.
- i. Those using a fall arrest system must be attached to the system at all times. If transferring from one anchorage to another, a second lanyard attached to the harness should be used. Connect the second lanyard to the next anchorage before disconnecting the first.
- j. Snap-hooks should not be connected to each other.
- k. For multiple users, the system should be configured and used to avoid crossed or tangled lanyards and lines.

Figure 7



5.5.3 Inertia reel systems

- a. Inertia reels are not designed for continuous support but become effective in the event of a fall. They should not be used as working supports by locking the system and allowing it to support the user during normal work. For some applications, such as stopping someone sliding down the inclined surface of a pitched roof, inertia reels may be less effective and so manufacturers should be consulted when selecting inertia reels.
- b. Most inertia reels are designed to operate with the extended line close to vertical – ie anchored almost directly above the user.
- c. Where the manufacturer permits the use of the inertia reel in a horizontal position, the configuration should not allow for the webbing or rope line from the inertia reel to travel over sharp edges in the event of a fall.

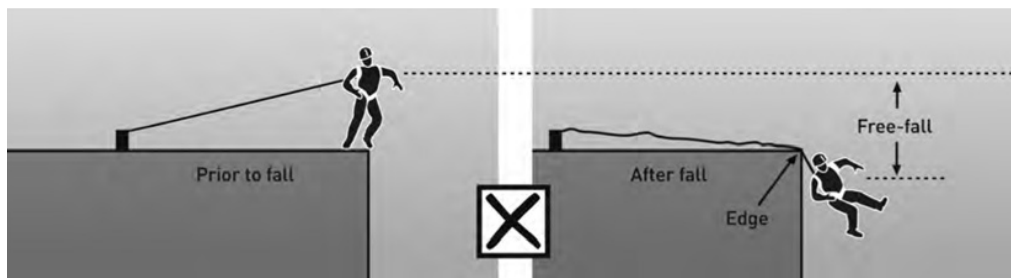


Figure 8
(Images provided by WorkSafe Victoria)

5.5.4 Horizontal lifelines

- a. Horizontal lifelines (known as static lines or safety lines) should conform to AS/NZS 1891.2 *Industrial fall arrest systems and devices Part 2 – Horizontal lifeline and rail systems*.
- b. The installation of horizontal lifelines should be carried out by a person holding a certificate of competency as a rigger or scaffolder, who is competent in installing lifelines, in accordance with the manufacturer's or designer's specifications.
- c. The horizontal lifeline should be anchored above the harness connection points on those connected to it. Working above the lifeline will allow someone to fall more than two metres before fall arrest commences.

5.5.5 Pendulum effect

The 'pendulum effect' is a potential hazard when using a fall arrest system, especially when using an inertia reel, long lanyard or anchorage line with a rope-grab fall arrester. The pendulum effect can occur – both for falls off the roof and through the roof – if the inertia reel allows for too much unsupported line to be connected to the user. The two types of pendulum effect are swing down and swing back.

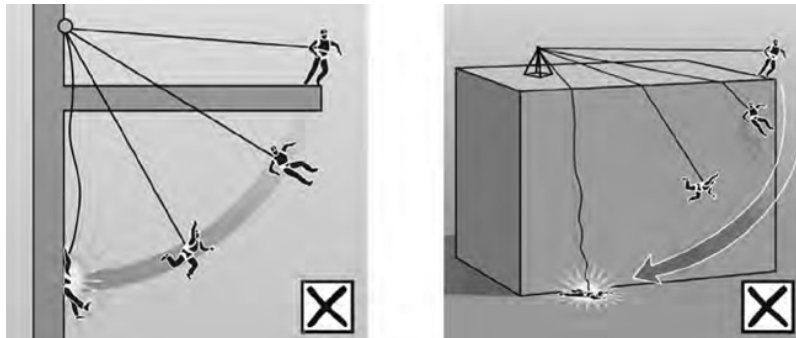


Figure 9
(Images provided by WorkSafe Victoria)

Swing down

Swing down can occur if an inertia reel, lanyard or anchorage line is extended so that the line is not approximately perpendicular to the roof's edge – see figure 9. In this situation, the forces generated in an arrested fall over the edge will cause the line to rotate or slide back along the roof perimeter, until it reaches a position in line with the anchorage point and at right angles to the roof's edge.

As the line moves back, the section overhanging the roof lengthens, dropping the worker further than the original (arrested) fall distance. If the length of the unsupported line is equal to the height of the building, the worker will hit the ground. Even if the worker can't hit the ground, the pendulum increases the fall distance and enhances the likelihood of hitting another object – and increases the potential for the line to be damaged as it rotates and slides along the edge of the roof.

To eliminate the swing down effect:

- a. use a secondary anchorage point and lanyard (or line)
- b. place the anchorage point approximately perpendicular to the roof's edge at the work location – a mobile anchorage on a horizontal lifeline or rail system achieves this for a wider range of work locations.

Swing back

Swing back can occur when a person is anchored to one side of a void but is working on the other side of it. If the person falls into the void, they may then swing back into the building. This effectively increases the fall distance and can lead to the person hitting the building. Use anchorage configurations to avoid these situations.

5.5.6 Monitoring those using a fall arrest system

Those using fall arrest systems should be constantly monitored and, should they fall, immediate action should be taken to rescue them.

5.5.7 Rescue

Adequate provision should be made for the rescue of someone who falls while using a fall arrest system.

5.5.8 Suspension trauma

When a person is suspended motionless in a harness, blood begins to pool in the limbs – and suspension trauma occurs. It is like standing to attention for a long period of time – fainting may result. If someone faints while suspended in a harness, their condition will deteriorate and death may result. Depending on the circumstances and the condition of the person at the time of the incident, trauma can arise within minutes.

Suspension trauma is unrelated to a person's fitness level.

The easiest way to prevent or delay the onset of suspension trauma is to have the suspended person's knees lifted so they are in a sitting position. This can be achieved using a webbing strap as a seat under the thighs or by placing the feet in an appropriate length sling.

5.6 BRITTLE OR FRAGILE ROOFS AND ROOF OPENINGS

Before carrying out any work on roofs, a risk assessment should be carried out to identify safe access and whether there are any brittle or fragile roofs, skylights or roof openings within the work area. Hazardous areas should be clearly marked as 'no go' zones during set up. Persons working on-site should be informed of the existence of such areas and how to identify them in case any were overlooked – eg by inclusion in the site induction, in toolbox talks, and in the SWMS.

Where openings or other 'no-go' zones have been identified, measures must be taken to prevent persons walking in to them – eg by barricading or using a restraint system. When workers need to be near these features and it is impracticable to physically prevent access to them, a fall arrest system incorporating a safety harness and effective anchorage point should be used.

If a roof, or part of a roof, is fragile or brittle, clause 39(b) of the OHS Regulation requires the owner or controller of the building to provide warning signs that contain the words DANGER – BRITTLE ROOF and are affixed to each individual slope, curve or section of the roof, and to all other places from which access to the roof may be obtained. Clause 3a(c) requires that walkways be provided and maintained.

Clause 60 of the OHS Regulation also requires the employer or self-employed person to provide permanent walkways or, if this is not practicable, adequately secured temporary walkways or other means to prevent falls, such as:

- a. scaffolding and fall arrest systems, including anchorages for everyone working on the roof
- b. temporary roof ladders for anyone working on a sloped part of the roof.

5.7 ASBESTOS CEMENT ROOFS

Asbestos is a hazardous substance made from naturally occurring fibrous silicate minerals found in some rock formations.

The disturbance of asbestos products may cause fine asbestos fibres to become airborne, presenting a health risk. When airborne, the fibres can be inhaled and can penetrate the deepest part of the lungs, causing lung cancer, mesothelioma or asbestosis.

Many buildings built before 1986 contain asbestos. The most common areas where asbestos is found include flat (fibro) lagging and pipe insulation, asbestos insulation, corrugated or compressed asbestos-cement (A-C) sheeting, guttering and down pipes.

5.7.1 Identifying materials containing asbestos

It is a legal requirement to identify all materials within a workplace that contain asbestos. These materials must be recorded in an asbestos register, which forms part of an overall asbestos management plan.

Prior to commencing any work on roofs, the asbestos register should be reviewed as part of the risk assessment process.

However, it is not satisfactory to rely solely on the asbestos register when conducting a risk assessment.

A visual inspection of the work area and the identification of all hazards should be conducted as part of the risk assessment process. If it is suspected that some materials contain asbestos, they should be tested to confirm whether or not asbestos is present.

5.7.2 Performing asbestos work

Asbestos work means work where exposure to airborne asbestos fibres may occur. It includes any work that involves repairing, removing or disturbing asbestos or material containing asbestos – eg repair work on an asbestos roof.

All asbestos work must have a documented risk assessment. The risk assessment and the work performed must be conducted in accordance with the following codes of practice:

- *Code of Practice for the Management and Control of Asbestos in the Workplace* [NOHSC:2018 (2005)]
- *Code of Practice for the Safe Removal of Asbestos, 2nd Edition* [NOHSC: 2002 (2005)].

These codes are referred to in the OHS Regulation.

The *Code of Practice for the Management and Control of Asbestos in the Workplace* sets out the steps to be taken to eliminate, or otherwise minimise, the risks of exposure to airborne asbestos fibres, including the identification of materials containing asbestos, risk assessments and the implementation of control measures.

The *Code of Practice for the Safe Removal of Asbestos* sets out the requirements for the safe removal from workplaces of materials containing asbestos.

These documents can be found on the Safe Work Australia (SWA) website, www.safeworkaustralia.gov.au

5.7.3 Asbestos licensing system

Without a licence from WorkCover, it is illegal to work with bonded asbestos that is above a certain threshold limit. The threshold limits are outlined on www.workcover.nsw.gov.au

Working with bonded materials containing asbestos above the legislated threshold limit requires a person to be licensed. WorkCover's licensing system is implemented to protect asbestos removal workers, building occupants and the public by ensuring that contractors have the appropriate skills, training and experience in asbestos removal work to prevent occupational and environmental contamination.

Where bonded asbestos work above the threshold limit is undertaken, WorkCover must be notified. This notification system allows WorkCover to monitor asbestos removal projects on a job-by-job basis, ensuring compliance with legislation and nationally-agreed work methods.

There are two types of licences for asbestos work:

- a. bonded asbestos licence
- b. friable asbestos licence.

Bonded asbestos is any asbestos containing material in a bonded matrix. It may consist of Portland cement or various resins or binders, and it cannot be crushed by hand when dry. If fire, hail or water-blasting damages bonded asbestos, or the material is showing signs of wear from water and age, it may become friable asbestos material.

Note: Water blasting of the surface of asbestos or material containing asbestos is illegal – see clause 259(6) of the OHS Regulation.

Friable asbestos is any asbestos containing material in a powder form, or material that can be crushed by hand when dry.

The removal of friable asbestos must only be undertaken by a WorkCover-licensed friable asbestos removalist. The removalist must also obtain a site-specific permit from WorkCover to carry out this type of work.

A person licensed for friable asbestos removal work does not need an additional licence for bonded asbestos removal work.

Further information about obtaining a licence for asbestos work can be found on www.workcover.nsw.gov.au

5.8 MANUAL HANDLING

5.8.1 Risk assessment

Manual handling tasks include a wide range of activities that require a person to use their body to perform work. These include work that involves the use of force for lifting, lowering, pushing, pulling, carrying, moving, holding or restraining any person, animal or item. Manual handling at work can involve repetitive actions, sustained postures and exposure to vibration.

Most jobs involve some aspect of manual handling. Not all manual handling tasks are hazardous. However, almost half of all workplace injuries occur as a result of manual handling.

The OHS Regulation requires employers to design all objects, work practices and work environments so that manual handling risks are eliminated or controlled, as far as reasonably practicable.

An employer must assess the risks involved in carrying out manual handling tasks and then implement appropriate control measures. This must be done in consultation with those workers who are required to carry out the manual handling tasks, and the risks and the control measures should be included in the SWMS.

Risk assessment for manual handling tasks must take into consideration the following factors (if relevant):

- a. actions and movements, including repetitive actions and movements
- b. workplace and workstation layout
- c. working posture, position and balancing items
- d. duration and frequency of manual handling
- e. location of loads and distances moved
- f. weights and forces
- g. characteristics of loads and equipment
- h. work organisation
- i. work environment
- j. skills and experience
- k. age
- l. clothing
- m. special needs (temporary or permanent)
- n. any other factors considered relevant by the employer, the workers or their representatives on health and safety issues.

5.8.2 Controlling risks

Where the nature of manual handling tasks is constantly changing, the risk assessment and control process, and training, should be conducted on an ongoing basis. Guidance on identifying, assessing and controlling manual handling risks can be found in the *National Code of Practice for the Prevention of Musculoskeletal Disorders from Performing Manual Tasks at Work* (August 2007).

If it is not reasonably practicable to eliminate the risk arising from manual handling, an employer must design the work activity to control the risk and, where necessary, they must:

- a. modify the design of the objects to be handled or the work environment (to the extent that it is under the employer's control), taking into account work design and work practices
- b. provide mechanical aids or make arrangements for team lifting, or both – as far as reasonably practicable, an employer must achieve risk control by means other than team lifting
- c. ensure that the persons carrying out the activity are trained in manual handling techniques, correct use of mechanical aids and team lifting procedures, appropriate to the activity.

Examples of possible controls include:

- using pallets and bulk-handling systems
- purchasing materials in lighter containers
- minimising double-handling by better placement of materials
- using waist-height storage areas
- using work platforms that minimise extensive reaching
- introducing modifications that reduce lifting, twisting, slips and trips
- rotating tasks to avoid prolonged repetition of manual handling tasks.

5.8.3 Mechanical lifting equipment

Where appropriate, mechanical lifting equipment – eg cranes, elevating work platforms, tile elevators and builders' hoists – should be provided in order to minimise the risk of manual handling injuries.

If tile elevators or builders' hoists are used, consider the risk of:

- a. manual handling injuries during installation and removal of cladding
- b. injuries from unguarded drive mechanisms or nip points on elevator belts
- c. injuries from falling objects or from moving machine parts – barricades to prevent access should be used.

When using, installing or removing mechanical lifting equipment, effective roof-edge protection should be maintained. If parts of the edge protection are removed, alternative protection measures should be provided and the removed components should be replaced as soon as the equipment is installed or no longer required.

An appropriate certificate of competency is often required by anyone operating plant, such as builders' hoists and elevated work platforms.

5.9 FALLING OBJECTS

Clause 57 of the OHS Regulation requires employers to ensure that risks associated with falling objects are controlled by the use of:

- a. a safe means of raising and lowering plant, materials and debris in the workplace
- b. a secure physical barrier to prevent objects falling freely from buildings or structures in, or in the vicinity of, the workplace
- c. measures to arrest the fall of objects, if it is not possible to provide a secure physical barrier
- d. appropriate PPE.

Measures to prevent falling objects should be implemented when:

- e. apertures in the safety mesh allow material to fall through
- f. there is a gap between the top of the roof cladding and the bottom of a toe-board or infill panel – eg to slide roof cladding onto the roof
- g. working from elevated structures, such as working platforms, formwork, ladders or scaffolding.

Controls that can reduce the risk of objects falling from heights include:

- h. modifying the design – eg toe-boards, chutes, splash plates
- i. prohibiting work above other workers
- j. installing screens, overhead protection, protected walkways
- k. isolating danger areas as 'no-go' zones
- l. housekeeping floors and access ways, cleaning spillage, using lanyards on tools
- m. providing appropriate training.

5.10 ELECTRICAL SAFETY

5.10.1 Work in close proximity to overhead powerlines

The OHS Regulation outlines specific safety measures that must be complied with when carrying out work in close proximity to overhead powerlines, including a written risk assessment and a safe system of work.

All work near overhead powerlines should conform to the recommendations and guidance provided in the *Code of Practice for Work Near Overhead Powerlines*.

Overhead powerlines located near the worksite are a potential hazard to those working on roofs. Where low voltage (below 1000 volts ac or 1500 volts dc) powerlines are in close proximity, the following approach distances should be observed:

- a. four metres where any conductive metal material or scaffolding is being handled
- b. 1.5 metres where only non-conductive material, such as dry timber battens, is being handled.

5.10.2 Hazard identification

Before undertaking any work that might come closer than the approach distances in 5.10.1, an inspection must be carried out at the worksite and reasonable care taken to identify any potential hazards. Hazards may include:

- a. live overhead powerlines, including low voltage overhead service lines and aerial consumers' mains
- b. deteriorated or broken insulation on the conductors or electrical apparatus
- c. scaffolding coming into contact with overhead powerlines
- d. the possibility of hand-held tools, equipment or roofing materials coming into contact with overhead powerlines
- e. the possibility of cranes, crane ropes or suspended loads coming into contact with overhead powerlines – eg while lifting roofing material.

5.10.3 Risk assessment

If a hazard involving overhead powerlines has been identified, a written risk assessment must be undertaken by the employer to determine the risk to those encroaching within the approach distances in 5.10.1. This will help to determine the level of risk associated with the identified hazards and establish a priority list based on the level of risk.

The following factors may be included in the risk assessment:

- a. the type of work activities being undertaken, and the tools, equipment, scaffolding and roofing materials being used
- b. the proximity of the work activity or scaffolding to the overhead powerlines
- c. environmental conditions, such as wind, which may bring a risk of unexpected movement of the roofing material, tools, equipment or scaffolding.

5.10.4 Eliminating or controlling risks

Once the hazards associated with working on roofs near overhead powerlines have been identified and assessed, control measures must be implemented to eliminate the risk. If it is not practicable to do so, the risks must be controlled.

The use of specific control measures to eliminate or control identified risks should be done on the basis of the risk assessment. In particular, consider:

- a. eliminating the hazard – this could involve de-energising the overhead powerlines during the work, following consultation and agreement with the electricity network operator. Consideration may also be given to re-routing the overhead powerlines from the roofing work, or replacing existing overhead powerlines with underground cables
- b. separating the hazard – this could involve erecting a physical barrier on the roof to prevent someone (or something) encroaching within the approach distances in 5.10.1
- c. minimising the risk by engineering means – this could involve substituting the scaffold with another means of access and egress, such as an elevated work platform
- d. introducing administrative controls – this could involve planning and, where relevant, documenting the SWMS before starting work, using a safety observer to warn people before they encroach within the approach distances of 5.10.1 or making the hazard visible by arranging for the electricity network operator to identify exposed live low voltage conductors (up to and including 1000 volts ac) by using approved visual indicators, such as ‘tiger tails’ (tiger tails should not be regarded as providing protection from electrical hazards)
- e. using appropriate PPE.

If no single measure is sufficient, a combination of the above control measures is required so as to minimise the risk to the lowest level reasonably practicable.

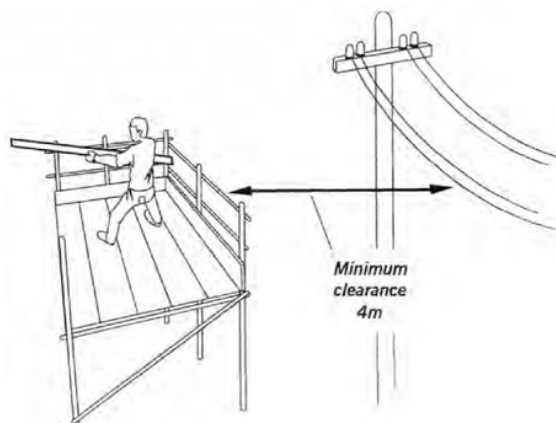


Figure 10: A four-metre distance applies in any direction where metallic scaffolding is erected, used or dismantled near overhead powerlines (end protection omitted for clarity). Consideration must also be given to the sag and swing of the conductors.

5.10.5 Electrical practices for roofing work

Employers should ensure that temporary construction wiring, switchboards and portable electrical equipment used in roofing work complies with the *Code of Practice for Electrical Practices for Construction Work*. This code outlines specific safety measures that should be followed when carrying out construction work, including:

- a. ensuring that temporary construction site switchboards are of a robust design, mounted securely and constructed from materials able to withstand mechanical damage
- b. protecting all temporary construction wiring and portable electrical equipment by 30 mA residual current devices (RCDs)
- c. ensuring portable electrical equipment, extension leads and portable power tools are maintained in good condition and regularly inspected, tested and tagged.
- d. ensuring extension leads – where linked together, used outdoors or on metal roofs – are protected, by design or enclosure, against separation of the plug and socket, or the ingress of water

Maximum length of single phase cord extension set		
Current rating (A)	Conductor size (mm ²)	Maximum length (metres)
10	1.0	25
	1.5	35
15/16	1.5	25
	2.5	40
20	2.5	30
	4.0	50

Note: lengths quoted for flexible cords are taken from AS/NZS 3199 and are based on a voltage drop of 5% of 230V at rated current for the conductor size.

For further information, see the *Code of Practice for Electrical Practices for Construction Work*.

5.11 PERSONAL PROTECTIVE EQUIPMENT

Note: Fall arrest systems are covered under 5.5.

The use of PPE to control risks is lowest on the hierarchy of control measures – see 3.2.1. The measures at the lower levels of the hierarchy are less effective and require more frequent reviews of the hazards and systems of work. They should only be used when other control measures are impracticable, or where a residual risk exists after implementing other controls.

5.11.1 Provision of PPE

Clause 15 of the OHS Regulation requires PPE to be provided to workers

The employer (or self-employed person) must provide each person at risk with PPE and ensure that:

- a. the equipment provided is appropriate for the person and controls the risk for that person
- b. the person is informed of any limitations of the equipment
- c. the person is provided with the instruction and training necessary to ensure that the equipment controls the risk for the person
- d. the equipment is properly maintained, and is repaired or replaced as frequently as is necessary, to control the risk for the person
- e. the equipment is provided in a clean and hygienic condition to the person
- f. the equipment is stored in a place provided by the employer for that purpose
- g. areas in places of work where PPE must be used are clearly identified.

5.11.2 PPE selection and suitability

Where PPE is to be used, it should be appropriate for the risk and should conform to the relevant Australian Standard. PPE should be selected by a competent person and inspected and maintained according to the manufacturer's recommendations. There should be sufficient supervision and monitoring conducted to ensure PPE is used and that workers are competent in its use.

PPE that may be required for roof work includes:

- a. fall arrest equipment – fall arrest harnesses, lanyard assemblies and associated equipment should be comfortable, protect the wearer, allow freedom of movement, and permit access to all areas where work is required
- b. footwear – rubber-soled shoes with herringbone, non-slip tread are recommended for work on roofs; footwear should have good grip, be flexible, and allow the wearer to 'feel' the roof. This footwear may not be suitable for use in other work areas
- c. eye protection – dust, flying objects and sunlight are the most common sources of eye damage in construction work. When someone is carrying out welding, cutting, grinding or chipping of concrete or metal, they should be provided with eye protection that conforms to AS/NZS 1337 *Eye protectors for industrial applications*. Eye protection should also be provided when carrying out other work, such as carpentry or handling chemicals, where there is a risk of eye injury. Selection, use and management systems should conform to AS/NZS 1336 *Recommended practices for occupational eye protection*
- d. protection from sun – use a sunscreen with an SPF (sun protection factor) rating of at least 30+, and wear a hat, long-sleeve shirt and trousers. Ensure exposed parts of the body are adequately covered with sunscreen, supervise and monitor workers so they are not exposed to extensive periods of sunlight or reflections from glazed tiles and metal roofing materials, and implement administrative control measures, such as starting and finishing work early.

5.11.3 Clothing

Clothing should be comfortable, suitable for the work, and appropriate for the weather conditions. Avoid loose clothing that may snag or create a trip hazard.

6. DEFINITIONS

Definitions are usually taken from the OHS Act, the OHS Regulation, or from other relevant legislation, codes of practice or Australian Standards. For current legal obligations, a person should always refer to the relevant legislation.

anchorage point – a secure point of attachment on a structure to which a fall arrest device or anchorage line may be secured, or a secure point on a fall arrest device to which a lanyard may be secured.

anchorage line – a line that extends from a fixed anchor, to which a person attaches their fall arrest equipment.

commercial and industrial buildings – all buildings except residential buildings (see ‘residential buildings’).

competent person – for any task, a person who has acquired through training, qualification or experience, or a combination of these, the knowledge and skills to carry out that task.

construction work –

- a. excavation, including the excavation or filling of trenches, ditches, shafts, wells, tunnels and pier holes, and the use of caissons and cofferdams
- b. building, including the construction – and the manufacturing of prefabricated elements of a building at the place of work concerned – alteration, renovation, repair, maintenance and demolition of all types of buildings
- c. civil engineering, including the construction, structural alteration, repair, maintenance and demolition of airports, docks, harbours, inland waterways, dams, river, avalanche and sea defence works, roads and highways, railways, bridges and tunnels, viaducts, and works related to the provision of services such as communications, drainage, sewerage, water and energy supplies.

contractor – the person or entity responsible for the installation, maintenance, repair or removal of the roof coverings and any other operation involving the movement of those working on roofs on commercial and industrial buildings (depending on the contractual arrangements that are in place, the contractor doing the work may be an employer, self-employed person or the principal contractor).

controller of premises – a person who has control of premises that are used by people as a place of work, including a person who has only limited control of the premises and a person who has, under any contract or lease, an obligation to maintain or repair the premises (in which case any duty imposed on a controller under the OHS Act or OHS Regulation applies only to the matters over which the person has control).

employee – a worker; an individual who works under a contract of employment or apprenticeship.

employer – a person who employs people under contracts of employment or apprenticeship; may include a self-employed person. In some parts of the OHS Regulation the term ‘employer’ also refers to a self-employed person in terms of their duties to other persons.

energy absorber – a component, whether separate or incorporated into another item, designed to be used in connection with fall arrest equipment, that reduces the shock to the body and anchorage point by absorbing some of the fall energy.

fall arrest device – a self-locking device with the function of arresting a fall. It can be either:

- a. type 1 – a fall arrest device that travels along an anchorage line and, when loaded, locks to the line
- b. type 2 – a fall arrest device from which a spring-loaded anchorage line pays out, and which locks when loaded.

fall arrest harness – also known as a ‘safety harness’, an assembly of interconnected shoulder and leg straps designed for attachment to a lanyard or fall arrest device.

fall arrest system – a system consisting of a fall arrest harness and other components connecting the harness to an anchor point to minimise the distance and severity of a fall.

fall restraint – a system that incorporates a safety line secured to an anchorage that prevents a person from reaching the edge of the roof or a defined opening within it.

guardrail system – a structural roof edge protection system that may comprise posts, rails, infill panel or toe-boards, or a combination of these, that is designed to prevent persons falling from the edge of a roof.

high risk construction work –

- a. construction work involving structural alterations that require temporary support
- b. construction work at a height above three metres
- c. construction work involving excavation to a depth greater than 1.5 metres
- d. demolition work for which a licence is not required under chapter 10 of the OHS Regulation
- e. construction work in tunnels
- f. construction work involving the use of explosives
- g. construction work near traffic or mobile plant
- h. construction work in or around gas or electrical installations
- i. construction work over or adjacent to water, where there is a risk of drowning.

inertia reel – a type 2 fall arrest device.

infill panel – a panel, typically fabricated from steel wire mesh and connected to the top rail of an edge protection system, used in place of a mid-rail and bottom rail or toe-board. It can be a structural panel, which does not require backing rails to transfer loads to its supporting posts, or a non-structural panel, which does require backing rails.

lanyard – a flexible line, rope or strap, usually as part of a lanyard assembly, used to connect a fall arrest harness to an anchorage point or static line.

lanyard assembly – the combination of a lanyard and a personal energy absorber.

must – indicates that the requirements are mandatory under OHS legislation.

person – an individual, a corporation, a body corporate or politic.

place of work – premises where people work.

premises –

- any land, building or part of any building
- any vehicle, vessel or aircraft
- any installation on land, on the bed of any waters or floating on any waters
- tent or moveable structure.

principal contractor – in relation to construction work – or a construction project involving construction work – a person who is, under clause 210 of the OHS Regulation, for the time being, appointed, or taken to be, the principal contractor for the construction work. Where construction work is being undertaken and the owner has not appointed a principal contractor, the owner is taken to be the principal contractor for the construction work. Principal contractors have special duties under the OHS Regulation. The principal contractor is usually the main contractor – ie the contractor undertaking the construction works.

OHS Act – the *Occupational Health and Safety Act 2000*.

OHS Regulation – the *Occupational Health and Safety Regulation 2001*.

owner – a person who is the owner of a place of work and who is required by clause 210 of the OHS Regulation to appoint a principal contractor. For the purposes of clause 210, owner has the same meaning as in the *Local Government Act 1993*.

residential building –

- a. single dwelling house – a dwelling used, or adapted for use, solely for habitation by no more than one family, including a dwelling in a row of two or more dwellings attached to each other (but not a flat) that is commonly known as a semi-detached or terrace building
- b. residential flat building – a building containing two or more dwellings.

rope-grab fall arrester – reduces the potential free fall distance and may absorb much of the energy of a fall while allowing mobility along the line. The rope grab fall arrester can be manually moved along the line or locked in place, or it can be an automatic device.

safety mesh – a membrane installed between the roof structure and its cladding to safeguard those installing the cladding, or otherwise working on the roof.

safe work method statement – SWMS, a statement that:

- a. describes how work is to be carried out
- b. identifies the work activities assessed as having safety risks
- c. identifies the safety risks
- d. describes the control measures that will be applied to the work activities.

The SWMS also includes a description of the equipment used in the work, the standards or codes to be complied with, the qualifications of the personnel doing the work and the training required to do the work.

scaffold – a temporary structure specifically erected to support access or working platforms.

self-employed person – a person who works for gain or reward otherwise than under a contract of employment or apprenticeship, whether or not they employ others. In some parts of the OHS Regulation, ‘employer’ also refers to a self-employed person in terms of their duties to other persons.

should – indicates a recommendation to do something that is not a mandatory requirement under OHS legislation.

site safety plan – the site specific OHS management plan referred to in clause 226 of the OHS Regulation.

static line – also known as ‘horizontal lifeline’, a substantially horizontal line in tension, attached to two or more anchorage points to which a lanyard may be attached, and designed to arrest a fall.

work – work as an employee or self-employed person.

worker – any individual person who does work. See ‘employee’ and ‘self-employed person’.

7. FURTHER INFORMATION

7.1 WORKCOVER NSW PUBLICATIONS

- *Code of Practice for OHS Consultation*
- *Code of Practice for Electrical Practices for Construction Work*
- *Code of Practice for Occupational Health and Safety Induction Training for Construction*
- *Code of Practice for Work Near Overhead Powerlines*
- *Code of Practice for Risk Assessment*
- *Portable ladders*
- *Working with asbestos*
- *Working off stepladders*
- *Skin cancer and outdoor workers – a guide for workers*
- *Skin cancer and outdoor workers – a guide for employers.*

7.2 SAFE WORK AUSTRALIA PUBLICATIONS

The below publications marked † are referred to in the OHS Regulation and must be complied with. Those marked ‡ are called up under the OHS Act as an industry code of practice.

- *Code of Practice for the Safe Removal of Asbestos*
- *Code of Practice for the Management and Control of Asbestos in the Workplace*
- *Guidance note on the membrane filter method for estimating airborne asbestos fibres*
- SWA publications can be downloaded from www.safeworkaustralia.gov.au

7.3 AUSTRALIAN STANDARDS

The standards listed below are referred to in this Code. Readers should refer to the latest version of a standard, where necessary, to ensure compliance with their regulatory obligations or to obtain advice in helping to establish a safe workplace.

- ‡ AS 1337 *Eye protectors for industrial applications*
- † AS/NZS 1576 *Scaffolding: General requirements*
- ‡ AS 1657 *Fixed platforms, walkways, stairways and ladders – Design construction and installation*
- ‡ AS 1891.1 *Industrial fall arrest systems and devices Part 1 – Safety belts and harnesses*
- ‡ AS/NZS 1891.2 *Industrial fall arrest systems and devices Part 2 – Horizontal lifeline and rail systems*
- ‡ AS 1891.3 *Industrial fall arrest systems and devices Part 3 – Fall arrest devices*
- ‡ AS 1891.4 *Industrial fall arrest systems and devices Part 4 – Selection, use and maintenance*
- AS 1892.5 *Portable ladders Part 5 – Selection, safe use and care*
- AS 2210 *Occupational protective footwear – Guide to selection, care and use*
- AS/NZS 4389 *Safety mesh*

- AS 4994.1 *Temporary edge protection Part 1 – General requirements*
- AS 4994.2 *Temporary edge protection Part 2 – Roof edge protection – Installation and dismantling*
- AS 2550.10 *Cranes, hoists and winches – Safe use Part 10 – Mobile elevating work platforms*

APPENDIX A: SAFE WORKING ON ROOFS – HAZARD CHECKLIST

This checklist helps identify the hazards associated with carrying out work on roofs of commercial and industrial buildings. It covers the main topics outlined in this Code, but does not cover all risks associated with working on roofs.

A tick in any 'No' box indicates that further measures may be required to eliminate or control the risk.

Site address:
Principal contractor:
Roofing contractor:
Site supervisor:

Hazards and control measures	Checked OK
Has a perimeter scaffold or guardrail system been installed?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a <input type="checkbox"/>
If using scaffolding or a guardrail system, has it got guardrails, mid-rails and toe-boards, or guardrails and infill screens with kick plates?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a <input type="checkbox"/>
If using scaffolding or a guardrail system on a roof with a pitch greater than 26 degrees, does it have infill panels?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a <input type="checkbox"/>
If using scaffolding, does it conform to AS/NZS 1576?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a <input type="checkbox"/>
If using scaffolding, is the platform one metre or less below the edge of the roof?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a <input type="checkbox"/>
If the scaffolding's platform is more than four metres above the surrounding ground, has it been erected by a certified scaffolder?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a <input type="checkbox"/>
If using a guardrail system, is it appropriate for the type of roof?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a <input type="checkbox"/>
If not using scaffolding or a guardrail system, are the reasons why it is impracticable to do so recorded?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a <input type="checkbox"/>
If using a fall arrest system, have the anchorage points been inspected by a competent person?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a <input type="checkbox"/>
If using a fall arrest system, has a safe system for attaching to and detaching from the anchorage points been established?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a <input type="checkbox"/>
If using a fall arrest system, have all relevant personnel been trained in its use?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a <input type="checkbox"/>
If using a fall arrest system, has a rescue procedure for falls been established?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a <input type="checkbox"/>
Is safety mesh being used?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a <input type="checkbox"/>
If safety mesh is being used, has the supplier of the safety mesh provided all relevant information regarding its correct usage?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a <input type="checkbox"/>
Is the safety mesh appropriate for the roof?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a <input type="checkbox"/>
Have those installing safety mesh been trained in its installation?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a <input type="checkbox"/>
Are those installing safety mesh safeguarded against the risk of falling?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a <input type="checkbox"/>
Has the safety mesh been certified as being installed correctly?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a <input type="checkbox"/>
If using existing safety mesh has it been inspected to ensure that it will withstand someone falling on it?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a <input type="checkbox"/>
If the roof structure requires modification or bracing to support the safeguards identified in the SWMS, has it been so modified?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a <input type="checkbox"/>
Is there a safe system of roof access and egress that reduces the risk of slips, trips and falls?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a <input type="checkbox"/>
Are ladders properly set up and secured?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a <input type="checkbox"/>
Are there clearly defined unloading and storage areas for the delivery and removal of materials and plant?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a <input type="checkbox"/>
If mechanical lifting equipment is not used to transport material to the roof, is there a system that controls manual handling risks?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a <input type="checkbox"/>
If a crane or builders' hoist is used, is the operator certified?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a <input type="checkbox"/>
Does the builders' hoist conform to AS 1418.7?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a <input type="checkbox"/>

Does the crane conform to AS 1418.4 for tower cranes or AS 1418.5 for mobile cranes?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a <input type="checkbox"/>
Are appropriate warning signs (eg 'Persons working above', 'Nail gun in use', 'Elevator in use') displayed in a prominent position?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a <input type="checkbox"/>
Have designated no-go zones been cordoned off – eg areas beneath the tile elevator?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a <input type="checkbox"/>
If there are electrical hazards within four metres of the roof, have power sources been disconnected, insulated or otherwise made safe before proceeding with roof work?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a <input type="checkbox"/>
Has induction training been provided to new workers?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a <input type="checkbox"/>
Are procedures in place to discontinue work if inclement weather renders roof work dangerous?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a <input type="checkbox"/>
Have manual handling risks been identified and relevant control measures been put in place?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a <input type="checkbox"/>
Has a residual current device been attached to the leads or power source for portable electric power-tools? (This is particularly important when leads are being dragged over sharp-edged metal roofs.)	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a <input type="checkbox"/>
If asbestos is being handled, have all the necessary precautions been implemented?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a <input type="checkbox"/>
Have workers been provided with the appropriate PPE and the training to properly use it?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a <input type="checkbox"/>
Is waste material isolated and contained for safe removal from the site?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a <input type="checkbox"/>
If working near electromagnetic energy-emitting devices such as mobile phones, microwaves and commercial antennas, have safety distances been established or other appropriate control measures been put in place?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a <input type="checkbox"/>
If water cooling towers are installed on the roof, is there a system in place to control biological agents – eg bacteria – in the tower?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/a <input type="checkbox"/>

Checklist completed by (print name) _____

Signature _____

Date _____

If NO is indicated, take action to eliminate or control the hazard.

APPENDIX B: ROOF SAFETY MESH HANDOVER AND ROOF ACCESS CERTIFICATE

Project name: _____

Location: _____
(Address and sub-site)

Mesh installer: _____ Roof section: _____

To be completed by the roof contractor

<p>Mesh criteria Do the safety mesh materials comply with the performance requirements of AS/NZS 4389:1996?</p>	Yes <input type="checkbox"/> No <input type="checkbox"/>
<p>Material certification Test certificate for the mesh attached Manufacturer's label or equivalent attached</p>	Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/>
<p>Placement of mesh Has the safety mesh been installed in accordance with AS/NZS 4389:1996? If not, has the safety mesh been installed in accordance with the manufacturer's recommendations?</p>	Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/>
<p>Do the side laps comply with the following? The runs of safety mesh are side lapped by at least 150 mm or as per the manufacturer's recommendations. (The width of side lap does not usually depend on the purlin spacing.)</p> <p>OR If purlin spacing is 1700 mm or higher, the side laps are joined together at locations between the purlins (using 2 mm staples, twitching, tying, etc) as per the manufacturer's recommendations.</p>	Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/>
<p>Do the end joins comply with the following? The mesh is fixed to metal purlins and joined by passing each longitudinal wire through a hole drilled in the top of the purlin and tying it off with at least four full turns around the wire.</p> <p>OR The mesh is fixed as per the longitudinal wire joining method without fixing to purlins.</p>	Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/>
<p>Roof guardrail installed in accordance with AS 4994.2</p>	Yes <input type="checkbox"/> No <input type="checkbox"/>
<p>Roof access installed</p>	Yes <input type="checkbox"/> No <input type="checkbox"/>

Comments

Name: _____ Position: _____

Signed: _____ Date: _____

Roof access

To be completed by a nominated representative of the principal contractor or the controller of the premises.

The information above has been received and sighted and access is granted to the following section of roof:

(Refer to grid and other limitations to define approved area of access)

Comments

Name: _____ Position: _____

Signed: _____ Date: _____

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COUNCIL NOTICES

COOMA-MONARO SHIRE COUNCIL

Land Acquisitions (Just Terms Compensation) Act 1991
Notice of Compulsory Acquisition of Land

COOMA-MONARO SHIRE 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 within the land is acquired by compulsory process in accordance with the provisions of the Land Acquisitions (Just Terms Compensation) Act 1991, for the purpose of a cemetery. Dated at Cooma this 28th day of August 2009. JOHN VUCIC, General Manager, Cooma-Monaro Shire Council, 81 Commissioner Street, COOMA NSW 2630.

Schedule

Lot 1 DP 1033532 [4807]

FAIRFIELD CITY COUNCIL

Proposed Right Turn Ban
Frederick Street and Railway Parade, Fairfield

NOTICE is hereby given that Council proposes to ban all the right turn movements at the intersection of Frederick Street and Railway Parade, Fairfield, to address adverse crash history at this location.

The proposed treatment comprises the installation of a raised median on Railway Parade and a concrete seagull island with pedestrian crossing facility on Frederick Street. Vehicles will still be able to make left in and left out movements.

Council is now seeking comments on the proposal from the residents and other organisations affected by the proposal. Submissions in writing by way of support or objection to the proposal must reach council by 30 September 2009 (Please quote reference G10-86-022 in reply).

Further information can be obtained by contacting (02) 9725 0874. [4808]

KU-RING-GAI COUNCIL

Tree Preservation Order

KU-RING-GAI COUNCIL, in accordance with Clause 42(4) of the Ku-ring-gai Planning Scheme Ordinance, gives notice of amendment to Council's Tree Preservation Order. These amendments were adopted by Council resolution of 28 April 2009. The amended Tree Preservation Order can be viewed on Council's website at www.kmc.nsw.gov.au or a copy can be collected from Council's Customer Service desk. JOHN MCKEE, General Manager, Ku-ring-gai Council, Locked Bag 1056, Pymble NSW 2073. [4809]

LAKE MACQUARIE CITY COUNCIL

Roads Act 1993, Section 10

Dedication of Land as Public Road

IN accordance with Section 10 of the Roads Act 1993, Council dedicates the land held by it and described in the Schedule below as Public Road. Brian Bell, General

Manager, Lake Macquarie City Council, Administration Building, Main Road, Speers Point 2284.

Schedule

Lot 1 in Deposited Plan 1139012 [4810]

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 new road name/s for gazettal:

<i>Deposited Plan/Location</i>	<i>Road Name</i>
DP 776757, off Government Road, Thornton.	Portabello Crescent.
DP 776757, off Government Road, Thornton.	Hillgate Drive.
DP 776757, off Government Road, Thornton.	Campden Street.

The above road names have been advertised and notified. No objections to the proposed names have been received during the prescribed 28 day period. DAVID EVANS, General Manager, Maitland City Council, High Street (PO Box 220), Maitland NSW 2320. [4811]

NARRABRI SHIRE COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

NARRABRI SHIRE COUNCIL declares, with the approval of His Excellency the Lieutenant 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 the purpose of a rural fire station. Dated at Narrabri, this 31st day of August 2009. PAUL KEECH, Acting General Manager, Narrabri Shire Council, PO Box 261, Narrabri NSW 2390.

SCHEDULE

Lot 1, DP 1115874 [4812]

ESTATE NOTICES

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of EUNICE ETHEL NEYLAN, 1/9 Miro Street, Young, in the State of New South Wales, who died on 14 May 2009, must send particulars of their claim to the executors, Sue Ellen Hart and Ian Chalmers Simpson, c.o. Simpson & Co, Solicitors, 103A Anzac Parade, Kensington NSW 2033, within one (1) calendar month from publication of this notice. After that time, the assets of the estate and the property may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executors have notice. Probate was granted in New South Wales on 26 August 2009. SIMPSON & CO, Solicitors, 103A Anzac Parade, Kensington NSW 2033 (PO Box 340, Kensington NSW 1465), tel.: (02) 9662 4381. Reference: IS:FS. [4813]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of PAULETTE MARIE MARTIN, late of Belrose, in the State of New South Wales, who died on 21 July 2009, must send particulars of his claim to the executrix, Kim Napear Parker, c.o. Newnhams Solicitors, PO Box 21087, World Square, within one (1) calendar month from publication of this notice. After that time the executrix may distribute the assets of the estate having regard only to the claims of which at the time of distribution she has notice. Probate was granted in New South Wales on 25 August 2009. NEWNHAMS SOLICITORS, Level 7, 233 Castlereagh Street, Sydney NSW 2000 (PO Box 21087, World Square NSW 2002), tel.: (02) 9264 7788. Reference: BLM:ME:6454. [4814]

NOTICE of intended distribution of estate. – Any person having any claim upon the estate of THELMA QUEENAN, late of 11/31 Oxley Court, Oxley Avenue, Jannali, in the State of New South Wales, home duties, who died on 22 May 2009, must send particulars of the claim to the executor, Desmond Sibraa, c.o. Denis M. Anderson, Solicitor, 10 Regent Street, Kogarah NSW 2217, within one (1) 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 25 August 2009. DENIS M. ANDERSON, Solicitor, 10 Regent Street, Kogarah NSW 2217 (PO Box 148, Kogarah 1485), tel.: (02) 9587 0440. [4815]

OTHER NOTICES

ENERGY AUSTRALIA

Electricity Supply Act 1995

Land Acquisition (Just Terms Compensation) Act 1991
Notice of Compulsory Acquisition of Easement, Scone

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 described in Schedule 2, the ‘non-extinguishment principle’ as defined in section 238 of the Native Title Act 1993 (Cth) applies to the acquisition.

Dated: 26th August 2009.

Signed for and on behalf of EnergyAustralia of 570 George Street, Sydney, by KATHERINE MARGARET GUNTON its duly constituted Attorney pursuant to Power of Attorney registered Book 4528, No. 401.

SCHEDULE 1

Easement to be acquired for electricity purposes on the terms set out in Memorandum No. AC 289041 filed at Land and Property Information New South Wales as if the easement was an ‘easement for electricity works referred to in the Memorandum.

SCHEDULE 2

All that piece or parcel of land at Scone in the Local Government Area of Scone, Parish of Scone and County of Brisbane, being the site of the proposed easement to be acquired for electricity purposes 20.115m wide affecting Lot 1, DP 333885 and Lot 1, DP 330527 being vacant Crown Land and designated (E) on DP 1093020. [4816]

ELECTRICITY SUPPLY ACT 1995

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land for the purposes of EnergyAustralia

ENERGYAUSTRALIA, with the approval of Her Excellency the Governor, declares that the land described in the Schedule 1 and the interests in land described in Schedule 2 and Schedule 3 of this notice is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Electricity Supply Act 1995.

Dated this 5th day of August 2009.

Signed for and on behalf of EnergyAustralia of 570 George Street, Sydney by KATHERINE MARGARET GUNTON its duly constituted attorney pursuant to registered power of attorney registered Book 4528 No 401.

SCHEDULE 1

All that piece or parcel of land situated in the City of Sydney area, Parish of St. Andrew and County of Cumberland, shown as lot 10 in Deposited Plan 1125890.

The land is said to be in the possession of Sydney Harbour Foreshore Authority.

SCHEDULE 2

An easement for repair on the terms set out in Schedule 8 Part 5 of the Conveyancing Act 1919, over the site shown as “proposed easement for repair 2 wide” and designated by the letter [E] on Deposited Plan 1125890 affecting part of the land in Certificate of Title 11/1125890.

The land is said to be in the possession of Sydney Harbour Foreshore Authority.

SCHEDULE 3

An easement for repair on the terms set out in Schedule 8 Part 5 of the Conveyancing Act 1919, over the site shown as “proposed easement for repair variable width (limited in stratum)” and designated by the letter [M] on Deposited Plan 1125890 affecting part of the land in Certificate of Title 11/1125890.

The land is said to be in the possession of Sydney Harbour Foreshore Authority. [4817]

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