



# *Government Gazette*

of the State of

New South Wales

**Number 384–Other**  
**Friday, 18 December 2020**

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## FORESTRY ACT 2012

### NOTICE REVOKING SPECIAL MANAGEMENT ZONES AND SETTING APART FLORA RESERVES 2020 (NO 2)

I, the Honourable Margaret Beazley AC QC, Governor of the State of New South Wales, pursuant to sections 16 and 20(1) of the *Forestry Act 2012*:

- (1) revoke the declarations of special management zones in State forests for the areas of land described in Schedules 1 to 6 to this notice, and
- (2) set apart the areas of land in the State forests described in Schedules 1 to 6 as flora reserves for the preservation of native flora.

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

Dated 9 December 2020

Her Excellency the Honourable Margaret Joan Beazley AC QC  
Governor of the State of New South Wales

#### Schedule 1

##### Eastern Division

*Land District of Windsor*

*LGA of Hawkesbury*

Comleroy Flora Reserve No. 205 having an area of about 2531.31 hectares in the Parishes of Colo and Hawkesbury, County Hunter, being the whole of Comleroy State forest No. 976 dedicated 9 September 1960 and Comleroy State forest No. 976 No 1 Extension dedicated 29 May 1970.

*Papers:* OEH/EF18/8694

**[Note: this is the whole of the State forest so there is no map required]**

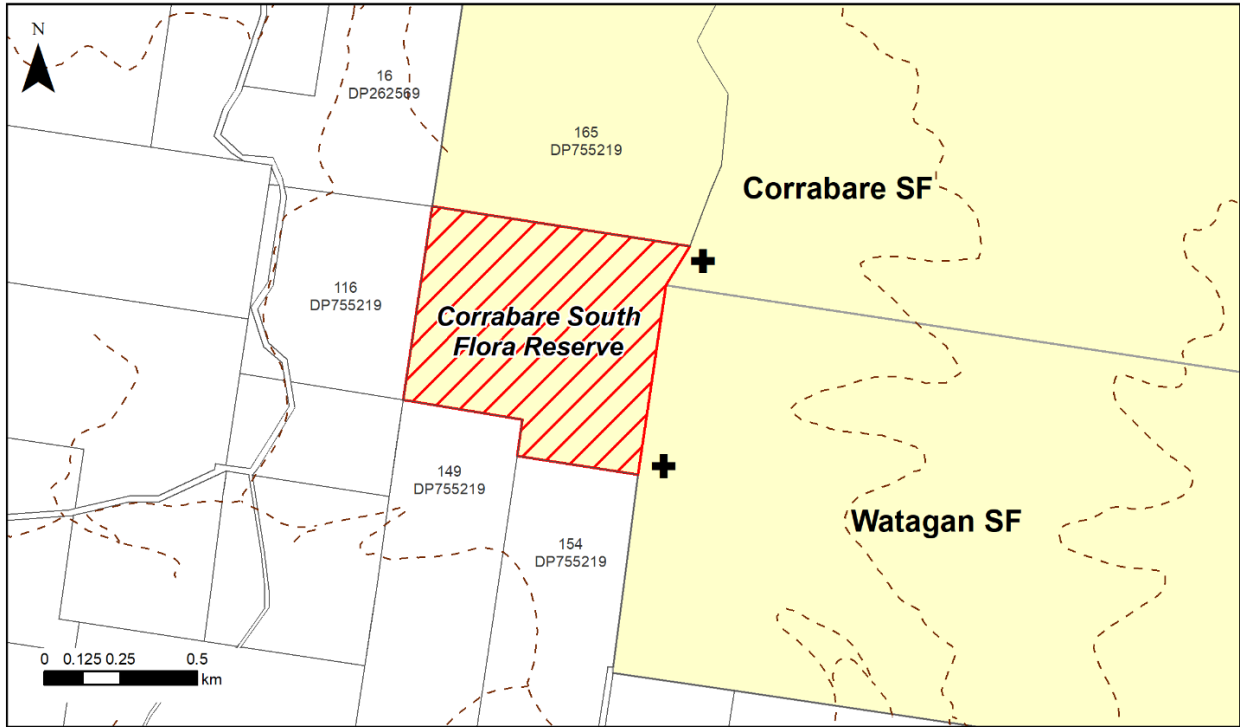


Eastern Division

Land District of Maitland

LGA of Cessnock

Corrabare South Flora Reserve No. 204 having an area of about 56 hectares in the Parish of Corrabare, County Northumberland, being part of Corrabare State forest No. 522 Extension No. 3 dedicated 7 March 1980 shown by red hatching on the diagram below



- |                  |               |  |
|------------------|---------------|--|
| FCNSW Estate     | Flora Reserve | BOUNDARY IS CORRABARE SF NO 522 EXT 3 DEDICATED 7 MARCH 1980 |
| NPWS Estate      | Road          |  |
| Cadastre Parcels |               |  |

Papers: OEH/EF18/8717

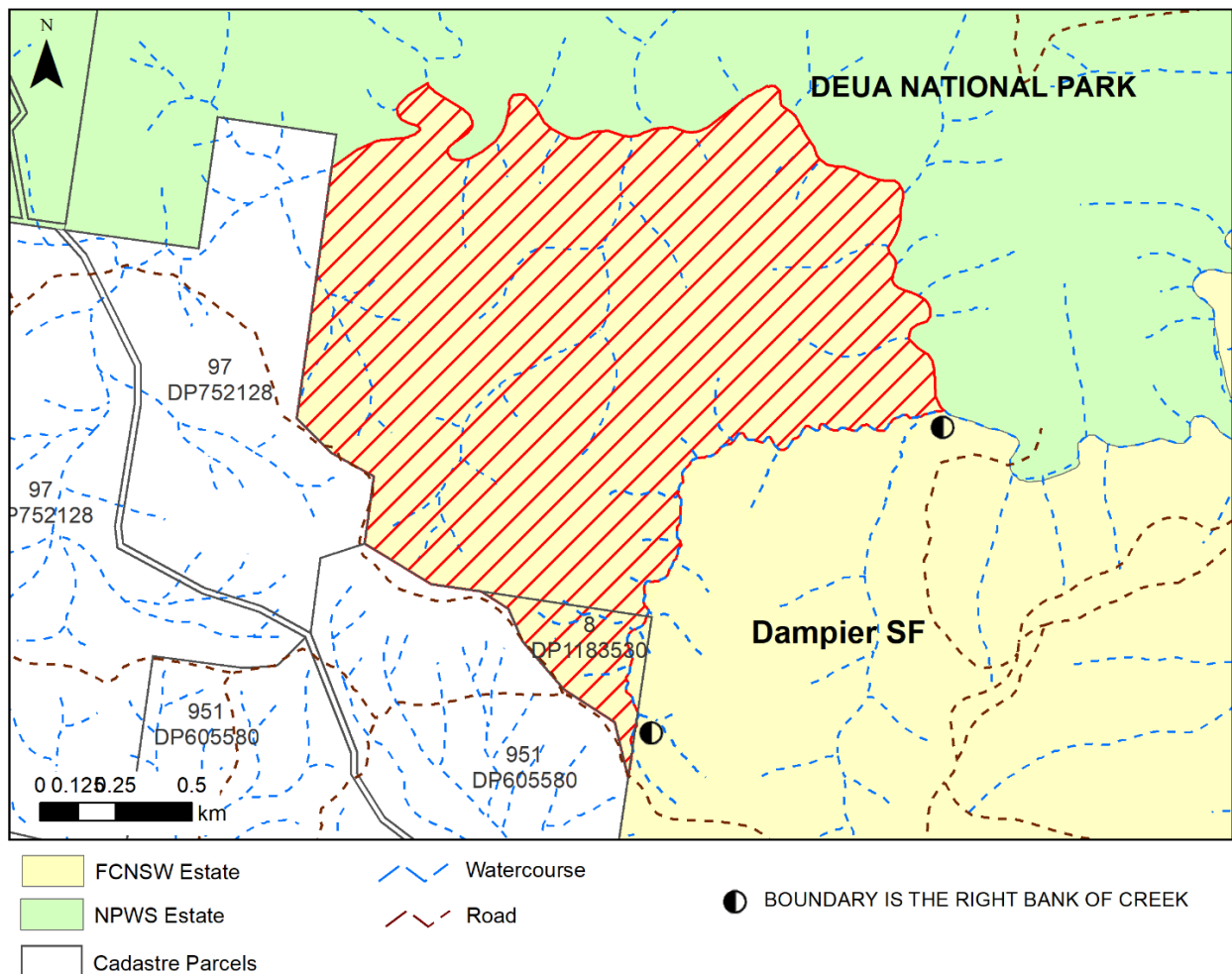
### Schedule 3

Eastern Division

Land District of Moruya

LGA of Eurobodalla

Dampier Flora Reserve No 201 having an area of about 263 hectares in the Parish of Belowra, County Dampier, being part of Dampier State forest No 926 No 4 Extension dedicated 15 February 1980 and shown by red hatching on the diagram below



Papers OEH/EF18/8723



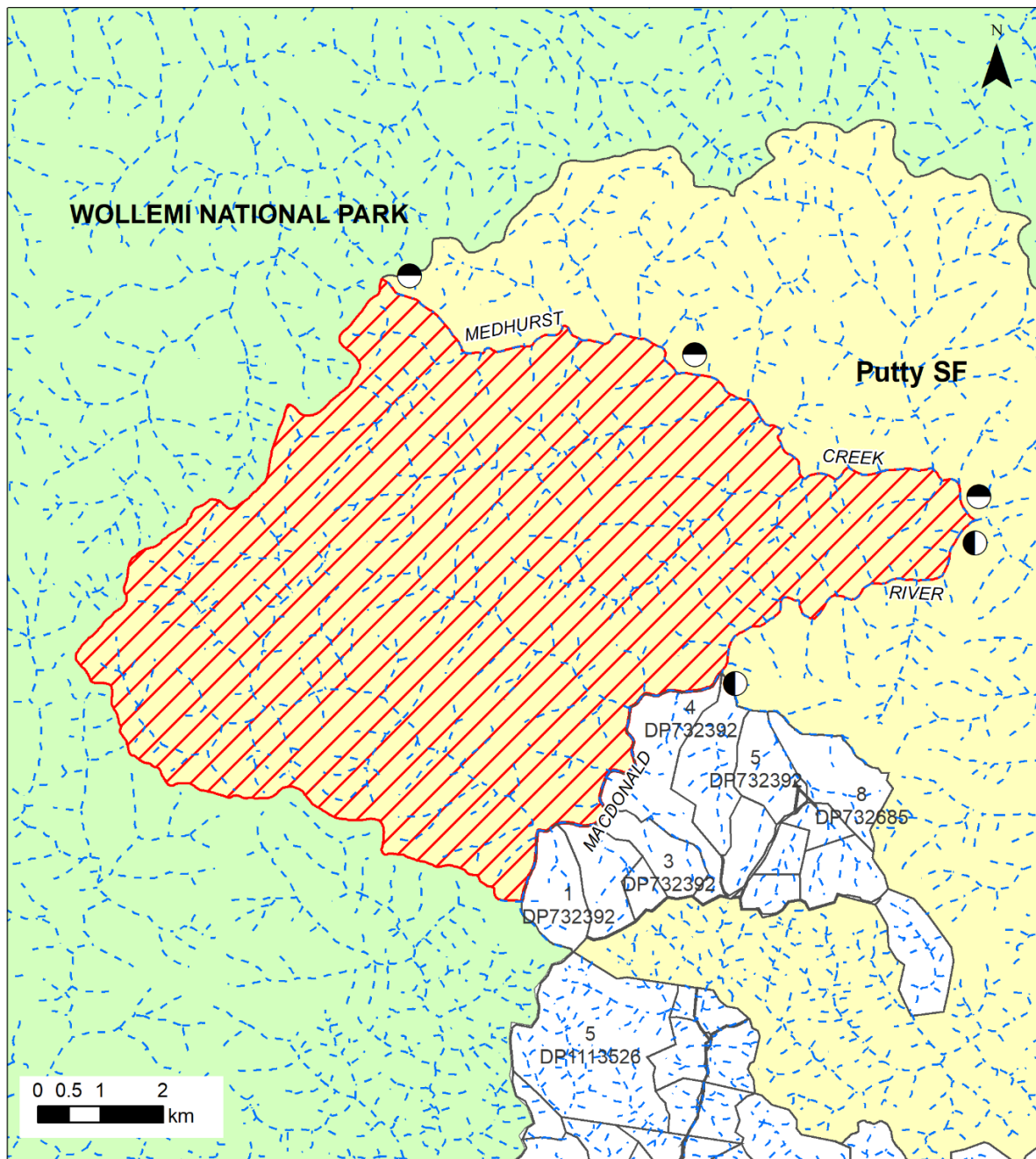
## Schedule 5







Eastern Division

*Land District of Singleton*

*LGA of Singleton*

Wollemi Flora Reserve No. 197 having an area of about 7190 hectares in the Parishes of Medhurst and Palomorang, County Hunter, being part of Putty State forest No. 1015 dedicated 28 August 1981 and shown by red hatching on the diagram below



- |  |  |   |
|--|--|---|
|  FCNSW Estate |  Cadastre Parcels |  BOUNDARY IS THE LEFT BANK OF THE CREEK  |
|  NPWS Estate  |  Watercourse      |  BOUNDARY IS THE RIGHT BANK OF THE CREEK |

Note: This Flora Reserve is restricted to a depth of 50 metres.

Papers: OEH EF18/8722

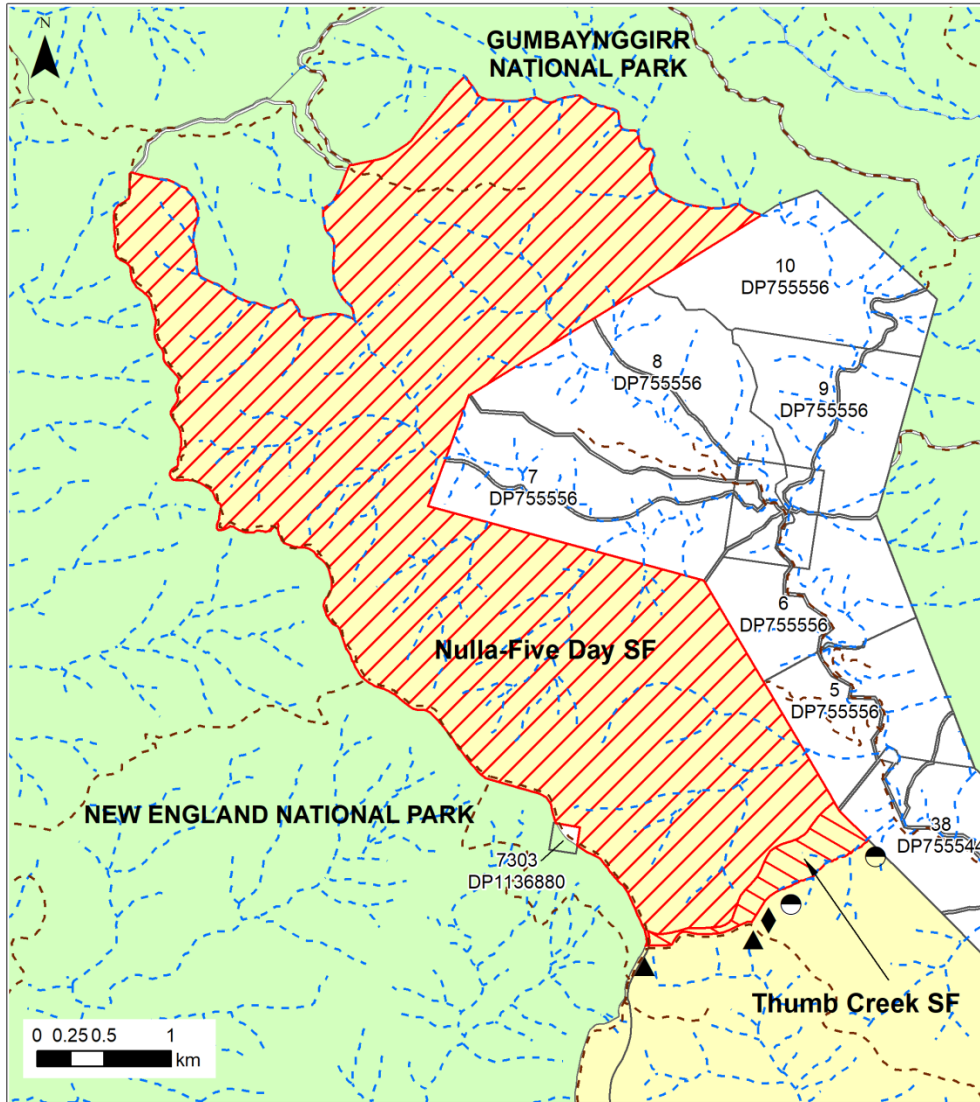
# Schedule 6

Eastern Division

Land District of Bellingen

LGA of Nambucca and Kempsey

Kilprotay Flora Reserve No 195 having an area of about 1490 hectares in the Parishes of Raleigh, Herborn and Loftus, Counties of Raleigh and Dudley, being part of Nulla-Five Day State forest No 601 No 8 Extension dedicated 8 October 1971 and part of Thumb Creek State forest No 655 dedicated 14 June 1918 and shown by red hatching on the diagram below



- FCNSW Estate
- NPWS Estate
- Cadastre Parcels
- Road
- Watercourse
- BOUNDARY IS THE LEFT BANK OF CREEK
- BOUNDARY IS A LINE FROM END OF CREEK TO THE BEND IN THE ROAD
- BOUNDARY IS 20 METRES FROM THE CENTRELINE OF THE ROAD.

Papers: OEH EF18/8720



## **Voluntary Code of Practice for Cemetery Maintenance Self Assessment Checklist Order 2020**

under the *Cemeteries and Crematoria Act 2013*.

The Board of Cemeteries & Crematoria NSW, with the powers conferred on it under section 8(1) of the *Cemeteries and Crematoria Act 2013* and pursuant to section 30 (2) and 30 (4) of that Act make the Voluntary Code of Practice for Cemetery Maintenance Self Assessment Checklist for use by cemetery and crematoria operators.

Dated this day, 12<sup>th</sup> of November 2020



**STEPAN KERKYASHARIAN AO**  
CHAIR OF THE BOARD  
CEMETERIES & CREMATORIA NSW

### **1. Name**

This Order is the Voluntary Code of Practice for Cemetery Maintenance Self Assessment Checklist Order 2020

### **2. Commencement**

This Order commences on the date on which it is published in the Gazette and on the Cemeteries and Crematoria NSW webpage on the Department of Planning, Industry and Environment website.

### **3. Order**

The matters listed in the Schedule are declared requirements for compliance in the use of the Voluntary Code of Practice for Cemetery Maintenance Self Assessment Checklist.

### **Schedule**

Voluntary Code of Practice for Cemetery Maintenance Self Assessment Checklist

### Self-assessment checklist for performance monitoring

This checklist provides a monitoring framework for complying with the *Voluntary Code of Practice for Cemetery Maintenance*. Refer to that document (section numbers are indicated) for more details on the principles and themes of cemetery maintenance.

#### Cemetery/assessment details

Operator name: Click or tap here to enter operator name.

Assessment date: Click or tap to enter assessment date.

Cemetery name: Click or tap here to enter cemetery name.

Cemetery contact: Click or tap here to enter contact name.

#### Maintenance compliance checklist

##### 1. Site entry and access (s3.1)

Establishing a quality experience from the initial entry point of the cemetery, which is easily identifiable from the street, and ensures that key information is available and there is a sense of importance, history and belonging for those that use the facility.

On the scale below, how well do you think your cemetery currently meets the 'site entry and access' maintenance theme outcomes? Click on 'Choose an answer' below to reveal the drop-down list.

Choose an answer

- |   |                              |                             |
|---|------------------------------|-----------------------------|
| 1.1 Is there a defined and obvious main entry?                          | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 1.2 Is there a cemetery identification sign?                            | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 1.3 Is there a cemetery map/plan to help visitors orientate themselves? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 1.4 Is access safe for vehicles, pedestrians and others?                | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 1.5 Are consistent materials and plants a feature at the site entry?    | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

### Site entry and access improvements

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What improvements will you make to improve 'site entry and access' activities over the next two-year period? Click or tap here to enter text.

What improvements have you made in the past two years? Click or tap here to enter text.

Are there circumstances that prevent further improvement in this area? Click or tap here to enter text.

### 2. Cemetery grounds (s3.2)

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Undertaking the range of practical maintenance activities required to keep cemeteries attractive, accessible and operational, such as basic mowing, trimming and minor improvements across the cemetery grounds.

On the scale below, how well do you think your cemetery currently meets the 'cemetery grounds' maintenance theme outcomes? Choose one answer from the drop-down list.

Choose an answer

2.1 Have you identified and mapped high/medium/low use areas?  Yes  No

2.2 Does grounds maintenance differ between these areas?  Yes  No

2.3 Are the cemetery grounds inspected regularly (at least weekly) to identify safety and maintenance issues?  Yes  No

2.4 Is a visitor memento policy or similar in place and enforced?  Yes  No

2.5 Is grounds maintenance undertaken before key visitation days such as Mother's Day and Father's Day?  Yes  No

### Cemetery grounds improvements

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What improvements will you make to improve 'cemetery grounds' activities over the next two-year period? Click or tap here to enter text.

What improvements have you made in past two years? Click or tap here to enter text.

Are there circumstances that prevent further improvement in this area? Click or tap here to enter text.

### 3. Monumentation (s3.3)

Managing monuments in a safe and effective way, recognising the inherent need to balance public safety and resourcing versus public interest, heritage and responsibilities for ongoing care.

On the scale below, how well do you think your cemetery currently meets the 'monumentation' maintenance theme outcomes? Choose one answer from the drop-down list.

Choose an answer

3.1 Are new monuments designed and installed in accordance with AS - 4204:2019 Headstones and cemetery monuments?  Yes  No

3.2 Is there a list of approved monumental masons that are allowed to work within the cemetery?  Yes  No

3.3 Are details of the mason responsible for installations recorded for future reference on a plot-by-plot basis?  Yes  No

3.4 Are responsibilities for maintenance clearly explained to interment rights holders?  Yes  No

3.5 Is there a monument safety policy in place?  Yes  No

3.6 Is there a monument safety inspection process in place?  Yes  No

3.7 Is there a monument register that records safety inspections?  Yes  No

#### Monumentation improvements

What improvements will you make to improve 'monumentation' activities over the next two-year period? Click or tap here to enter text.

What improvements have you made in past two years? Click or tap here to enter text.

Are there circumstances that prevent further improvement in this area? Click or tap here to enter text.

### 4. Environmental management (s3.4)

Ensuring that cemeteries work in conjunction with and balance the natural elements of the site, including integration of natural features, managing impacts from pests and weeds, and ensuring that people and property are safe from hazards including bushfire and flood.

On the scale below, how well do you think your cemetery currently meets the 'environmental management' maintenance theme outcomes? Choose one answer from the drop-down list.

Choose an answer

- |   |                              |                             |
|---|------------------------------|-----------------------------|
| 4.1 Is the cemetery in a bushfire-prone or flood-affected area?   | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 4.2 Are plans in place to deal with emergency management?   | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 4.3 Are 'Safe and Useful Life Expectancy'/tree safety reports available for trees within public access areas of the cemetery? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 4.4 Are landscape supply and spoil areas discretely located?  | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 4.5 Have high-value environmental areas been identified?  | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 4.6 Are high-value environmental areas protected/enhanced?  | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 4.7 Are weed and pest management plans in place?  | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

#### Environmental management improvements

What improvements will you make to improve 'environmental management' activities over the next two-year period? Click or tap here to enter text.

What improvements have you made in past two years? Click or tap here to enter text.

Are there circumstances that prevent further improvement in this area? Click or tap here to enter text.

### 5. Built assets/infrastructure (s3.5)

Ensuring that maintenance of assets and infrastructure are considered from the outset, from site planning, to lifecycle design considerations and material selections, which are then considered in asset management, including maintenance and replacement needs.

On the scale below, how well do you think your cemetery currently meets the 'built assets and infrastructure' maintenance theme outcomes? Choose one answer from the drop-down list.

Choose an answer

5.1 Is there an Asset Management Plan for the cemetery?  Yes  No

5.2 Are there regular maintenance audits to identify asset maintenance and replacement needs?  Yes  No

5.3 Are consistent materials, colours and character used for new assets where possible?  Yes  No

5.4 Is lifecycle costing used when considering the purchase of equipment or design of new cemetery assets?  Yes  No

#### Built assets/infrastructure improvements

What improvements will you make to improve 'built assets and infrastructure' activities over the next two-year period? Click or tap here to enter text.

What improvements have you made in past two years? Click or tap here to enter text.

Are there circumstances that prevent further improvement in this area? Click or tap here to enter text.

### 6. Maintenance skills and resources (s3.6)

Balancing the diverse resourcing needs of maintenance activities through the use of appropriately qualified staff, contractors and volunteers, including the availability of appropriate tools and ongoing development of staff that are necessary to enable operations to occur.

On the scale below, how well do you think your cemetery currently meets the 'maintenance skills and resources' maintenance theme outcomes? Choose one answer from the drop-down list.

Choose an answer

6.1 Are all field and customer staff trained in interaction with the bereaved?  Yes  No

6.2 Are staff/contractors trained in machinery operation and workplace safety?  Yes  No

6.3 Is horticultural skills and information available to assist maintenance works?  Yes  No

6.4 Are staff, including indoor staff, familiar with the cemetery?  Yes  No

6.5 Is suitable equipment readily available for cemetery use?  Yes  No

6.6 Does the cemetery use appropriately skilled volunteers to help with cemetery maintenance?  Yes  No

#### Maintenance skills and resources improvements

What improvements will you make to improve 'maintenance skills and resources' activities over the next two-year period? Click or tap here to enter text.

What improvements have been made in past two years? Click or tap here to enter text.

Are there circumstances that prevent further improvement in this area? Click or tap here to enter text.

### 7. Heritage values (s3.7)

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Working with items of valuable heritage - as cemeteries typically are - from more recent to historical features, including those listed on local, state or national heritage registers and lists.

On the scale below, how well do you think your cemetery currently meets the 'maintenance skills and resources' maintenance theme outcomes? Choose one answer from the drop-down list.

Choose an answer

7.1 Is the cemetery, or parts thereof, heritage listed?  Yes  No

7.2 Is there a Conservation Management Plan or similar to guide heritage and other maintenance works?  Yes  No

7.3 Can you adequately fund heritage maintenance works?  Yes  No

#### Heritage values improvements

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What improvements will you make to improve 'heritage values' activities over the next two-year period? Click or tap here to enter text.

What improvements have you made in past two years? Click or tap here to enter text.

Are there circumstances that prevent further improvement in this area? Click or tap here to enter text.



### 8. Planning for maintenance (s3.8)

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Planning ahead for required maintenance activities, while ensuring the responsive, flexible application of resources in ways that adapt to the changing demands and timelines that are inherent with cemetery activities.

On the scale below, how well do you think your cemetery currently meets the 'planning for maintenance' theme outcomes? Choose one answer from the drop-down list.

Choose an answer

8.1 Is there an annual plan, identifying month-by-month activities, for cemetery maintenance?  
 Yes  No

8.2 Are weekly and daily schedules and tasks identified with grounds maintenance staff?  
 Yes  No

8.3 Are basic tasks such as inspections and rubbish removal done regularly (at least weekly)?  
 Yes  No

8.4 Is there clear communication and flexibility within maintenance tasks to respond to service needs?  
 Yes  No

#### Maintenance planning improvements

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What improvements will you make to improve 'planning for maintenance' activities over the next two-year period? Click or tap here to enter text.

What improvements have you made in past two years? Click or tap here to enter text.

Are there circumstances that prevent further improvement in this area? Click or tap here to enter text.

### 9. Providing public information (s3.9)

Providing for onsite information such as entry signage, historical or other interpretive signage, directional signage, through to more detailed online and data driven information on those that are interred at the cemetery.

On the scale below, how well do you think your cemetery currently meets the 'providing public information' maintenance theme outcomes? Choose one answer from the drop-down list.

Choose an answer

9.1 Is onsite information about the cemetery available?  Yes  No

9.2 Is online search information available to the public?  Yes  No

9.3 Is there onsite signage to provide directions, information and allow visitors to identify individual interment sites?  Yes  No

9.4 Are public events/activities available at the cemetery or otherwise organised by the operator in other locations?  Yes  No

#### Public information improvements

What improvements will you make to improve 'providing public information' activities over the next two-year period? Click or tap here to enter text.

What improvements have you made in past two years? Click or tap here to enter text.

Are there circumstances that prevent further improvement in this area? Click or tap here to enter text.

### 10. Perpetual care (s3.10)

Considering long-term needs throughout the various lifecycle stages of use - from pre-planning and cemetery design, to active use stages, transitional and perpetual maintenance regimes.

On the scale below, how well do you think your cemetery currently meets the 'perpetual care' maintenance theme outcomes? Choose one answer from the drop-down list.

Choose an answer

- 10.1 Does the cemetery accumulate perpetual care funds?  Yes  No
- 10.2 Where applicable, are perpetual care funds held in a trust or reserved fund for future needs?  Yes  No
- 10.3 Has the burial capacity of the cemetery been calculated?  Yes  No
- 10.4 Is there a transition plan available for the site if capacity has less than 20 years left?  Yes  No
- 10.5 Can you meet current cemetery maintenance costs with available resources?  Yes  No

#### Perpetual care improvements

What improvements will you make to improve 'perpetual care' activities over the next two-year period? Click or tap here to enter text.

What improvements have you made in past two years? Click or tap here to enter text.

Are there circumstances that prevent further improvement in this area? Click or tap here to enter text.

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## GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of Section 8 of the *Geographical Names Act 1966*, the Geographical Names Board hereby notifies that it proposes to assign the name:

***Dawson Damer Park*** for a reserve located northern side of Dick Johnson Drive, between Oran Park Drive and Dransfield Drive in the suburb of Oran Park.

The position and extent for this feature is recorded and shown within the Geographical Names Register of New South Wales. The proposal can be viewed and submissions lodged on the Geographical Names Board website at [www.gnb.nsw.gov.au](http://www.gnb.nsw.gov.au) from 16 December 2020 to 22 January 2021. Alternatively, written submissions may be mailed to the Secretary, Geographical Names Board, 346 Panorama Ave, Bathurst, NSW 2795.

In accordance with Section 9 of the *Geographical Names Act 1966*, all submissions lodged may be subject to a Government Information (Public Access) application and may be viewed by a third party to assist the Board in considering this proposal.

NARELLE UNDERWOOD  
Chair

Geographical Names Board  
346 Panorama Ave  
BATHURST NSW 2795

## GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of Section 10 of the *Geographical Names Act 1966*, the Geographical Names Board has this day assigned the name listed hereunder as a geographical name.

*Kolombo Creek*, for a creek starting at Oran Park Drive, and flowing in a north easterly direction to South Creek / Wianamatta in the suburb of Oran Park.

The position and extent for this feature is recorded and shown within the Geographical Names Register of New South Wales. This information can be accessed through the Board's website at [www.gnb.nsw.gov.au](http://www.gnb.nsw.gov.au)

NARELLE UNDERWOOD  
Chair

Geographical Names Board  
346 Panorama Ave  
BATHURST NSW 2795

**LAND TAX MANAGEMENT ACT 1956**  
**Land Tax (including Surcharge Land Tax) Returns for 2021 Tax Year**

1. This Order is made under section 12(1) of the *Land Tax Management Act 1956* and section 37 of the *Taxation Administration Act 1996*. The purpose of this Order is to advise persons who own land in New South Wales if and when they are required to lodge an initial return or a variation return in relation to the 2021 land tax year or an earlier tax year.

**Persons Who Must Lodge an Initial Return**

2. The requirement to lodge an initial land tax return in 2021, as specified in this Order, applies to certain “persons” who are “owners” of land in New South Wales at midnight on 31 December 2020 (or any previous year if paragraph 8 applies). The reference to an “owner” includes a reference to a person who is an owner of land or is deemed or taken to be an owner for land tax purposes by the *Land Tax Management Act 1956*. A “person” includes a company, a trustee, a beneficiary of a trust and a natural person.
3. Under section 12(2) of the Act, the Chief Commissioner of State Revenue (the Chief Commissioner) may require any person to lodge a return or further return in circumstances other than those described in this Order.
4. A requirement to lodge a return specified in this Order does not affect a requirement to lodge a return by an earlier date specified by the Chief Commissioner under section 12(2) of the Act or an earlier date specified in any previous Order made under section 12(1).
5. Persons who own land in New South Wales at midnight on 31 December 2020 which is not exempt from land tax must lodge an initial return unless they were assessed and received a land tax notice of assessment for the 2020 land tax year.
6. Persons who are foreign persons for the purposes of surcharge land tax and who own residential land in New South Wales at midnight on 31 December 2020 and have not included the land in a previous return must lodge an initial return, even if the owner believes the land is exempt.
7. Persons who have received a land tax notice of assessment for any land tax year prior to 2021 showing nil tax payable and who have subsequently acquired additional land or an additional interest in land and are the owners of land at midnight on 31 December 2020 which is not exempt from land tax must lodge an initial return.
8. Persons who are liable to be assessed for land tax for any tax year prior to 2021 and have not previously lodged a return for that tax year or have not received a land tax notice of assessment for that tax year must also lodge an initial return.
9. Persons who own land that has previously been exempt from land tax in any tax year prior to 2021 but is not exempt for the 2021 tax year must lodge an initial return.
10. Where land is subject to a trust, and the trustee has not previously lodged a land tax return, the trustee must lodge an initial return on behalf of the trust. If the trustee fails to lodge a return or fails to provide the information about the beneficiaries of the trust, as specified by the form approved by the Chief Commissioner, the trust may be assessed as if it were a special trust.

11. A Land Tax Registration Form is an initial return for the purposes of section 12.

### **Due Date for Lodgement of Initial Returns**

12. Any person who is required by this Order to lodge an initial return must do so by 31 March 2021.
13. Penalty tax and interest may be imposed under the *Land Tax Management Act 1956* and the *Taxation Administration Act 1996* for failing to lodge a return by the due date. Late lodgement interest applies from 1 April 2021 until the date of lodgement of the return.

### **Persons Who Must Lodge a Variation Return**

14. A variation return is required to be lodged by a person who receives an incorrect notice of assessment of land tax. An incorrect notice of assessment of land tax may occur in the following circumstances:
- (a) a foreign person has not been correctly assessed for surcharge land tax;
  - (b) details of land owned by the person as shown on the notice are incorrect (including but not limited to inclusion of land disposed of prior to midnight on 31 December 2020; land acquired prior to midnight on 31 December 2020 that has not been included in the assessment; the percentage interest in land is incorrect for land that is jointly owned; land shown in an assessment is owned by the person in the capacity of trustee but is not shown as such; or an incorrect property description is shown);
  - (c) exempt land has been incorrectly assessed as liable for land tax;
  - (d) liable land has been incorrectly assessed as exempt from land tax;
  - (e) an exemption was previously granted subject to conditions which have not been fulfilled;
  - (f) the calculation of tax is incorrect (being either too high or too low);
  - (g) a special trust has been incorrectly assessed as if it were a fixed trust;
  - (h) a fixed trust has been incorrectly assessed as if it were a special trust;
  - (i) the beneficiaries of a family unit trust have changed since 31 December 2005;
  - (j) the beneficial interests of the beneficiaries of a family unit trust have changed since 31 December 2005;
  - (k) additional land has been acquired by a family unit trust, and the total liable land owned by the trust has a taxable value of more than \$1 million for the tax year during which the land was acquired;
  - (l) a group constituted under section 29 of the *Land Tax Management Act 1956* does not have a member classified and assessed as a concessional company;
  - (m) a group constituted under section 29 of the *Land Tax Management Act 1956* has more than one member classified and separately assessed as a concessional company (note that two or more companies can be correctly classified as joint concessional companies and jointly assessed as such);
  - (n) an error occurred in the calculation of the average value of a parcel of land.
15. A variation return is required to be lodged if the trustee of a trust that has an interest in land has not previously advised the Chief Commissioner of the existence of the trust. This return will also require the trustee to advise if the trust is a fixed or special trust, and whether the trust should be regarded as a foreign person for the purposes of surcharge land tax.

16. Other than in the case of a special trust, a variation return disclosing details of the beneficiaries of a trust must be lodged by the trustee of a trust if the trustee has not previously advised the Chief Commissioner of the beneficiaries of the trust or the beneficial owners of land owned by the trust. If a trustee fails to comply with this requirement, the Chief Commissioner may classify the trust as a special trust.
17. A variation return must be lodged by a trustee of a trust disclosing any beneficiaries or potential beneficiaries who are foreign persons if the trustee has not previously advised the Chief Commissioner that the trust has foreign persons as beneficiaries.

#### **Due Date for Lodgement of Variation Returns**

18. A variation return is required to be lodged by the first instalment date shown on the notice of assessment. If the notice of assessment shows that no tax is payable, the due date for lodgement of a variation return is 40 days after the "Issue Date" shown on the notice.
19. Penalty tax and interest may be imposed under the *Land Tax Management Act 1956* and the *Taxation Administration Act 1996* for failing to lodge a return by the due date.

#### **Information about Surcharge Land Tax**

20. For the purposes of surcharge land tax, a foreign person includes:
  - (a) an individual not ordinarily resident in Australia; or
  - (b) a corporation in which an individual not ordinarily resident in Australia, a foreign corporation or a foreign government holds a substantial interest; or
  - (c) a corporation in which 2 or more persons, each of whom is an individual not ordinarily resident in Australia, a foreign corporation or a foreign government, hold an aggregate substantial interest; or
  - (d) the trustee of a trust in which an individual not ordinarily resident in Australia, a foreign corporation or a foreign government holds a substantial interest; or
  - (e) the trustee of a trust in which 2 or more persons, each of whom is an individual not ordinarily resident in Australia, a foreign corporation or a foreign government, hold an aggregate substantial interest; or
  - (f) a discretionary trust in existence as at 31 December 2020 that has not had its trust deed amended prior to 31 December 2020 to prevent distributions to foreign beneficiaries;
  - (g) a foreign government; or
  - (h) a general partner of a limited partnership where:
    - i. an individual not ordinarily resident in Australia, a foreign corporation or a foreign government holds at least 20% in the limited partnership, or
    - ii. two or more persons each of whom is an individual not ordinarily resident in Australia, a foreign corporation or a foreign government, hold an aggregate interest of at least 40% in the limited partnership.

#### **Note:**

- Australian Citizens are not foreign persons, irrespective of where they reside.
  - See s.104J of the *Duties Act 1997* for the meaning of "not ordinarily resident in Australia".
21. For the purposes of surcharge land tax, residential land means any of the following and does not include any land used for primary production as defined in section 10AA of the *Land Tax Management Act*:



- (a) a parcel of land on which there are one or more dwellings, or a parcel of land on which there is a building under construction that, when completed, will constitute one or more dwellings, or
  - (b) a strata lot if it is lawfully occupied as a separate dwelling, or suitable for lawful occupation as a separate dwelling, or
  - (c) a utility lot if its use is restricted to the owner or occupier of a strata lot described in paragraph 21(b), or
  - (d) a land use entitlement if it entitles the holder to occupy a building, or part of a building, as a separate dwelling, or
  - (e) a parcel of vacant land that is zoned or otherwise designated for use for residential purposes, or principally for residential purposes.
22. A foreign person who jointly owns residential land may be liable for surcharge land tax on the person's proportionate interest in the jointly owned residential land.

### **How to Lodge a Return**

23. A person, including an agent or trustee may satisfy the obligation to lodge an initial return, a variation return or a surcharge return, by entering the required information online at [www.revenue.nsw.gov.au/taxes/land/online](http://www.revenue.nsw.gov.au/taxes/land/online). To login you will need your client ID and correspondence ID, which can be found on any recent Revenue NSW land tax notice or correspondence.
24. Contact Revenue NSW if you are unable to use the on-line lodgement option and require an alternative means of lodging a return. Revenue NSW's contact details and business hours are published on the website.

Go to [www.revenue.nsw.gov.au](http://www.revenue.nsw.gov.au) for more information on land tax and surcharge land tax.



Scott Johnston  
Chief Commissioner of State Revenue  
Date: 14/12/20

## GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of Section 10 of the *Geographical Names Act 1966*, the Geographical Names Board has this day assigned the name listed hereunder as a geographical name.

Tim Fischer Park for a reserve located in Drummond Street, Boree Creek, in Federation LGA.

The position and extent for this feature is recorded and shown within the Geographical Names Register of New South Wales. This information can be accessed through the Board's website at [www.gnb.nsw.gov.au](http://www.gnb.nsw.gov.au)

NARELLE UNDERWOOD  
Chair

Geographical Names Board  
346 Panorama Ave  
BATHURST NSW 2795

## GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of Section 8 of the *Geographical Names Act 1966*, the Geographical Names Board hereby notifies that it proposes to assign the name:

***Kestrel Park*** for a reserve located south of Old Hill Link between Honeyeater and Kingfisher Streets in the suburb of Lidcombe, City of Parramatta LGA.

The position and extent for this feature is recorded and shown within the Geographical Names Register of New South Wales. The proposal can be viewed and submissions lodged on the Geographical Names Board website at [www.gnb.nsw.gov.au](http://www.gnb.nsw.gov.au) from 15 December 2020 to 22 January 2021. Alternatively, written submissions may be mailed to the Secretary, Geographical Names Board, 346 Panorama Ave, Bathurst, NSW 2795.

In accordance with Section 9 of the *Geographical Names Act 1966*, all submissions lodged may be subject to a Government Information (Public Access) application and may be viewed by a third party to assist the Board in considering this proposal.

NARELLE UNDERWOOD  
Chair

Geographical Names Board  
346 Panorama Ave  
BATHURST NSW 2795

# Anti-Discrimination Act 1977

## EXEMPTION ORDER

Under the provisions of section 126 of the *Anti-Discrimination Act 1977* (NSW), an exemption is given from sections 8 and 51 of the *Anti-Discrimination Act 1977* (NSW) to **The Financial Rights Legal Centre** to designate and recruit the position of Financial Counsellor for an Aboriginal or Torres Strait Islander person only.

This exemption will remain in force for 10 years.

Dated this 10 day of December 2020

Elizabeth Wing  
**Executive Manager**  
**Delegate of the President**  
**Anti-Discrimination NSW**

## GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of Section 10 of the *Geographical Names Act 1966*, the Geographical Names Board has this day assigned the name listed hereunder as a geographical name.

*Lowe Reserve*, for a reserve located between Kanangra and Bengal Crescents and Suffolk Place in the suburb of Elderslie.

The position and extent for this feature is recorded and shown within the Geographical Names Register of New South Wales. This information can be accessed through the Board's website at [www.gnb.nsw.gov.au](http://www.gnb.nsw.gov.au)

NARELLE UNDERWOOD  
Chair

Geographical Names Board  
346 Panorama Ave  
BATHURST NSW 2795

## GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of Section 10 of the *Geographical Names Act 1966*, the Geographical Names Board has this day assigned the name listed hereunder as a geographical name.

*Maitland Regional Sportsground*, for a sportsground located in James Street in the suburb of Maitland.

The position and extent for this feature is recorded and shown within the Geographical Names Register of New South Wales. This information can be accessed through the Board's website at [www.gnb.nsw.gov.au](http://www.gnb.nsw.gov.au)

NARELLE UNDERWOOD  
Chair

Geographical Names Board  
346 Panorama Ave  
BATHURST NSW 2795

## GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of Section 10 of the *Geographical Names Act 1966*, the Geographical Names Board has this day assigned the name listed hereunder as a geographical name.

*Julia Creek*, for a creek, starting at Peter Brock Drive, and flowing in a north easterly direction to South Creek / Wianamatta in the suburb of Oran Park.

The position and extent for this feature is recorded and shown within the Geographical Names Register of New South Wales. This information can be accessed through the Board's website at [www.gnb.nsw.gov.au](http://www.gnb.nsw.gov.au)

NARELLE UNDERWOOD  
Chair

Geographical Names Board  
346 Panorama Ave  
BATHURST NSW 2795

# Anti-Discrimination Act 1977

## EXEMPTION ORDER

Under the provisions of section 126 of the *Anti-Discrimination Act 1977* (NSW), an exemption is given from sections 8 and 51 of the *Anti-Discrimination Act 1977* (NSW) to Coast History & Heritage to designate, advertise and recruit two Graduate Historian positions for Aboriginal and/or Torres Strait Islander persons only.

This exemption will remain in force for 2 years.

Dated this 10 day of December 2020

Elizabeth Wing  
**Executive Manager**  
**Delegate of the President**  
**Anti-Discrimination NSW**



## GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of Section 10 of the *Geographical Names Act 1966*, the Geographical Names Board has this day assigned the name listed hereunder as a geographical name.

*Maitland Regional Athletics Centre*, for a sportsground located in James Street in the suburb of Maitland.

The position and extent for this feature is recorded and shown within the Geographical Names Register of New South Wales. This information can be accessed through the Board's website at [www.gnb.nsw.gov.au](http://www.gnb.nsw.gov.au)

NARELLE UNDERWOOD  
Chair

Geographical Names Board  
346 Panorama Ave  
BATHURST NSW 2795

## WORKERS COMPENSATION (MESSAGE THERAPY FEES) ORDER 2021

under the

### **Workers Compensation Act 1987**

I, Carmel Donnelly, Chief Executive, State Insurance Regulatory Authority, make the following Order pursuant to section 61(2) of the *Workers Compensation Act 1987*.

Dated this 12<sup>th</sup> day of December 2020



Carmel Donnelly  
Chief Executive  
State Insurance Regulatory Authority

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### **Explanatory Note**

Treatment by a “masseur” is medical or related treatment covered under the *Workers Compensation Act 1987*. For the purposes of this Order, the term “masseur” is interchangeable with “Massage Therapist”. This Order sets the maximum fees for which an employer is liable under the Act, for reasonably necessary treatment by a Massage Therapist of a worker’s work-related injury.

Any Massage Therapy treatment related services provided to a NSW worker must not exceed the maximum fee for the treatment or service as specified in this Order. Workers are not liable for the cost of any medical or related treatment covered by this Order.

The effect of this Order is to prevent a Massage Therapist from recovering from the injured worker or employer any extra charge for treatments covered by the Order.

This Order provides that pre-approval by workers compensation insurers must be sought for certain Massage Therapy services.

The incorrect use of any item referred to in this Order can result in the Massage Therapist being required to repay monies that the Massage Therapist has incorrectly received.

### **Workers Compensation (Massage Therapy Fees) Order 2021**

#### **1. Name of Order**

This Order is the *Workers Compensation (Massage Therapy Fees) Order 2021*.

#### **2. Commencement**

This Order commences on 1 January 2021.

#### **3. Definitions**

In this Order:

**the Act** means the *Workers Compensation Act 1987*.

**the Authority** means the State Insurance Regulatory Authority as constituted under section 17 of the *State Insurance and Care Governance Act 2015*.

**Allied Health Recovery Request (AHRR)** means the form to be used by the practitioner to request prior approval for treatment and services and to communicate to the insurer about a worker's treatment, timeframes and anticipated outcomes.

**Consultation and treatment** includes:

- history taking
- assessment/re-assessment
- goal setting and treatment planning
- treatment/service
- clinical recording
- communication with referrer, insurer and other relevant parties, and
- preparation of an Allied Health Recovery Request when indicated.

**GST** means the Goods and Services Tax payable under the GST Law.

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

**Insurer** means the employer's workers compensation insurer.

**Massage Therapist** means any person providing Massage Therapy services.

For the purposes of this Order, the term "masseur" is interchangeable with "Massage Therapist".

**Massage Therapy services** refers to treatment services limited to soft tissue massage targeting specific musculoskeletal injuries. Each service is to be billed according to Schedule A.

#### **4. Application of Order**

This Order applies to treatment provided on or after 1 January 2021, whether it relates to an injury received before, on or after that date.

#### **5. Maximum fees for Massage Therapy**

The maximum fee amount for which an employer is liable under the Act for treatment of a worker by a Massage Therapist, being treatment of a type specified in Column 1 of Schedule A to this Order, is the corresponding amount specified in Column 2 of that Schedule.

#### **6. Treatment provider number**

The service provider number to be used is INT0000 and the payment classification code is the one that is relevant to NSW Massage Therapists, as defined in Schedule A in the column headed "**Item**" of this Order.

#### **7. Nil fees for cancellation or non-attendance**

No fee is payable for cancellation or non-attendance by a worker for treatment services with a Massage Therapist.

#### **8. Goods and Services Tax (GST)**

- (1) Massage Therapy services are subject to GST.
- (2) An amount fixed by this Order is exclusive of GST. An amount fixed by this Order may be increased by the amount of any GST payable in respect of the service to which the cost relates, and the cost so increased is taken to be the amount fixed by this Order. This clause does not permit a Massage Therapist to charge or recover more than the amount of GST payable in respect of the service to which the cost relates.

#### **9. Requirements for invoices**

All invoices should be submitted within 30 calendar days of the service provided and must be itemised in accordance with Schedule A and comply with the Authority's requirements for the invoice to be processed. Refer to the relevant provider page on the SIRA website - <https://www.sira.nsw.gov.au/for-service-providers/A-Z-of-service-providers>

#### 10. No pre-payment of fees

Pre-payment of fees for reports and services is not permitted.

### Schedule A

#### Maximum fees for Massage Therapists (including interstate practitioners)

Item	Column 1 Type of Treatment	Column 2 Maximum Amount (excl GST)
RMA001	Consultation and treatment (60 minutes duration)	\$85.70
RMA002	Consultation and treatment (45 minutes duration)	\$64.20
RMA003	Consultation and treatment (30 minutes duration)	\$43.00
WCO005	Fees for providing copies of clinical notes and records.	<p>Where clinical records are maintained electronically by an allied health practitioner /practice, a flat fee of \$60 is payable (for provision of all requested clinical records held by the practice) inclusive of postage and handling. An allied health practitioner/practice should not provide or bill for hard copy clinical records if they are maintained electronically.</p> <p>Where clinical records are not maintained electronically, the maximum fee for providing hard copies of clinical records is \$38 (for 33 pages or less) and an additional \$1.40 per page if more than 33 pages. This fee includes postage and handling.</p>

**WORKERS COMPENSATION (PHYSIOTHERAPY, CHIROPRACTIC AND  
OSTEOPATHY FEES) ORDER 2021**

under the

***Workers Compensation Act 1987***

I, Carmel Donnelly, Chief Executive, State Insurance Regulatory Authority, make the following Order pursuant to section 61(2) of the *Workers Compensation Act 1987*.

Dated this 12<sup>th</sup> day of December 2020



Carmel Donnelly  
Chief Executive  
State Insurance Regulatory Authority

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**Explanatory Note**

Treatment by a Physiotherapist, Chiropractor or Osteopath is medical or related treatment covered under the *Workers Compensation Act 1987* (the Act). This Order sets the maximum fees for which an employer is liable under the Act for any Physiotherapy, Chiropractic and Osteopathy treatment related services provided to a NSW worker. For clarity this Order applies to an exempt worker or a worker receiving treatment under the Act outside of NSW.

Physiotherapists, Chiropractors and Osteopaths cannot bill for services set out in schedule A in excess of the maximum fee, recovery may be sought for fees charged in excess of the maximum amount.

The Authority has not set a maximum amount for any medical or related treatment provided in respect of a worker's work related "Severe injury" as defined in this Order. Rates for this treatment are negotiated between the practitioner and insurer.

**Workers Compensation (Physiotherapy, Chiropractic and Osteopathy Fees) Order 2021**

**1. Name of Order**

This Order is the *Workers Compensation (Physiotherapy, Chiropractic and Osteopathy Fees) Order 2021*

**2. Commencement**

This Order commences on 1 January 2021.

**3. Definitions**

In this Order:

***The Act*** means the *Workers Compensation Act 1987*.

***the Authority*** means the State Insurance Regulatory Authority as constituted under section 17 of the *State Insurance and Care Governance Act 2015*.

***Allied Health Recovery Request*** means the form used to request prior approval for treatment and services and to communicate with the insurer about a worker's treatment, timeframes and anticipated outcomes.

***Case conference*** means a face-to-face meeting, video conference or teleconference with any or all the following parties – worker (including a support person, if requested by the worker),

employer, workplace rehabilitation provider, insurer or other treatment provider/s delivering services to the worker. Discussion must seek to clarify the worker's capacity for work, barriers to return to work and strategies to overcome these barriers via an open forum to ensure parties are aligned with respect to expectations and direction of the worker's recovery at work or return to suitable employment. If the discussion you have is with the worker either with or without their chosen support person, it must include another third party (apart from the worker's support person) to be considered a case conference.

Discussions during Independent consultant reviews are not classified as case conferencing. Discussions between treating doctors and practitioners relating to treatment are considered a normal interaction and not case conferencing.

**Chiropractor** means a Chiropractor who has general registration to provide chiropractic services with the Australian Health Practitioner Regulation Agency.

Note: As outlined in the SIRA Workers Compensation Regulation Guideline for approval of treating allied health practitioners, a Chiropractor must be approved by the authority to deliver services in the NSW workers compensation system. The requirement to be approved does not apply to treatment provided interstate or to exempt workers.

**Chiropractic services** refer to all treatment related services delivered by a Chiropractor. Each service is to be billed in accordance with Schedule A.

**Consultation A - Initial** means the first session provided by the Physiotherapist, Chiropractor or Osteopath in respect of an injury or the first consultation in a new episode of care for the same injury.

**Consultation A – Subsequent** means treatment sessions provided after the initial consultation and treatment.

**Consultation B - Initial** means the first session provided by the Physiotherapist, Chiropractor or Osteopath in respect of an injury where the clinical presentation includes:

- two (2) entirely separate compensable injuries or conditions. Where assessment and treatment applied to one of the injuries or conditions is separate to the treatment required for the other injury e.g. neck condition plus post fracture wrist. A compensable injury with referred symptoms to another body area does not constitute more than one injury, or
- complicated hand injuries involving multiple fingers, joints or tissues.

See Initial consultation for full definition of initial assessment and treatment.

**Consultation B - Subsequent** means treatment sessions provided subsequent to Consultation B Initial where the clinical presentation includes:

- two (2) entirely separate compensable injuries or conditions. Where assessment and treatment applied to one of the injuries or conditions is separate to the treatment required for the other injury e.g. neck condition plus post fracture wrist. A compensable injury with referred symptoms to another body area does not constitute more than one injury, or
- complicated hand injuries involving multiple fingers, joints or tissues.

See Subsequent consultation for full definition of subsequent assessment and treatment.

**Consultation C – may include Initial** or subsequent consultation, in respect of an injury where the clinical presentation includes:

- three (3) or more entirely separate compensable injuries or conditions. Where assessment and treatment required for any one of the injuries or conditions is separate to the treatment required for any of the other injuries. e.g. treatment required for a neck condition, treatment for a wrist post-fracture, plus treatment for a knee ligament injury. A compensable injury with referred symptoms to another body area does not constitute more than one injury, or
- a major hand injury (Modified Hand Injury Severity Score > 100) where assessment and treatment is provided by an Australian Hand Therapy Association Accredited Hand Therapist, or
- extensive burns.

Provision of Consultation C – See Initial consultation or Subsequent consultation for full definition of initial or subsequent assessment and treatment.

**Exempt worker** refers to specific classes of workers set out in Part 19H of Schedule 6 of the 1987 Act for which most of the amendments made to the Workers Compensation Acts in 2012 and 2015 do not apply. These classes of workers include police officers, paramedics, fire fighters, coal miners and volunteers prescribed by the *Workers Compensation (Bush Fire, Emergency and Rescue Services) Act 1987*.

**External facility** means an external facility such as a gymnasium or pool, where the facility is not owned or operated by the treatment practitioner or where the practitioner does not contract their services to the facility.

**First subsequent Certificate of Capacity** means the first of any subsequent Certificates of Capacity issued by the worker's treating Physiotherapist (approved by the Authority in accordance with any requirement under the *Workers Compensation Regulation 2016* (the Regulation)) and submitted to the insurer for the claim. This would apply after the first Certificate of Capacity has been issued by the nominated treating doctor.

**Group/class intervention** occurs where a Physiotherapist, Chiropractor or Osteopath delivers a common service to more than one person at the same time. Examples are education, exercise groups, aquatic classes/hydrotherapy. Maximum class size is six (6) participants.

**GST** means the Goods and Services Tax payable under the GST Law.

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

**Home visit** applies in cases where, due to the effects of the injury sustained, the worker is unable to travel. The home visit must be the best and most cost-effective option to enable treatment of the worker.

**Incidental expenses** means items the worker actually takes with them for independent use at home (e.g. strapping tape, theraband, exercise putty, disposable electrodes, walking stick). This does not apply to consumables used during a consultation or exercise handouts.

**Independent consultant review** means a review where barriers to recovery, progress, return to work or active participation are evident, and an independent opinion of allied health treatment will benefit the management of the worker's injury. Independent consultant review means a review completed by an Independent consultant approved by the Authority.

**Initial Allied Health Recovery Request** means the first Allied Health Recovery Request completed and submitted to the insurer for the claim.

**Initial** consultation means the first session provided by the Physiotherapist, Chiropractor or Osteopath in respect of an injury or the first consultation in a new episode of care for the same injury and may include:

- history taking
- physical assessment
- tailored goal setting and treatment planning
- setting expectations of recovery and return to work
- treatment/service
- clinical recording
- communication with referrer, insurer and other relevant parties, and preparation of an Allied Health Recovery Request when indicated

This definition applies to a service provide on a one to one basis with the worker for the entire session.

**Insurer** means the employer's workers compensation insurer.

**Major hand injury** means a hand injury which is assessed in accordance with the Modified Hand Injury Severity Score (MHISS) and scores > 100.

**New episode of care** means when a worker has ceased treatment more than three (3) months previously and returns for additional treatment for the same injury with the same or a different practitioner.

**Normal practice** means premises in or from which a practitioner regularly operates a Physiotherapy, Chiropractic or Osteopathy practice and treats patients. It also includes facilities where services may be delivered on a regular or contracted basis such as a private hospital, hydrotherapy pool or gymnasium.

**Osteopath** means an Osteopath who has general registration to provide osteopathy services with the Australian Health Practitioner Regulation Agency.

Note: As outlined in the SIRA Workers Compensation Regulation Guideline for approval of treating allied health practitioners, an Osteopath must be approved by the authority to deliver services in the NSW workers compensation system. The requirement to be approved does not apply to treatment provided interstate or to exempt workers.

**Osteopathy services** refer to all treatment related services delivered by an Osteopath. Each service is to be billed in accordance with Schedule A.

**Physiotherapist** means a Physiotherapist who has general registration to provide physiotherapy services with the Australian Health Practitioner Regulation Agency.

Note: As outlined in the SIRA Workers Compensation Regulation Guideline for approval of treating allied health practitioners, a Physiotherapist must be approved by the authority to deliver services in the NSW workers compensation system. The requirement to be approved does not apply to treatment provided interstate or to exempt workers.

**Physiotherapy services** refer to all treatment related services delivered by a Physiotherapist. Each service is to be billed in accordance with Schedule A.

**Practitioner** in this Order means a Physiotherapist, Chiropractor or Osteopath who delivers services in accordance Schedules A of this Order to a NSW worker.

**Report writing** occurs only when the insurer requests a Physiotherapist, Chiropractor or Osteopath compile a written report, other than the Allied Health Recovery Request, providing details of the worker's treatment, progress and work capacity. The insurer must provide pre-approval for such a service.

**Severe injury** means one or more of the following diagnoses:

- spinal cord injury — acute traumatic lesion of the neural elements in the spinal canal (spinal cord and cauda equina) resulting in permanent sensory deficit, motor deficit or bladder/bowel dysfunction as a result of the workplace injury
- traumatic brain injury — based on evidence of a significant brain injury which results in permanent impairments of cognitive, physical and/or psychosocial functions. A defined period of post traumatic amnesia plus a Functional Independence Measure (FIM) at five or less, or two points less than the age appropriate norm (or equivalent where other assessment tools are used) is required
- multiple amputations (or equivalent loss of function) of the upper and/or lower extremities or single amputations (or equivalent loss of function) involving forequarter amputation or shoulder disarticulation, hindquarter amputation, hip disarticulation or "short" trans femoral amputation involving the loss of 65% or more of the length of the femur
- burns — full thickness burns greater than 40 per cent of the total body surface area or full thickness burns to the hands, face or genital area, or inhalation burns causing long term respiratory impairment, plus a FIM score at five or less, or two points less than the age norm (or equivalent where other assessment tools are used)
- permanent traumatic blindness based on the legal definition of blindness.

**Subsequent Certificate of Capacity** means the form approved by the Authority, issued by the worker's treating physiotherapist approved by the Authority as prescribed in the Regulation.

**Subsequent** consultation means treatment sessions provided after the Initial consultation and treatment, and includes:



- re-assessment
- intervention/treatment
- setting expectations of recovery and return to work
- clinical recording, and
- preparation of an Allied Health Recovery Request when indicated.

The subsequent consultation rate is to be billed by the Physiotherapist, Chiropractor or Osteopath irrespective of the modality of treatment delivered during the consultation, provided it is on a one-to-one basis with the worker. Treatment may include but is not limited to manual therapy, education regarding self-management strategies, exercise prescription, dry needling and aquatic therapy/hydrotherapy.

**Telehealth consultations** means delivery of consultations via video or telephone by a Physiotherapist, Chiropractor or Osteopath. Consultations would be inclusive of any electronic communication to support the delivery of the treatment service. No additional fee (e.g. facility fee) can be charged in relation to the consultation.

**Three (3) distinct areas** means three (3) or more entirely separate compensable injuries or conditions. Where assessment and treatment required for any one of the injuries or conditions is separate to the treatment required for any of the other injuries. e.g. treatment required for a neck condition, treatment for a wrist post-fracture, plus treatment for a knee ligament injury. A compensable injury with referred symptoms to another body area does not constitute more than one injury.

**Travel** rates can be claimed when the most appropriate clinical management of the worker requires a Physiotherapist, Chiropractor or Osteopath to travel away from their commercial place of business.

**Two (2) distinct areas** means two (2) entirely separate compensable injuries or conditions. Where assessment and treatment applied to one of the injuries or conditions is separate to the treatment required for the other injury e.g. neck condition plus post fracture wrist. A compensable injury with referred symptoms to another body area does not constitute more than one injury.

#### 4. Application of Order

This Order applies to treatment provided on or after 1 January 2021 whether it relates to an injury received before, on or after that date.

#### 5. Maximum fees for Physiotherapy, Chiropractic or Osteopathy treatment

- (1) The maximum fee amount for which an employer is liable under the Act for treatment of a worker by a Physiotherapist, Chiropractor or Osteopath, being treatment of a type specified in Column 1 of Schedule A to this Order, is the corresponding amount specified in Column 2 of that Schedule.
- (2) If it is reasonably necessary for a practitioner to provide treatment of a type specified in any of items PTA007 to PTA011 and PTA015 (for Physiotherapy), CHA005, CHA006, CHA071, CHA072, CHA073 and CHA015 (for Chiropractic) or OSA007 to OSA011 and OSA015 (for Osteopathy) in Schedule A at a place other than the Normal practice, the maximum fee amount for which an employer would otherwise be liable under the Act for that type of treatment is increased by an amount calculated at the rate per kilometre (for the number of kilometres of travel reasonably involved). The rate per kilometre applies only to the number of kilometres of travel reasonably involved and directly related to the treatment. The rate per kilometre is specified for item PTA014 (Physiotherapy), CHA009 (Chiropractic), or OSA014 (Osteopathy) in Column 2 of Schedule A, where this service has been pre-approved by the insurer. Travel costs cannot be charged:
  - where the practitioner provides services to facilities such as a private hospital
  - where a practitioner does not have (or is employed by a business that does not have) a commercial place of business for the delivery of Physiotherapy, Chiropractic and Osteopathy treatment services (e.g. mobile practice).

Where multiple workers are being treated in the same visit to a facility or in the same geographical area on the same day, the reasonable travel charge must be divided evenly between those workers.

- (3) The maximum amount payable for an Initial Allied Health Recovery Request is \$38.00 (+ GST). This fee is payable only once (1) per claim for completion of the Initial Allied Health Recovery Request.
- (4) The maximum amount payable for the First subsequent Certificate of Capacity is \$38.00 (+GST). This fee is payable only once (1) per claim for completion of the First subsequent Certificate of Capacity.
- (5) Telehealth consultations are to be billed according to the appropriate items PTA301 to PTA304 (for Physiotherapy); CHA301 to CHA304, (for Chiropractic) and OSA301 to OSA304 (for Osteopathy) in Schedule A. No additional payment in relation to facility fees can be charged by the practitioner undertaking the consultation.

## **6. External facility fees**

In the exceptional circumstance where approval is given for treatment to be provided at an external facility, the facility (and not the practitioner) is to invoice the insurer directly under code OTT007. Where this is not possible, the practitioner must clearly state the name, location and charge cost price of the facility usage on their invoice and attach a copy of the facilities invoice to their account.

External facility fees only apply to the cost for the worker's entry. Fees payable for the entry of the practitioner are a business cost and cannot be charged to the insurer.

An entry fee will not be paid where the facility is owned or operated by the treatment practitioner or the treatment practitioner contracts their services to the facility.

## **7. Goods and Services Tax**

An amount fixed by this Order is exclusive of GST. An amount fixed by this Order may be increased by the amount of any GST payable in respect of the service to which the cost relates, and the cost so increased is taken to be the amount fixed by this Order. This clause does not permit an allied health practitioner to charge or recover more than the amount of GST payable in respect of the service to which the cost relates.

**Schedule A**

**Maximum fees for Physiotherapy, Chiropractic and Osteopathy services**

<i>Physiotherapists Item</i>	<i>Chiropractors Item</i>	<i>Osteopaths Item</i>	<i>Column 1 Type of Treatment</i>	<i>Column 2 Maximum Amount (\$) (excl GST)</i>
<b>Normal Practice</b>	<b>Normal Practice</b>	<b>Normal Practice</b>		
PTA001	CHA001	OSA001	Consultation A - Initial	\$125.00
PTA301	CHA301	OSA301	Consultation A - Initial via telehealth	\$125.00
PTA002	CHA002	OSA002	Consultation A - Subsequent	\$83.30
PTA302	CHA302	OSA302	Consultation A - Subsequent via telehealth	\$83.30
PTA003	CHA031	OSA003	Consultation B - Initial <ul style="list-style-type: none"> <li>• Two (2) distinct areas</li> <li>• Complicated hand injuries</li> </ul>	\$188.30
PTA303	CHA303	OSA303	Consultation B - Initial via telehealth of <ul style="list-style-type: none"> <li>• Two (2) distinct areas</li> <li>• Complicated hand injuries</li> </ul>	\$188.30
PTA004	CHA032	OSA004	Consultation B - Subsequent <ul style="list-style-type: none"> <li>• Two (2) distinct areas</li> <li>• Complicated hand injuries</li> </ul>	\$125.50
PTA304	CHA304	OSA304	Consultation B - Subsequent via telehealth <ul style="list-style-type: none"> <li>• two (2) distinct areas</li> <li>• Complicated hand injuries</li> </ul>	\$125.50
PTA005	CHA033	OSA005	Consultation C – Initial or subsequent <ul style="list-style-type: none"> <li>• Three (3) or more distinct areas</li> <li>• Major hand injury (Modified Hand Injury Severity Score &gt; 100)</li> <li>• Extensive burns</li> </ul>	\$16.40 /5 minutes \$196.80/hour (maximum)
PTA006	CHA010	OSA006	Group/class intervention	\$59.00/participant
N/A	CHA004	N/A	Spine X-rays performed by a Chiropractor	\$150.10
<b>Home Visit</b>	<b>Home Visit</b>	<b>Home Visit</b>		
PTA007	CHA005	OSA007	Consultation A - Initial	\$125.00
PTA008	CHA006	OSA008	Consultation A - Subsequent	\$96.80
PTA009	CHA071	OSA009	Consultation B - Initial Two (2) distinct areas <ul style="list-style-type: none"> <li>• Complicated hand injuries</li> </ul>	\$188.30
PTA010	CHA072	OSA010	Consultation B - Subsequent <ul style="list-style-type: none"> <li>• Two (2) distinct areas</li> <li>• Complicated hand injuries</li> </ul>	\$152.90

PTA011	CHA073	OSA011	<p>Consultation C – Initial or subsequent</p> <ul style="list-style-type: none"> <li>• Three (3) or more distinct areas</li> <li>• Major hand injury (Modified Hand Injury Severity Score &gt; 100)</li> <li>• Extensive burns</li> </ul>	<p>\$16.40 /5 minutes \$196.80/hour (maximum)</p>
<b>Other</b>	<b>Other</b>	<b>Other</b>		
PTA014	CHA009	OSA014	Travel costs (requires pre-approval by the insurer).	<p>Use of private motor vehicle:</p> <ul style="list-style-type: none"> <li>- 68 cents per kilometre</li> <li>- Reimbursed in accordance with the “Use of private motor vehicle” set out in Item 6 of Table 1 (Rates and Allowances) to Part B (Monetary Rates) of the <i>Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009</i>, at the rate effective 1 July 2019.</li> </ul>
PTA015	CHA015	OSA015	Case conference	\$16.40 (+GST)/ 5 minutes
PTA016	CHA016	OSA016	Report writing (only when requested by the insurer)	\$16.40 (+GST)/ 5 minutes (maximum 1 hour)
PTA020	CHA020	OSA020	<p>Incidental expenses e.g. strapping, tape, theraband, exercise putty, etc. Note: This code does not apply to external facility fees</p>	Cost price, including postage/freight.
WCO005	WCO005	WCO005	Fees for providing copies of clinical notes and records.	<p>Where clinical records are maintained electronically by an allied health practitioner /practice, a flat fee of \$60 is payable (for provision of all requested clinical records held by the practice) inclusive of postage and handling. An allied health</p>

				<p>practitioner/practice should not provide or bill for hard copy clinical records if they are maintained electronically.</p> <p>Where clinical records are not maintained electronically, the maximum fee for providing hard copies of clinical records is \$38 (for 33 pages or less) and an additional \$1.40 per page if more than 33 pages. This fee includes postage and handling.</p>
OAS003	OAS003	OAS003	Submission of an Initial Allied Health Recovery Request (AHRR) only.	<p>\$38.00 (Initial AHRR per claim only)</p> <p>All other Allied Health Recovery Requests submissions do not attract a fee. For Initial Consultation A, B and C when indicated.</p>
OAS004	Nil	Nil	Submission of a first subsequent Certificate of Capacity only. Note: Must be a SIRA approved Physiotherapist to issue a Certificate of Capacity	<p>\$38.00 (First subsequent Certificate of Capacity only)</p> <p>All other Certificate of Capacity submissions do not attract a fee</p>

## WORKERS COMPENSATION (HEARING AID FEES) ORDER 2021

under the

### *Workers Compensation Act 1987*

I, Carmel Donnelly, Chief Executive, State Insurance Regulatory Authority, make the following Order pursuant to section 61(2) of the *Workers Compensation Act 1987*.

Dated this 12<sup>th</sup> day of December 2020



Carmel Donnelly  
Chief Executive  
State Insurance Regulatory Authority

### Explanatory Note

Treatment by a hearing service provider is a category of medical or related treatment as defined in section 59 of the of the *Workers Compensation Act 1987* (the Act). This Order sets the maximum fees for which an employer is liable under the Act for provision of reasonably necessary medical or related treatment and a hearing aid by a hearing service provider to an injured worker who has a work-related injury hearing loss. For clarity this Order applies to an exempt worker or a worker receiving treatment under the Act outside of NSW.

Hearing service providers cannot bill for services set out in schedule A in excess of the maximum fee, recovery may be sought for fees charged in excess of the maximum amount.

### Workers Compensation (Hearing Aid Fees) Order 2021

#### 1. Name of Order

This Order is the *Workers Compensation (Hearing Aid Fees) Order 2021*.

#### 2. Commencement

This Order commences on 1 January 2021.

#### 3. Definitions

In this Order:

***The Act*** means the *Workers Compensation Act 1987*.

***the Authority*** means the State Insurance Regulatory Authority as constituted under section 17 of the *State Insurance and Care Governance Act 2015*.

***Audiologist*** is a university graduate with tertiary qualifications in audiology who specialises in the assessment, prevention and non-medical management of hearing impairment and associated disorders of communication. An audiologist is required to be an Audiology Australia Accredited Audiologist or a full/ordinary member of the Australian College of Audiology (ACAud).

***Audiometrist*** holds a qualification from a registered training organisation such as TAFE NSW followed by on-the-job training. An audiometrist also specialises in the non-medical assessment and management of communication difficulties caused by hearing loss. An audiometrist is required to be a full/ordinary member or be eligible for full/ordinary membership of the Australian College of Audiology (ACAud) or full/ordinary membership of the Hearing Aid Audiology Society of Australia (HAASA).

***Audiology Entity*** is a registered business or company that provides reasonably necessary medical or related treatment (hearing services) to a worker who has a work-related injury hearing loss.

**Cost price** means the price that a store or business pays for goods that are bought directly from the supplier. This is different to 'retail price' which is charged to consumers.

**Exempt worker** refers to specific classes of workers set out in Part 19H of Schedule 6 of the 1987 Act for which most of the amendments made to the Workers Compensation Acts in 2012 and 2015 do not apply. These classes of workers include police officers, paramedics, fire fighters, coal miners and volunteers prescribed by the *Workers Compensation (Bush Fire, Emergency and Rescue Services) Act 1987*.

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

**Hearing aid** is a non-implantable electronic instrument designed and manufactured to provide amplification for people with a hearing loss.

**Hearing aid accessories** supplement the use of a hearing aid to assist listening, communication and functioning in different environments.

**Hearing needs assessment** includes obtaining a clinical history, hearing assessment as per Australian/New Zealand Standard 1269.4:2014, determination of communication goals, recommendation of hearing aid, clinical rationale for hearing aid, hearing aid accessories (where required) and rehabilitation plan appropriate to the worker and the device.

**Hearing rehabilitation** includes the assessment, planning and delivery of tailored best practice hearing rehabilitation for the worker, encompassing all necessary education, hearing rehabilitation and counselling to facilitate effective hearing and for the worker to achieve their communication goals.

**Hearing Service Provider** refers to an Audiology Entity appropriately qualified to provide treatment and supply hearing aids to injured workers.

**Insurer** means the employer's workers compensation insurer.

**Telehealth services** means delivery of services via video or telephone by a Hearing Service Provider. Consultations would be inclusive of any electronic communication to support the delivery of the treatment service. No additional fee (e.g. facility fees) can be charged in relation to the services.

#### **4. Application of the Order**

This Order applies to the provision of medical or related treatment and a hearing aid, made on or after 1 January 2021, whether it relates to an injury received before, on or after that date.

#### **5. Maximum Fees for an approved hearing service provider**

- (1) The maximum fee amount for which an employer is liable under the Act for provision of medical or related treatment and a hearing aid by an Authority approved hearing service provider to an injured worker is listed in Schedule A.
- (2) The maximum fee for telehealth services are to be billed according to the appropriate item AID309 and AID310 in Schedule A.

#### **6. Goods and Services Tax**

An amount fixed by this Order is exclusive of GST. An amount fixed by this Order may be increased by the amount of any GST payable in respect of the service to which the cost relates, and the cost so increased is taken to be the amount fixed by this Order. This clause does not permit a hearing service provider to charge or recover more than the amount of GST payable in respect of the service to which the cost relates.

## SCHEDULE A

### Maximum fees for a hearing aid and services provided on or after 1 January 2021

<i>Item</i>	<i>Service description</i>	<i>Maximum amount (excl GST)</i>
AID004	Hearing needs assessment – Audiologist	\$214.20
AID005	Hearing needs assessment – Audiometrist	\$176.60
AID006	<p>Supply of hearing aid/s (including remote control and charger if required)</p> <p>‘Supply’ includes the:</p> <ul style="list-style-type: none"> <li>• ordering and delivery of the aid/s to the hearing service provider, and</li> <li>• provision of a 30-day trial of the aid by the worker and</li> <li>• supply of batteries and consumables for the first 12 months.</li> </ul>	<p>Cost price of hearing aid/s, including remote control, charger, batteries and consumables to maximum of \$2500.00 per aid</p>
AID007	<p>Hearing aid/s accessories</p> <p>Note: does not include remote control or charger.</p>	<p>Cost price, including postage/freight to the provider.</p>
AID008	<p>Handling fee for hearing aid/s (monaural or binaural) and accessories, payable upon supply of hearing aid/s and accessories</p> <p>Note: only one handling fee is billable per hearing aid/s at the time of supply whether they are supplied with accessories or not. The handling fee is not applicable once the hearing aid/s are supplied or for requests of accessories only.</p>	\$315.20
<p>AID009 (in person)</p> <p>AID309 (telehealth)</p>	<p>Fitting of device</p> <p>A fitting fee is payable upon supply of hearing aid/s (monaural or binaural). This fee covers:</p> <ul style="list-style-type: none"> <li>• fitting of the hearing aid/s and assessment that the device is suited to the worker</li> <li>• instructions and education on use of the device and accessories, tailored to the needs of the worker</li> <li>• provision of a device management plan outlining life expectancy, warranty, servicing recommendations, emergency support availability and battery requirements including the need for a charger if appropriate</li> </ul> <p>Note: Only one fitting fee is billable per hearing aid/s whether it be provided in person or via telehealth.</p>	\$619.20
<p>AID010 (in person)</p> <p>AID310 (telehealth)</p>	<p>Hearing rehabilitation</p> <p>Assess, plan and deliver tailored best practice hearing rehabilitation for the worker, encompassing all necessary education, hearing rehabilitation and counselling to facilitate effective hearing and for the worker to achieve their communication goals.</p>	\$619.20



AID011	<p>New batteries/consumables 12 months' supply of hearing aid/s battery and consumables, as requested by the worker.</p> <p>Note: Cannot be supplied until 12 months after the initial supply of the hearing aid/s.</p>	\$126.10 per hearing aid
AID012	<p>Hearing aid/s review/minor maintenance</p> <p>Audiological services provided for hearing aid/s adjustment, maintenance and rehabilitation for optimal use. <b>Note:</b> Cannot be supplied until 12 months after the initial fitting of the hearing aid.</p>	\$38.70/ 15 mins Maximum 1 hour
AID013	<p>Hearing aid repairs by manufacturer</p> <p>Note: Payable only if a copy of manufacturer's invoice for repairs is provided.</p>	Up to \$416.00

## WORKERS COMPENSATION (PSYCHOLOGY AND COUNSELLING FEES) ORDER 2021

under the

### **Workers Compensation Act 1987**

I, Carmel Donnelly, Chief Executive, State Insurance Regulatory Authority, make the following Order pursuant to section 61(2) of the *Workers Compensation Act 1987*.

Dated this 12<sup>th</sup> day of December 2020



Carmel Donnelly  
Chief Executive  
State Insurance Regulatory Authority

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### Explanatory Note

Treatment by a Psychologist or Counsellor is medical or related treatment covered under the *Workers Compensation Act 1987* (the Act). This Order sets the maximum fees for which an employer is liable under the Act for any Psychology or Counselling treatment related services provided to a NSW worker. For clarity this Order applies to an exempt worker or a worker receiving treatment under the Act outside of NSW.

Psychologists or Counsellors cannot bill for services set out in schedule A in excess of the maximum fee, recovery may be sought for fees charged in excess of the maximum amount.

The Authority has not set a maximum amount for any medical or related treatment provided in respect of a worker's work related "Severe injury" as defined in this Order. Rates for this treatment are negotiated between the practitioner and insurer.

The Authority has not set a maximum amount for trauma focused psychological treatment provided to an Emergency service worker employed by a Treasury Managed Fund member agency who has been diagnosed with a work related post-traumatic stress disorder. Rates for this treatment are negotiated between the Psychologist and insurer.

### **Workers Compensation (Psychology and Counselling Fees) Order 2021**

#### **1. Name of Order**

This Order is the *Workers Compensation (Psychology and Counselling Fees) Order 2021*.

#### **2. Commencement**

This Order commences on 1 January 2021.

#### **3. Definitions**

In this Order:

**the Act** means the *Workers Compensation Act 1987*.

**the Authority** means the State Insurance Regulatory Authority as constituted under section 17 of the *State Insurance and Care Governance Act 2015*.

**Allied Health Recovery Request** means the form used to request prior approval for treatment and services and to communicate with the insurer about a worker's treatment, timeframes and anticipated outcomes.

**Case conference** means a face-to-face meeting, video conference or teleconference with any or all of the following parties – worker (including a support person, if requested by the worker), employer, workplace rehabilitation provider, insurer or other treatment provider/s delivering services to the worker. Discussion must seek to clarify the worker's capacity for work, barriers to return to work and strategies to overcome these barriers via an open forum to ensure parties are aligned with respect to expectations and direction of the worker's recovery at work or return to suitable employment. If the discussion you have is with the worker either with or without their chosen support person, it must include another third party (apart from the worker's support person) to be considered a case conference.

Discussions during independent consultant reviews are not classified as case conferencing. Discussions between treating doctors and practitioners relating to treatment are considered a normal interaction and not case conferencing.

**Counsellor** means a Counsellor who is a full clinical member of the Psychotherapy and Counselling Federation of Australia (PACFA), or Accredited Mental Health Social Worker with the Australian Association of Social Workers (AASW) or an Australian Counsellors Association (ACA) member level 3-4.

Note: As outlined in the SIRA Workers Compensation Regulation Guideline for approval of treating allied health practitioners, a Counsellor must be approved by the authority to deliver services in the NSW workers compensation system. The requirement to be approved does not apply to treatment provided interstate or to exempt workers.

**Counselling services** refer to all treatment related services delivered by a Counsellor. Each service is to be billed according to Schedule B.

**Emergency service worker** means a worker who is employed by a Treasury Managed Fund member agency as an ambulance officer, a police officer or a fire and rescue officer.

**Exempt worker** refers to specific classes of workers set out in Part 19H of Schedule 6 to the Act for which most of the amendments made to the Workers Compensation Acts in 2012 and 2015 do not apply. These classes of workers include police officers, paramedics, fire fighters, coal miners and volunteers prescribed by the *Workers Compensation (Bush Fire, Emergency and Rescue Services) Act 1987*.

**Expert guidelines** means the *Expert guidelines: Diagnosis and treatment of post-traumatic stress disorder in emergency service workers* endorsed by the Black Dog Institute.

**First subsequent Certificate of Capacity** means the first of any subsequent Certificate of Capacity issued by the worker's treating Psychologist (approved by the Authority in accordance with any requirement under the *Workers Compensation Regulation 2016* (the Regulation)), and submitted to the insurer for the claim. This would apply after the first Certificate of Capacity has been issued by the nominated treating doctor.

**Group/class intervention** occurs where a Psychologist or Counsellor delivers a common service to more than one (1) person at the same time, for example: group therapy. Maximum class size is six (6) participants.

**GST** means the Goods and Services Tax payable under the GST Law.

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

**Incidental expenses** means items the worker actually takes with them for independent use at home (e.g. relaxation CDs and self-help books). This does not apply to consumables used during a consultation or exercise handouts.

**Independent consultant review** means a review where barriers to recovery, progress, return to work or active participation are evident, and an independent opinion of allied health treatment will benefit the management of the worker's injury. The review must be completed by an Independent consultant approved by the Authority.

**Initial Allied Health Recovery Request** means the first Allied Health Recovery Request completed and submitted to the insurer for approval by the Psychologist or Counsellor for the claim.

**Initial consultation and treatment** means the first session provided by the Psychologist or Counsellor in respect of an injury or the first consultation in a new episode of care for the same injury and may include:

- history taking
- assessment
- diagnostic formulation (Psychologists only)
- tailored goal setting and treatment planning
- setting expectations of recovery and return to work
- treatment/service
- clinical recording
- communication with referrer, insurer and other relevant parties, and
- preparation of an Allied Health Recovery Request when indicated.

The service is provided on a one-to-one basis with the worker for the entire session.

**Insurer** means the employer's workers compensation insurer.

**New episode of care** means when a worker has ceased treatment more than three (3) months previously and returns for additional treatment for the same injury with the same or different practitioner.

**Normal practice** means premises in or from which a practitioner regularly operates a Psychology or Counselling practice and treats patients. It also includes facilities where services may be delivered on a regular or contract basis such as a private hospital or workplace.

**Practitioner** in this Order, means a Psychologist or Counsellor who delivers services in accordance Schedules A or B of this Order to a NSW worker.

**Psychologist** means a Psychologist who has general registration to provide psychology services with Australian Health Practitioner Regulation Agency (AHPRA).

Note: As outlined in the SIRA Workers Compensation Regulation Guideline for approval of treating allied health practitioners, a Psychologist must be approved by the authority to deliver services in the NSW workers compensation system. The requirement to be approved does not apply to treatment provided interstate or to exempt workers.

**Psychology services** refers to all treatment related services delivered by a Psychologist. Each service is to be billed according to Schedule A.

**Report writing** occurs only when the insurer requests a Psychologist or Counsellor compile a written report, other than an Allied Health Recovery Request, providing details of the worker's treatment, progress and work capacity. The insurer must provide pre-approval for such a service.

**Severe injury** means one or more of the following diagnoses:

- spinal cord injury — acute traumatic lesion of the neural elements in the spinal canal (spinal cord and cauda equina) resulting in permanent sensory deficit, motor deficit or bladder/bowel dysfunction as a result of the workplace injury
- traumatic brain injury — based on evidence of a significant brain injury which results in permanent impairments of cognitive, physical and/or psychosocial functions. A defined period of post traumatic amnesia plus a Functional Independence Measure (FIM) at five or less, or two points less than the age appropriate norm (or equivalent where other assessment tools are used) is required
- multiple amputations (or equivalent loss of function) of the upper and/or lower extremities or single amputations (or equivalent loss of function) involving forequarter amputation or shoulder disarticulation, hindquarter amputation, hip disarticulation or "short" trans femoral amputation involving the loss of 65% or more of the length of the femur
- burns — full thickness burns greater than 40 per cent of the total body surface area or full thickness burns to the hands face or genital area, or inhalation burns causing long term respiratory impairment, plus a FIM score at five or less, or two points less than the age norm (or equivalent where other assessment tools are used)
- permanent traumatic blindness, based on the legal definition of blindness.

**Subsequent consultation and treatment** means treatment sessions provided subsequent to the Initial consultation and treatment and includes:

- re-assessment
- intervention/treatment
- setting expectations of recovery and return to work
- clinical recording, and
- preparation of an Allied Health Recovery Request when indicated.

The service is one-to-one with the worker for the entire session.

**Subsequent Certificate of Capacity** means the form approved by the Authority, issued by the worker's treating Psychologist approved by the Authority as prescribed in the Regulation.

**Telehealth consultations** means delivery of consultations via video or telephone by a Psychologist or Counsellor. Consultations would be inclusive of any electronic communication to support the delivery of the treatment service. No additional fee (e.g. facility fees) can be charged in relation to the consultation.

**Trauma focused psychological treatment** means cognitive behavioural therapy or eye movement desensitisation reprocessing provided by a Psychologist in accordance with the *Expert guidelines* as defined in this Order.

**Travel** rates can be claimed when the most appropriate clinical management of the worker requires a Psychologist or Counsellor to travel away from their commercial place of business.

#### 4. Application of Order

This Order applies to treatment provided on or after 1 January 2021, whether it relates to an injury received before, on or after that date.

#### 5. Maximum fees for Psychology or Counselling treatment

- (1) The maximum fee amount for which an employer is liable under the Act for treatment of a worker by a Psychologist or Counsellor, being treatment of a type specified in Column 1 of Schedule A for Psychologists, and Schedule B for Counsellors to this Order, is the corresponding amount specified in Column 2 of those Schedules.
- (2) If it is reasonably necessary for a practitioner to provide treatment of a type specified in any of items PSY001 and PSY002 and PSY004 (for Psychologists) in Schedule A or COU002, and COU003 and COU005 (for Counsellors) in Schedule B at a place other than the Normal practice, the maximum fee amount for which an employer would otherwise be liable under the Act for that type of treatment is increased by an amount calculated at the rate per kilometre (for the number of kilometres of travel involved). The rate per kilometre applies only to the number of kilometres of travel reasonably involved and directly related to the treatment. The rate per kilometre is specified in item PSY005 (for Psychologists) in Column 2 of Schedule A and COU006 (for Counsellors) in Column 2 of Schedule B, where this service has been pre-approved by the insurer. Travel costs cannot be charged:
  - where the practitioner provides services to facilities such as a private hospital
  - where a practitioner does not have (or is employed by a business that does not have) a commercial place of business for the delivery of psychological or counselling treatment services (eg. mobile practice).

Where multiple workers are being treated in the same visit to a facility or in the same geographical area on the same day, the reasonable travel charge must be divided evenly between those workers.

- (3) The maximum amount payable for an Initial Allied Health Recovery Request is \$38.00 (+ GST). This fee is payable only once per claim for completion of the Initial Allied Health Recovery Request.
- (4) The maximum amount payable for the first Subsequent Certificate of Capacity is \$38.00 (+GST). This fee is payable only once (1) per claim for completion of the first subsequent Certificate of Capacity.
- (5) Telehealth consultations are to be billed according to the appropriate items PSY301 to PSY302 (for Psychologists) in Schedule A and items COU302 to COU303 (for Counsellors) in Schedule B. No additional payment in relation to facility fees can be charged by the practitioner undertaking the consultation.

## **6. Goods and Services Tax**

- (1) An amount fixed by this Order is exclusive of GST. An amount fixed by this Order may be increased by the amount of any GST payable in respect of the service to which the cost relates, and the cost so increased is taken to be the amount fixed by this Order. This clause does not permit a Psychologist or Counsellor to charge or recover more than the amount of GST payable in respect of the service to which the cost relates.

**Schedule A**

**Maximum fees for Psychologists services**

<b>Psychologists Item</b>	<b>Column 1 Type of Treatment</b>	<b>Column 2 Maximum Amount (\$) (excl GST)</b>
PSY001	Initial consultation and treatment	\$117.15/30 mins (maximum 60 minutes) (Pro-rata rates in units of 30 minutes apply)
PSY301	Initial consultation and treatment via telehealth	\$117.15/30 minutes (maximum 60 minutes) (Pro-rata rates in units of 30 minutes apply)
PSY002	Subsequent consultation and treatment	\$97.80/30 minutes (maximum 60 minutes) (Pro-rata rates in units of 30 minutes apply)
PSY302	Subsequent consultation and treatment via telehealth	\$97.80/30 minutes (maximum 60 minutes) (Pro-rata rates in units of 30 minutes apply)
PSY003	Report writing (requires pre-approval and must be requested by the insurer)	\$16.30/5 minutes (maximum 60 minutes)
PSY004	Case conference	\$16.30/5 minutes
PSY005	Travel (requires pre-approval by the insurer)	Reimbursed in accordance with the "Use of private motor vehicle" set out in Item 6 of Table 1 (Rates and Allowances) to Part B (Monetary Rates) of the <i>Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, at the rate effective 1 July 2019.</i> <i>Use of private motor vehicle:</i> - 68 cents per kilometre
PSY006	Group/class intervention	\$58.50/participant
PSY007	Trauma focused psychological treatment (for a worker who has been diagnosed with a work-related post traumatic stress disorder).	Must be pre-approved by the insurer. Rates to be negotiated between the Psychologist and insurer. Only to be used where treatment is provided to an emergency service worker employed by a Treasury Managed Fund member agency.
PSY020	Incidental expenses e.g. relaxation CD's, books, etc.	Cost price, including postage/freight

WCO005	Fees for providing copies of clinical notes and records.	<p>Where clinical records are maintained electronically by a Psychologist /practice, a flat fee of \$60 is payable (for provision of all requested clinical records held by the practice) inclusive of postage and handling. A Psychologist/practice should not provide or bill for hard copy clinical records if they are maintained electronically.</p> <p>Where clinical records are not maintained electronically, the maximum fee for providing hard copies of clinical records is \$38 (for 33 pages or less) and an additional \$1.40 per page if more than 33 pages. This fee includes postage and handling.</p>
OAS003	Submission of an Initial Allied Health Recovery Request (AHRR) only.	<p>\$38.00 (Initial AHRR per claim only)  Subsequent Allied Health Recovery Requests cannot be billed.</p>
OAS004	Submission of a first subsequent Certificate of Capacity only.	<p>\$38.00 (first subsequent Certificate of Capacity only)  All other Certificate of Capacity submissions are not subject to a fee</p>



**Schedule B**

**Maximum fees for Counsellors services**

<b>Counsellors Item</b>	<b>Column 1 Type of Treatment</b>	<b>Column 2 Maximum Amount (\$) (excl GST)</b>
COU002	Initial consultation and treatment	\$87.25/30 minutes (maximum 60 minutes) (Pro-rata rates in units of 30 minutes apply)
COU302	Initial consultation and treatment via telehealth	\$87.25/30 minutes (maximum 60 minutes) (Pro-rata rates in units of 30 minutes apply)
COU003	Subsequent consultation and treatment	\$78.00/30 minutes (maximum 60 minutes) (Pro-rata rates in units of 30 minutes apply)
COU303	Subsequent consultation and treatment via telehealth	\$78.00/30 minutes (maximum 60 minutes) (Pro-rata rates in units of 30 minutes apply)
COU004	Report writing (only when requested by the insurer)	\$13.00/5 minutes (maximum 60 minutes)
COU005	Case conference	\$13.00/5 minutes
COU006	Travel (requires pre-approval from the insurer)	Reimbursed in accordance with the "Use of private motor vehicle" set out in Item 6 of Table 1 (Rates and Allowances) to Part B (Monetary Rates) of the <i>Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, at the rate effective 1 July 2019.</i> <i>Use of private motor vehicle:</i> - 68 cents per kilometre
COU007	Group/class intervention	\$49.50/participant
COU020	Incidental expenses e.g. relaxation CD's, books, etc	Cost price, including postage/freight
WCO005	Fees for providing copies of clinical notes and records.	Where clinical records are maintained electronically by a Counsellor /practice, a flat fee of \$60 applies for provision of all requested clinical records held by the practice. A Counsellor/practice should not provide or bill for hard copy clinical records if they are maintained electronically.  Where clinical records are not maintained electronically, the maximum fee for providing hard copies of clinical records is \$38

		(for 33 pages or less) and an additional \$1.40 per page if more than 33 pages. This fee includes postage and handling.
OAS003	Submission of an Initial Allied Health Recovery Request (AHRR) only.	\$38.00 (Initial AHRR per claim only) Subsequent Allied Health Recovery Requests cannot be billed.

**Professional Standards Act 1994**

Notification pursuant to section 32

Pursuant to section 32(2) of the *Professional Standards Act 1994*, I hereby extend the period for which The Institute of Public Accountants Professional Standards Scheme is in force in New South Wales to 31 December 2021.

KEVIN ANDERSON, MP  
Minister for Better Regulation and Innovation

## THE INSTITUTE OF PUBLIC ACCOUNTANTS PROFESSIONAL STANDARDS SCHEME

### PREAMBLE

- A The Institute of Public Accountants Ltd ("**IPA**") is an occupational association.
- B The IPA has made an application to the Professional Standards Council ("**Council**"), appointed under the *Professional Standards Act 2003* (VIC) ("**Act**"), for a scheme under the Act in Victoria.
- C The scheme is prepared by the IPA for the purposes of limiting occupational liability<sup>1</sup> to the extent to which such liability may be limited under the Act; improving occupational standards of professional persons; and protecting consumers of their services, per the objects of the Act.
- D The scheme is to apply to all members of the IPA who are ordinarily residents in Australia and who hold a current Professional Practice Certificate<sup>2</sup> ("**PPC**"), and who are not otherwise exempted or excluded.
- E The scheme does not affect damages which are below the monetary ceiling specified in the scheme for each person to whom the scheme applies. The scheme limits liability for damages to the monetary ceiling specified for that person, provided that the person has insurance as required under s.23 of the Act.
- F The IPA has furnished the Council with a detailed list of the risk management strategies<sup>3</sup> in respect of its members and the means by which those strategies will be implemented.
- G The IPA will report annually to the Council on the implementation and monitoring of its risk management strategies, the effect of those strategies, and any changes proposed to be made to them.
- H The IPA will report to the Council on such other matters as the Council may require pursuant to s.47 of the Act.
- I The scheme is intended to commence on 1 January 2019 and remain in force for two (2) years from its commencement unless, prior to that time, it is revoked, its operation ceases, or it is extended.
- J The scheme is intended to apply in all Australian states and territories.
- K All participating members referred to in clause 2 of the scheme are subject disciplinary measures under the Constitution and By-Laws of the IPA and are also subject to the professional indemnity insurance requirements under the By-Laws of the IPA.

## THE INSTITUTE OF PUBLIC ACCOUNTANTS PROFESSIONAL STANDARDS SCHEME

### 1. Occupational association

- 1.1 The Institute of Public Accountants Professional Standards Scheme ("**scheme**") is a scheme under the Act, prepared by the IPA whose business address is:

Level 6, 555 Lonsdale Street,  
Melbourne, Victoria, 3000.

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<sup>1</sup> **Occupational liability** has the same meaning as it has in the Act

<sup>2</sup> A Professional Practice Certificate (**PPC**) is a certification, issued by the IPA to eligible members, which allows IPA members to offer professional accounting and/or related services to the public. The application and approval process of obtaining a PPC is governed by the IPA By-Laws Chapter 9 which can be found at <https://www.publicaccountants.org.au/media/1517245/MASTER-By-Laws-V-25-rebrand.pdf>

<sup>3</sup> These risk management strategies are detailed in the application submitted by the IPA to the Council (**Application**). The Application includes sections on continuing occupational education, code of ethics / practice, complaints and discipline system, quality assurance and audit, and risk management

## 2. Persons to Whom the Scheme Applies

2.1 The scheme applies to:

- a) all IPA members who hold a current PPC issued by the IPA other than such members who are, or at the time of any act giving rise to occupational liability were:
    - i. holders of an Australian Financial Services Licence granted in accordance with section 913B of the *Corporations Act 2001* (Cth) ("**AFS licence holder**"), not being a Limited Licence<sup>4</sup>; and
    - ii. Representatives<sup>5</sup> of an AFS licence holder, not being a Limited Licence;
- and
- b) All persons to whom the scheme applies, by virtue of the Act<sup>6</sup> and the corresponding provisions of the Acts of other jurisdictions in which the Scheme applies.

Each such participating member and person is referred to in the Scheme as a "participating member"

2.2 This scheme also applies to all persons to whom the scheme applied under either clause 2.1 at the time of any act or omission giving rise to occupational liability.

2.3 This scheme also applies to all persons to whom the scheme applies by virtue of ss20, 21 and 22 of the Act and the relevant provisions of the corresponding laws.

## 3. Exemption

3.1 No member to whom the scheme applies may be exempted from the scheme other than a member who, on application to the IPA Board of Directors<sup>7</sup>, is able to satisfy the Board that the member is also a participating member of another occupational association of accountants that is covered by a professional standards scheme, and has not been exempted from that scheme.

## 4. Jurisdiction

4.1 The scheme applies in Victoria in accordance with the Act.

4.2 In addition to Victoria, the scheme is intended to operate in the Australian Capital Territory, New South Wales, the Northern Territory, Queensland, South Australia, Tasmania, and Western Australia, in accordance with the professional standards legislation of those states and territories and subject to the requirements of that legislation, so that references to a provision of the Act, the application of the scheme to a liability, the limit of a liability under the Act or what constitutes Occupational Liability are intended to pick up the relevant provisions of the corresponding laws, applied mutatis mutandis, to the extent that is necessary for the application of the scheme in any of those jurisdictions as an interstate scheme.

4.3 Notwithstanding anything to the contrary contained in this scheme if, in particular circumstances giving rise to occupational liability, the liability of any person who is subject to this scheme is capped both by this scheme and also by any other scheme under professional standards legislation (whether of this jurisdiction or under the law of any other Australian state or territory) and, if the amount of such caps should differ, then the cap on the liability of such person arising from such circumstances which is higher shall be the applicable cap.

## 5 Limitation of liability

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<sup>4</sup> Limited Licence means a licence to provide only limited financial services as defined in regulations 7.8.12A and 7.8.14B of the *Corporations Regulations 2001* (Cth), as amended from time to time ("**Limited Licence**")

<sup>5</sup> The term "Representatives" has the meaning that it has in section 910A of the *Corporations Act 2001* (Cth).

<sup>6</sup> Sections 18 and 19 of the Act

<sup>7</sup> Details on how the IPA Board of Directors manages membership can be found in Chapter 3 of the IPA's Constitution, Chapter 3 of the IPA's By-Laws, and various IPA Membership policies

5.1 Pursuant to s. 26 of the Act, and the relevant provisions of the corresponding laws, this scheme only affects the liability for damages arising from a single cause of action to the extent to which the liability results in damages<sup>8</sup> exceeding \$2,000,000 (the **monetary ceiling**).

5.2 If a member who was at the time of the act or omission giving rise to occupational liability, a member to whom or to which the scheme applied, against whom a proceeding relating to occupational liability is brought, is able to satisfy the Court or tribunal that such member has the benefit of an insurance policy:

- (a) of a kind which complies with the IPA's requirements<sup>9</sup>;
- (b) which insures the member against that occupational liability; and
- (c) under which the amount payable in respect of that occupational liability is not less than the relevant monetary ceiling specified in this scheme.

then the member is not liable for damages in relation to that cause of action above the monetary ceiling defined in this scheme.

5.3 This scheme limits the occupational liability in respect of a cause of action founded on an act or omission occurring during the period when the scheme was in force with respect to any member to whom the scheme applied at the time the act or omission occurred.

## **6 Conferral of Discretionary Amount**

6.1 Pursuant to s24 of the Act this scheme confers on the IPA a discretionary authority to specify, on application by a member to whom the scheme applies, a higher monetary ceiling (maximum amount of liability) not exceeding \$20 million in relation to that member either in all cases or in any specified case or class of case.

## **7 Duration**

7.1 This scheme will be in force for a period of two (2) years from the date of commencement.

## **8 Commencement**

8.1 In Victoria, this scheme will commence:

- (a) on 1 January 2019, if the scheme is published in the Government Gazette by or on 31 October 2018; or
- (b) on the first day two months after the scheme is published in the Government Gazette in any other case.

8.2 In New South Wales, the Northern Territory, Queensland, Tasmania and Western Australia, the scheme will commence:

- (a) on 1 January 2019, if the scheme is published in the Government Gazette by or on 31 December 2018; or
- (b) on the day immediately following the date of the scheme's publication in the Government Gazette in any other case.

8.3 In the Australian Capital Territory and in South Australia, the scheme will commence:

- (a) on the date provided for in the Minister's notice in relation to the scheme, if a date is provided; or
- (b) on the first day two months after the day on which notice was given in any other case.

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<sup>8</sup> Damages has the same meaning as it has in the Act

<sup>9</sup> The IPA requirements on insurance cover can be found in IPA By-Law 9 and the relevant IPA membership policies

8.4 Clauses 8.1, 8.2 and 8.3 are subject to the provisions of the Act and the relevant provisions of the corresponding laws.

## ASSOCIATIONS INCORPORATION ACT 2009

Cancellation of registration pursuant to section 80

TAKE NOTICE that **LIFELINE NORTHERN BEACHES INCORPORATED - Y0262301** became registered under the Corporations Act 2001 as **LIFELINE NORTHERN BEACHES LIMITED ACN 645 537 471**, a company limited by guarantee, on 2 December 2020, and accordingly its registration under the Associations Incorporation Act 2009 is cancelled as of that date.

Diane Duggan  
Delegate of the Commissioner,  
NSW Fair Trading  
16 December 2020



## GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of Section 10 of the *Geographical Names Act 1966*, the Geographical Names Board has this day assigned the name listed hereunder as a geographical name.

*Victor Warby Reserve*, for a reserve located on Redwood Drive in the suburb of Gillieston Heights.

The position and extent for this feature is recorded and shown within the Geographical Names Register of New South Wales. This information can be accessed through the Board's website at [www.gnb.nsw.gov.au](http://www.gnb.nsw.gov.au)

NARELLE UNDERWOOD  
Chair

Geographical Names Board  
346 Panorama Ave  
BATHURST NSW 2795

## **ASSOCIATIONS INCORPORATION ACT 2009**

Cancellation of incorporation pursuant to section 74

TAKE NOTICE that the incorporation of the following associations is cancelled by this notice pursuant to section 74 of the Associations Incorporation Act, 2009.

<b>LAKELANDS TENNIS CLUB INCORPORATED</b>	<b>INC9896789</b>
<b>QUOTA INTERNATIONAL OF TEMORA INCORPORATED</b>	<b>Y0058248</b>
<b>LEETON DISTRICT TENNIS CLUB INC</b>	<b>Y0194141</b>
<b>PROBUS CLUB OF TACKING POINT INCORPORATED</b>	<b>Y1618228</b>
<b>NATIONAL SENIORS AUSTRALIA CENTRAL COAST - WYONG BRANCH INCORPORATED</b>	<b>Y2814616</b>
<b>BIKERS AGAINST CHILD ABUSE NORTHERN RIVERS CHAPTER INCORPORATED</b>	<b>INC1400768</b>
<b>CONCORD COMMUNITY FOOD SERVICES INCORPORATED</b>	<b>Y0456234</b>
<b>CENTRAL TABLELANDS HEREFORDS ASSOCIATION INCORPORATED</b>	<b>Y0576123</b>

Cancellation is effective as at the date of gazettal.

Dated this 17 day of December 2020.

Megan Green  
Delegate of the Commissioner for Fair Trading  
Department of Customer Service