



Government Gazette

OF THE STATE OF
NEW SOUTH WALES

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Friday, 21 December 2001

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LEGISLATION

Assents to Acts

ACTS OF PARLIAMENT ASSENTED TO

Legislative Assembly Office, Sydney, 11 December 2001

IT is hereby notified, for general information, that Her Excellency the Governor has, in the name and on behalf of Her Majesty, this day assented to the undermentioned Acts passed by the Legislative Assembly and Legislative Council of New South Wales in Parliament assembled, viz.:

Act No. 95, 2001 - An Act to amend the Classification (Publications, Films and Computer Games) Enforcement Act 1995 to make further provision with respect to the enforcement of a classification scheme for publications, films and computer games; to create certain offences relating to on-line services; and for other purposes. [**Classification (Publication, Films and Computer Games) Enforcement Act**]

Act No. 96, 2001 - An Act to make miscellaneous amendments to certain State revenue legislation; and for other purposes. [**State Revenue Legislation Further Amendment (No 2) Act**]

Act No. 97, 2001 - An Act to amend the Statutory and Other Offices Remuneration Act 1975 to make further provision with respect to the remuneration and allowances payable to the holders of certain public offices. [**Statutory and Other Offices Remuneration Amendment Act**]

Act No. 98, 2001 - An Act to amend various public sector superannuation Acts with respect to the transfer of certain preserved benefits under the State Authorities Non-contributory Superannuation Scheme to the First State Superannuation Fund, salary for the purposes of contributions to that Fund and the application of certain Government trust deed schemes; and for other purposes. [**Superannuation Legislation Amendment (Miscellaneous) Act**]

Act No. 99, 2001 - An Act to amend the Crimes Act 1900 to create offences relating to sexual servitude, and to amend the Child Protection (Offenders Registration) Act 2000 to extend that Act to any such sexual servitude offence committed against a child. [**Crimes Amendment (Sexual Servitude) Act**]

Act No. 100, 2001 - An Act to amend various Acts relating to sentencing, bail and sentence administration to reduce certain kinds of criminal activity; and for other purposes. [**Justice Legislation Amendment (Non-association and Place Restriction) Act**]

Act No. 101, 2001 - An Act to amend various Acts to make further provision for the financial and other powers of universities; and for other purposes. [**Universities Legislation Amendment (Financial and Other Powers) Act**]

Act No. 102, 2001 - An Act to make provision with respect to the recognition of Australian and overseas universities and higher education institutions, the accreditation of courses of study and the approval of universities and higher education institutions for the purposes of certain Commonwealth legislation; to repeal the Higher Education Act 1988; and for other purposes. [**Higher Education Act**]

Act No. 103, 2001 - An Act to amend the Wollongong Sportsground Act 1986 and the Old Roman Catholic Cemetery, Crown Street, Wollongong, Act 1969 with respect to the transfer and dedication of certain land; and for other purposes. [**Wollongong Sportsground and Old Roman Catholic Cemetery Legislation Amendment (Transfer of Land) Act**]

Act No. 104, 2001 - An Act to amend the Fisheries Management Act 1994 to make further provision for the management of fishery resources; and to make consequential amendments to the Environmental Planning and Assessment Act 1979. [**Fisheries Management Amendment Act**]

Act No. 105, 2001 - An Act to amend the Parliamentary Remuneration Act 1989 with respect to the payment of electoral allowances, and for other purposes. [**Parliamentary Remuneration Amendment Act**]

Act No. 106, 2001 - An Act to amend the Road Transport (Heavy Vehicles Registration Charges) Act 1995 and the Motor Vehicles Taxation Act 1988 with respect to motor vehicle taxation and heavy vehicle registration charges; and for other purposes. [**Road Transport Legislation Amendment (Heavy Vehicle Registration Charges and Motor Vehicle Tax) Act**]

Russell D. Grove PSM
Clerk of the Legislative Assembly

ACTS OF PARLIAMENT ASSENTED TO**Legislative Assembly Office, Sydney, 14 December 2001**

IT is hereby notified, for general information, that Her Excellency the Governor has, in the name and on behalf of Her Majesty, this day assented to the undermentioned Acts passed by the Legislative Assembly and Legislative Council of New South Wales in Parliament assembled, viz.:

Act No. 107, 2001 - An Act to provide for the dissolution of the Joint Coal Board and the Mines Rescue Board; to provide for the exercise of the functions of those dissolved bodies by one or more companies registered under the Corporations Act 2001 of the Commonwealth and approved by the Minister; to repeal the Mines Rescue Act 1994 and amend the Coal Industry Act 1946; to make consequential amendments to other Acts; and for other purposes. [**Coal Industry Act**]

Act No. 108, 2001 - An Act to amend various Acts with respect to courts, court procedures, judicial officers and related matters; and for other purposes. [**Courts Legislation Further Amendment Act**]

Act No. 109, 2001 - An Act to make amendments to the Evidence Act 1995 and the Evidence (Children) Act 1997 in respect of the taking of oaths and the making of affirmations and in respect of the giving of evidence by children; and for other purposes. [**Evidence Legislation Amendment Act**]

Act No. 110, 2001 - An Act to amend the Grain Marketing Act 1991 to limit the application of the Act to certain coarse grains and oilseeds, to provide for the cessation of the vesting of such grains and oilseeds in the New South Wales Grains Board in 2005 and to limit the liability of administrators of the Board; and for other purposes. [**Grain Marketing Amendment Act**]

Act No. 111, 2001 - An Act to amend the Residential Tenancies Act 1987 in relation to the giving of notice for rent increases; and for related purposes. [**Residential Tenancies Amendment Act**]

Act No. 112, 2001 - An Act to repeal certain Acts and regulations, to amend certain other Acts and statutory instruments in various respects and for the purpose of effecting statute law revision; and to make certain savings. [**Statute Law (Miscellaneous Provisions) Act (No 2)**]

Russell D. Grove PSM
Clerk of the Legislative Assembly

ACTS OF PARLIAMENT ASSENTED TO**Legislative Council Office Sydney 14 December 2001**

IT is hereby notified, for general information, that Her Excellency the Governor has, in the name and on behalf of Her Majesty, this day assented to the undermentioned Acts passed by the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, viz.:

Act No. 113, 2001 - An Act to amend the *Industrial Relations Act 1996* to make provision with respect to the operation of Part IV of the *Trade Practices Act 1974* of the Commonwealth and the *Competition Code of New South Wales*. [**Industrial Relations Amendment (Public Vehicles and Carriers) Act 2001**]

Act No. 114, 2001 - An Act to amend the *Police Service Act 1990* in relation to the police promotions system; to amend the *Police Integrity Commission Act 1996* and the *Government and Related Employees Appeal Tribunal Act 1980*; and for other purposes. [**Police Service Amendment (Promotions and Integrity) Act 2001**]

Act No. 115, 2001 - An Act with respect to the use of dogs by police officers to detect prohibited drugs and plants. [**Police Powers (Drug Detection Dogs) Act 2001**]

John Evans
Clerk of the Parliaments

ACTS OF PARLIAMENT ASSENTED TO
Legislative Council Office Sydney 5 December 2001

Erratum

ACT No. 89, 2001 - An Act to amend the *Crimes Act 1900* which was published on the 14 December 2001, Gazette No. 190, folio 9827 contained an error. This Act No. 89, 2001 - An Act to amend the *Crimes Act 1900* is now republished in full.

ACTS OF PARLIAMENT ASSENTED TO
Legislative Council Office Sydney 5 December 2001

IT is hereby notified, for general information, that Her Excellency the Governor has, in the name and on behalf of Her Majesty, this day assented to the undermentioned Act passed by the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, viz.:

Act No. 89, 2001 - An Act to amend the *Crimes Act 1900* to limit the use of excessive physical force to punish children. [**Crimes Amendment (Child Protection – Physical Mistreatment) Act 2001**]

John Evans
Clerk of the Parliaments

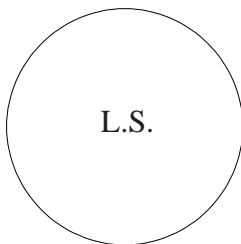
Proclamations

Apprenticeship and Traineeship Act 2001 No 80—Proclamation

MARIE BASHIR, Governor

I, Professor Marie Bashir AO, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Apprenticeship and Traineeship Act 2001*, do, by this my Proclamation, appoint 1 January 2002 as the day on which that Act commences.

Signed and sealed at Sydney, this 19th day of December 2001.



By Her Excellency's Command,

JOHN WATKINS, M.P.,
Minister for Education and Training

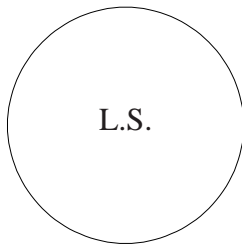
GOD SAVE THE QUEEN!

Criminal Legislation Amendment Act 2001—Proclamation

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 (1) of the *Criminal Legislation Amendment Act 2001*, do, by this my Proclamation, appoint 21 December 2001 as the day on which the uncommenced provisions of that Act commence (except Schedule 6 [2]–[9], Schedule 7 [2]–[9] and Schedule 11).

Signed and sealed at Sydney, this 19th day of December 2001.



By Her Excellency's Command,

BOB DEBUS, M.P.,
Attorney General

GOD SAVE THE QUEEN!

Explanatory note

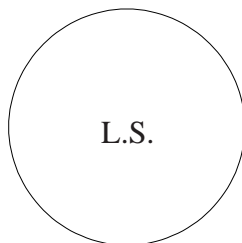
The object of this Proclamation is to commence the uncommenced provisions of the *Criminal Legislation Amendment Act 2001* except for certain amendments to the *Criminal Appeal Act 1912* relating to notices of intention to appeal or to apply for leave to appeal, amendments to the *Criminal Procedure Act 1986* relating to back up and related offences and the amendment to the *Poisons and Therapeutic Goods Regulation 1994* which omits the clause relating to the cash sale of drug precursors.

Crimes (Administration of Sentences) Amendment Act 2001 No 83—Proclamation

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Crimes (Administration of Sentences) Amendment Act 2001*, do, by this my Proclamation, appoint 1 January 2002 as the day on which that Act commences.

Signed and sealed at Sydney, this 19th day of December 2001.



By Her Excellency's Command,

RICHARD AMERY, M.P.,
Minister for Corective Services

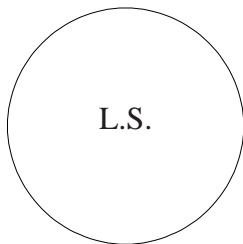
GOD SAVE THE QUEEN!

Fertilisers Amendment Act 1999 No 62—Proclamation

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Fertilisers Amendment Act 1999*, do, by this my Proclamation, appoint 1 January 2002 as the day on which that Act commences.

Signed and sealed at Sydney, this 12th day of December 2001.



By Her Excellency's Command,

RICHARD AMERY, M.P.,
Minister for Agriculture

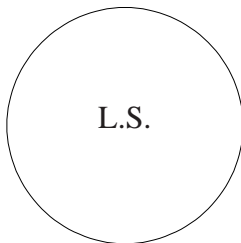
GOD SAVE THE QUEEN!

Gas Supply Amendment (Retail Competition) Act 2001 No 18—Proclamation

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Gas Supply Amendment (Retail Competition) Act 2001*, do, by this my Proclamation, appoint 1 January 2002 as the day on which the uncommenced provisions of that Act commence.

Signed and sealed at Sydney, this 19th day of December 2001.



By Her Excellency's Command,

KIM YEADON, M.P.,
Minister for Energy

GOD SAVE THE QUEEN!

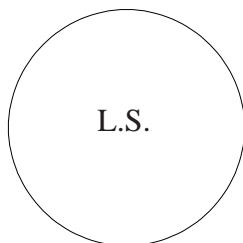
Home Building Legislation Amendment Act 2001 No 51—Proclamation

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Home Building Legislation Amendment Act 2001*, do, by this my Proclamation, appoint 1 January 2002 as the day on which the following provisions of that Act commence:

- (a) Schedule 1 [4], [10] and [13],
- (b) Schedule 1 [14] (except to the extent that it inserts section 40 (2D) and (2E) into the *Home Building Act 1989*),
- (c) Schedule 1 [17],
- (d) Schedule 2 [2] and [7],
- (e) Schedule 4 [1]–[4],
- (f) Schedule 6 [13], [14] and [22],
- (g) Schedule 7 [10],
- (h) Schedule 9 [2] to the extent that it inserts clause 64 into Schedule 4 to the *Home Building Act 1989*.

Signed and sealed at Sydney, this 19th day of December 2001.



By Her Excellency's Command,

JOHN AQUILINA, M.P.,
Minister for Fair Trading

GOD SAVE THE QUEEN!

Home Building Legislation Amendment Act 2001 No 51—Proclamation

Explanatory note

The object of this proclamation is to commence certain amendments made by the *Home Building Legislation Amendment Act 2001* relating to the regulation of residential building work, specialist work and the supply of kit homes, contracts, the resolution of building disputes and building claims, insurance and the keeping of public registers.

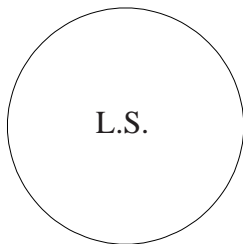
This proclamation is made under section 2 of the Act.

Landcom Corporation Act 2001— Proclamation

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Landcom Corporation Act 2001*, do, by this my Proclamation, appoint 1 January 2002 as the day on which that Act commences.

Signed and sealed at Sydney, this 19th day of December 2001.



By Her Excellency's Command,

ANDREW REFSHAUGE, M.P.,
Minister for Urban Affairs and Planning

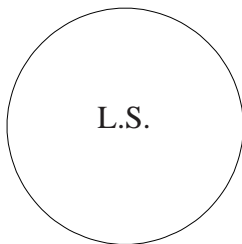
GOD SAVE THE QUEEN!

Parliamentary Remuneration Amendment Act 2001—Proclamation

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Parliamentary Remuneration Amendment Act 2001*, do, by this my Proclamation, appoint 1 January 2002 as the day on which that Act commences.

Signed and sealed at Sydney, this 19th day of December 2001.



By Her Excellency's Command,

BOB CARR, M.P.,
Premier

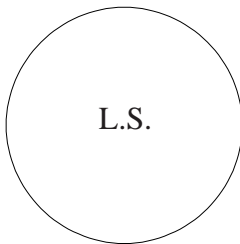
GOD SAVE THE QUEEN!

Police Powers (Vehicles) Amendment Act 2001 No 70—Proclamation

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Police Powers (Vehicles) Amendment Act 2001*, do, by this my Proclamation, appoint 1 January 2002 as the day on which that Act commences.

Signed and sealed at Sydney, this 19th day of December 2001.



By Her Excellency's Command,

MICHAEL COSTA, M.L.C.,
Minister for Police

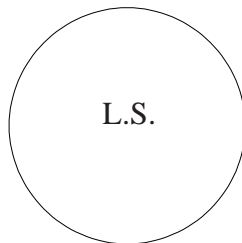
GOD SAVE THE QUEEN!

Public Finance and Audit Amendment (Auditor-General) Act 2001 No 90—Proclamation

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Public Finance and Audit Amendment (Auditor-General) Act 2001*, do, by this my Proclamation, appoint 21 December 2001 as the day on which that Act commences.

Signed and sealed at Sydney, this 19th day of December 2001.



By Her Excellency's Command,

BOB CARR, M.P.,
Premier

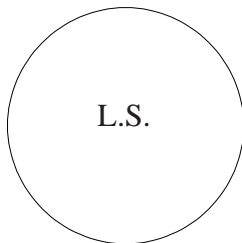
GOD SAVE THE QUEEN!

Statutory and Other Offices Remuneration Amendment Act 2001—Proclamation

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Statutory and Other Offices Remuneration Amendment Act 2001*, do, by this my Proclamation, appoint 1 January 2002 as the day on which that Act commences.

Signed and sealed at Sydney, this 19th day of December 2001.



By Her Excellency's Command,

BOB CARR, M.P.,
Premier

GOD SAVE THE QUEEN!

Regulations

Apprenticeship and Traineeship Amendment Regulation 2001

under the

Apprenticeship and Traineeship Act 2001

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Apprenticeship and Traineeship Act 2001*.

JOHN WATKINS, M.P.,
Minister for Education and Training

Explanatory note

The object of this Regulation is to amend the *Industrial and Commercial Training Regulation 2000* (which, pursuant to clause 23 of Schedule 4 to the *Apprenticeship and Traineeship Act 2001*, is deemed to be a regulation under that Act) so as to make provision consequent on the enactment of that Act. In particular, this Regulation amends the *Industrial and Commercial Training Regulation 2000* so as to prescribe the fees that may be charged under section 75 of the *Apprenticeship and Traineeship Act 2001*.

This Regulation is made under the *Apprenticeship and Traineeship Act 2001*, including section 81 (the general power to make regulations), sections 46, 54, 67 and 75, clauses 2 and 5 of Schedule 1 and clauses 2 and 5 of Schedule 2.

Clause 1 Apprenticeship and Traineeship Amendment Regulation 2001

Apprenticeship and Traineeship Amendment Regulation 2001

1 Name of Regulation

This Regulation is the *Apprenticeship and Traineeship Amendment Regulation 2001*.

2 Commencement

This Regulation commences on 1 January 2002.

3 Amendment of Industrial and Commercial Training Regulation 2000

The *Industrial and Commercial Training Regulation 2000* is amended as set out in Schedule 1.

Apprenticeship and Traineeship Amendment Regulation 2001

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 3)

[1] Clause 1 Name of Regulation

Omit “*Industrial and Commercial Training*”.
Insert instead “*Apprenticeship and Traineeship*”.

[2] Clause 3 Definition

Omit the definition of *the Act* from clause 3 (1). Insert instead:
the Act means the *Apprenticeship and Traineeship Act 2001*.

[3] Clause 4 Witnesses’ expenses

Omit “section 75”. Insert instead “section 46 (3)”.

[4] Clause 5 Appeals

Omit “section 86” from clause 5 (1). Insert instead “section 54 (1)”.

[5] Clause 5 (2)

Omit “section 86 (c)”. Insert instead “section 54 (1) (c)”.

[6] Clause 5 (3)

Omit “section 86 (d) or (e)”. Insert instead “section 54 (1) (d) or (e)”.

[7] Clause 5 (4)

Omit “section 86 (h) or (i)”. Insert instead “section 54 (1) (j) or (k)”.

[8] Clause 6

Omit the clause. Insert instead:

6 Certificates of identification

The prescribed form for an industry training officer’s certificate of identification referred to in section 67 (6) of the Act is Form 1 in Schedule 1.

Apprenticeship and Traineeship Amendment Regulation 2001

Schedule 1 Amendments

[9] Clauses 8, 9 and 10

Omit the clauses. Insert instead:

8 Nomination of appointed members of Tribunal

- (1) For the purposes of clause 2 (a) of Schedule 1 to the Act:
- (a) the prescribed organisations or associations to nominate candidates for appointment as members of the Tribunal to represent registered training organisations in relation to a particular recognised trade vocation or recognised traineeship vocation are all registered training organisations that provide training in relation to that vocation, and
 - (b) the prescribed manner of nominating candidates for appointment as members of the Tribunal to represent registered training organisations in relation to that vocation is for the prescribed organisations or associations to jointly nominate in writing:
 - (i) on the request of the Director-General, or
 - (ii) on the occurrence of a vacancy in the office of each member previously appointed on their nomination in respect of that vocation,up to 3 candidates from whom the Director-General must appoint at least one member in respect of that vocation.
- (2) For the purposes of clause 2 (b) of Schedule 1 to the Act:
- (a) the prescribed employers or organisations to nominate candidates for appointment as members of the Tribunal to represent employers in relation to a particular recognised trade vocation or recognised traineeship vocation are all employers, and all industrial organisations of employers, that are parties to an industrial award or agreement relating to the employment of apprentices or trainees in that vocation, and

Apprenticeship and Traineeship Amendment Regulation 2001

Amendments

Schedule 1

-
- (b) the prescribed manner of nominating candidates for appointment as members of the Tribunal to represent employers in relation to that vocation is for the prescribed employers or organisations to jointly nominate in writing:
- (i) on the request of the Director-General, or
 - (ii) on the occurrence of a vacancy in the office of each member previously appointed on their nomination in respect of that vocation,
- up to 3 candidates from whom the Director-General must appoint at least one member in respect of that vocation.
- (3) For the purposes of clause 2 (c) of Schedule 1 to the Act:
- (a) the prescribed organisations to nominate candidates for appointment as members of the Tribunal to represent employees in relation to a particular recognised trade vocation or recognised traineeship vocation are all industrial organisations of employees that are parties to an industrial award or agreement relating to the employment of apprentices or trainees in that vocation, and
 - (b) the prescribed manner of nominating candidates for appointment as members of the Tribunal to represent employees in relation to that vocation is for the prescribed organisations to jointly nominate in writing:
 - (i) on the request of the Director-General, or
 - (ii) on the occurrence of a vacancy in the office of each member previously appointed on their nomination in respect of that vocation,up to 3 candidates from whom the Director-General must appoint at least one member in respect of that vocation.
- (4) For the purposes of clause 5 (2) of Schedule 1 to the Act, the prescribed manner of withdrawing the nomination of a member of the Tribunal is for each person or body by whom the nomination was made to give notice in writing to the Director-General that the nomination is withdrawn.

Apprenticeship and Traineeship Amendment Regulation 2001

Schedule 1 Amendments

9 Nomination of appointed members of Appeal Panel

- (1) For the purposes of clause 2 (a) of Schedule 2 to the Act:
- (a) the prescribed organisations or associations to nominate candidates for appointment as members of the Appeal Panel to represent registered training organisations in relation to a particular recognised trade vocation or recognised traineeship vocation are all registered training organisations that provide training in relation to that vocation, and
 - (b) the prescribed manner of nominating candidates for appointment as members of the Appeal Panel to represent registered training organisations in relation to that vocation is for the prescribed organisations or associations to jointly nominate in writing:
 - (i) on the request of the Director-General, or
 - (ii) on the occurrence of a vacancy in the office of each member previously appointed on their nomination in respect of that vocation,up to 3 candidates from whom the Director-General must appoint at least one member in respect of that vocation.
- (2) For the purposes of clause 2 (b) of Schedule 2 to the Act:
- (a) the prescribed employers or organisations to nominate candidates for appointment as members of the Appeal Panel to represent employers in relation to a particular recognised trade vocation or recognised traineeship vocation are all employers, and all industrial organisations of employers, that are parties to an industrial award or agreement relating to the employment of apprentices or trainees in that vocation, and
 - (b) the prescribed manner of nominating candidates for appointment as members of the Appeal Panel to represent employers in relation to that vocation is for the prescribed employers or organisations to jointly nominate in writing:
 - (i) on the request of the Director-General, or

Apprenticeship and Traineeship Amendment Regulation 2001

Amendments

Schedule 1

-
- (ii) on the occurrence of a vacancy in the office of each member previously appointed on their nomination in respect of that vocation,
- up to 3 candidates from whom the Director-General must appoint at least one member in respect of that vocation.
- (3) For the purposes of clause 2 (c) of Schedule 2 to the Act:
- (a) the prescribed organisations to nominate candidates for appointment as members of the Appeal Panel to represent employees in relation to a particular recognised trade vocation or recognised traineeship vocation are all industrial organisations of employees that are parties to an industrial award or agreement relating to the employment of apprentices or trainees in that vocation, and
- (b) the prescribed manner of nominating candidates for appointment as members of the Appeal Panel to represent employees in relation to that vocation is for the prescribed organisations to jointly nominate in writing:
- (i) on the request of the Director-General, or
- (ii) on the occurrence of a vacancy in the office of each member previously appointed on their nomination in respect of that vocation,
- up to 3 candidates from whom the Director-General must appoint at least one member in respect of that vocation.
- (4) For the purposes of clause 5 (2) of Schedule 2 to the Act, the prescribed manner of withdrawing the nomination of a member of the Appeal Panel is for each person or body by whom the nomination was made to give notice in writing to the Director-General that the nomination is withdrawn.

Apprenticeship and Traineeship Amendment Regulation 2001

Schedule 1 Amendments

10 Fees

- (1) The matters for which fees are payable as referred to in section 75 of the Act, and the amounts of those fees, are as follows:
 - (a) for dealing with any application lodged under section 35, 36 or 37 of the Act for recognition of a person's qualifications or experience in a particular recognised trade vocation, \$125,
 - (b) for conducting any examination, test or work-based assessment for the purposes of section 35, 36 or 37 of the Act to ascertain if a person has acquired the competencies of a particular recognised trade vocation, \$250,
 - (c) for issuing any replacement craft certificate, certificate of completion or certificate of proficiency, \$25.
- (2) The fee paid for the conduct of an examination, test or work-based assessment, pursuant to an appeal under section 54 of the Act, to ascertain if a person has acquired the competencies of a particular recognised trade vocation, is to be remitted if the results of the examination, test or assessment indicate that the person has acquired those competencies.
- (3) A fee referred to in subclause (1) may be waived or refunded in any circumstances in which the Commissioner is satisfied that it would be harsh or unconscionable, or otherwise inappropriate, to charge the fee.

Apprenticeship and Traineeship Amendment Regulation 2001

Amendments

Schedule 1

[10] Schedule 1

Insert at the end of the Regulation:

Schedule 1 Forms

Form 1 Certificate of identification

(Clause 6)

(Apprenticeship and Traineeship Act 2001)

I, the Commissioner for Vocational Training, certify that the holder of this certificate:

.....
whose photograph and signature appear below, is an industry training officer for the purposes of the *Apprenticeship and Traineeship Act 2001*.

[Affix photograph here]

.....
Signature of industry training officer

.....
Signature of Commissioner

Casino Control Amendment (Application of Liquor Laws) Regulation (No 2) 2001

under the

Casino Control Act 1992

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Casino Control Act 1992*.

J. RICHARD FACE, M.P.,
Minister for Gaming and Racing

Explanatory note

Section 89 of the *Casino Control Act 1992* provides that the *Liquor Act 1982* does not apply to or in respect of a casino, except as provided by the regulations and that the regulations may apply to the casino, with or without modification, specified provisions of the *Liquor Act 1982*.

The *Liquor Act 1982* has been amended by the *Liquor and Registered Clubs Legislation Amendment Act 2001* and the *Liquor and Registered Clubs Legislation Further Amendment Act 2001*.

The object of this Regulation is to apply certain of the provisions of the *Liquor Act 1982* amended by those Acts to the casino. Those provisions deal with:

- (a) the handling of applications for conditional grants, and
- (b) the appointment and approval of managers by bodies corporate that are licensees, and
- (c) the prohibition of the undesirable promotion of liquor.

Casino Control Amendment (Application of Liquor Laws) Regulation (No 2) 2001

Explanatory note

This Regulation is made under section 89 of the *Casino Control Act 1992* and under section 170 (the general regulation-making power).

Casino Control Amendment (Application of Liquor Laws)
Regulation (No 2) 2001

Clause 1

Casino Control Amendment (Application of Liquor Laws) Regulation (No 2) 2001

1 Name of Regulation

This Regulation is the *Casino Control Amendment (Application of Liquor Laws) Regulation (No 2) 2001*.

2 Amendment of Casino Control Regulation 2001

The *Casino Control Regulation 2001* is amended as set out in Schedule 1.

Casino Control Amendment (Application of Liquor Laws)
Regulation (No 2) 2001

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 2)

[1] Schedule 5 Application of Liquor Act 1982 to casino

Insert “, 117J” after “117I” in Part 1.

[2] Schedule 6 Applied provisions of Liquor Act 1982 as modified

Insert after section 40 (3):

- (3A) In proceedings under this section, the Authority is not bound to hear any submission made or receive any evidence adduced by any person (other than the Commissioner of Police or the local consent authority):
- (a) as to whether any plan on which the applicant relies is or is not an approved plan, or
 - (b) as to whether a development consent or certificate accompanying any plan on which the applicant relies was issued before or after the date of lodgment of the application, or
 - (c) as to any alleged omission, error, defect or insufficiency in any such plan or any alleged discrepancy between the plan and any approved plan, or
 - (d) generally as to any aspect of the validity or propriety of a plan or of any development consent or certificate accompanying it.

Casino Control Amendment (Application of Liquor Laws)
Regulation (No 2) 2001

Amendments

Schedule 1

[3] Schedule 6, section 69B

Omit the section. Insert instead:

69B Appointment of managers

A body corporate that is a licensee must appoint a manager approved by the Authority under this Division for the licensed premises and must not cause or permit the conduct of business under the licence for a period in excess of 14 days except under the management of a person so approved.

Maximum penalty: 50 penalty units.

[4] Schedule 6, section 69D

Omit section 69D (1) and (2). Insert instead:

- (1) An application for the Authority's approval of a person to manage licensed premises is to be made in the form approved by the Authority.
- (2) The Authority is not to give its approval unless it is satisfied that the person concerned:
 - (a) is a fit and proper person to manage licensed premises, and
 - (b) understands his or her responsibilities in relation to, and is capable of implementing, practices in place at licensed premises for ensuring the responsible sale, supply and service of liquor and the prevention of intoxication.

[5] Schedule 6, section 69E (1)

Omit the subsection. Insert instead:

- (1) A licensee must give the Authority notice of the appointment of a person as manager of licensed premises.

Maximum penalty: 20 penalty units.

[6] Schedule 6, section 69E (2)

Insert “, accompanied by the declaration referred to in subsection (5) (b)” after “section”.

Casino Control Amendment (Application of Liquor Laws)
Regulation (No 2) 2001

Schedule 1 Amendments

[7] Schedule 6, section 69E (5)

Omit the subsection. Insert instead:

- (5) A notice under this section:
- (a) must be completed in writing in the form approved by the Authority, and
 - (b) must be accompanied by a declaration in writing, in a form approved by the Authority, of the person to be appointed as manager of the premises concerned:
 - (i) signifying his or her acceptance of the appointment, and
 - (ii) certifying such matters as the form of notice may require (including matters relating to the person's responsibilities in relation to, and capacity to implement, practices in place at the premises for ensuring the responsible sale, supply and service of liquor, and the prevention of intoxication, on the premises).

[8] Schedule 6, section 117J

Insert after section 117I:

117J Authority may prohibit undesirable promotion of liquor

- (1) The Authority may, by order in writing served on a licensee, prohibit the licensee from carrying on or being involved in an activity involving the promotion of liquor described in the order if the Authority considers:
- (a) that the promotion is likely to have a special appeal to minors:
 - (i) because of the use of designs, motifs or characters in the promotion that are, or are likely to be, attractive to minors, or
 - (ii) for any other reason, and
 - (b) that it is desirable in the public interest to prohibit the carrying on of or involvement in the activity.

Casino Control Amendment (Application of Liquor Laws)
Regulation (No 2) 2001

Amendments

Schedule 1

-
- (2) Before making an order under this section, the Authority must have regard to any relevant guidelines concerning the making of orders or the promotion of liquor approved by the Minister for the purposes of this section.
- (3) A licensee who, without reasonable excuse, fails to comply with an order under this section is guilty of an offence.
- Maximum penalty: 50 penalty units.

[9] Schedule 6, Schedule 1

Insert at the end of the Schedule:

**Part 19 Liquor and Registered Clubs Legislation
Amendment Act 2001**

91 Notice of appointment of manager of licensed premises

A form of notice that, immediately before the amendments made by the *Casino Control Amendment (Application of Liquor Laws) Regulation (No 2) 2001* to section 69E took effect, was the form approved for the purposes of section 69E (5) is taken to be the form approved for the purposes of subsection (5) (a) of that section, as amended by that Regulation, until such time as another form is approved.

Chiropractors and Osteopaths Amendment (Osteopathic Training) Regulation 2001

under the

Chiropractors and Osteopaths Act 1991

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Chiropractors and Osteopaths Act 1991*.

CRAIG KNOWLES, M.P.,
Minister for Health

Explanatory note

The object of this Regulation is to prescribe the course undertaken at the Victoria University of Technology, Melbourne, Victoria in respect of which that institution may confer both a Bachelor of Science (Clinical Science) and a Master of Health Science (Osteopathy) as a course of training that qualifies a person who is of good character and above the age of 18 years to be registered as an osteopath.

This Regulation is made under sections 10 (Qualification for registration as osteopath) and 65 (the general regulation-making power) of the *Chiropractors and Osteopaths Act 1991*.

Clause 1 Chiropractors and Osteopaths Amendment (Osteopathic Training)
Regulation 2001

Chiropractors and Osteopaths Amendment (Osteopathic Training) Regulation 2001

1 Name of Regulation

This Regulation is the *Chiropractors and Osteopaths Amendment (Osteopathic Training) Regulation 2001*.

2 Amendment of Chiropractors and Osteopaths Regulation 1997

The *Chiropractors and Osteopaths Regulation 1997* is amended as set out in Schedule 1.

Schedule 1 Amendment

(Clause 2)

Clause 7 Course of training for osteopaths: section 10

Insert after clause 7 (d):

- (e) the course undertaken at the Victoria University of Technology, Melbourne, Victoria in respect of which that institution may confer both a Bachelor of Science (Clinical Science) and a Master of Health Science (Osteopathy).

Dangerous Goods (General) Amendment (Penalty Notices) Regulation 2001

under the

Dangerous Goods Act 1975

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Dangerous Goods Act 1975*.

JOHN DELLA BOSCA, M.L.C.,
Minister for Industrial Relations

Explanatory note

The objects of this Regulation are:

- (a) to prescribe certain offences under the *Dangerous Goods (General) Regulation 1999* relating to ports as offences that can be dealt with by penalty notice, and
- (b) to provide for certain members of staff of Port Corporations to issue penalty notices in relation to those offences.

These matters were previously dealt with under the *Occupational Health and Safety Act 1983*, which was repealed by the *Occupational Health and Safety Act 2000*.

This Regulation is made under the *Dangerous Goods Act 1975*, including sections 41 (the general regulation-making power) and 43A (penalty notices for certain offences).

Clause 1 Dangerous Goods (General) Amendment (Penalty Notices)
 Regulation 2001

Dangerous Goods (General) Amendment (Penalty Notices) Regulation 2001

1 Name of Regulation

This Regulation is the *Dangerous Goods (General) Amendment (Penalty Notices) Regulation 2001*.

2 Amendment of Dangerous Goods (General) Regulation 1999

The *Dangerous Goods (General) Regulation 1999* is amended as set out in Schedule 1.

Dangerous Goods (General) Amendment (Penalty Notices)
Regulation 2001

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 2)

[1] Clause 343 Authorised officers

Insert at the end of the clause:

(2) In relation to an offence under Part 11:

- (a) that is prescribed by this Regulation as an offence for which a penalty notice may be served, and
- (b) that is committed in an area where a Port Corporation (within the meaning of the *Ports Corporatisation and Waterways Management Act 1995*) exercises port safety functions to which an operating licence held by it under that Act applies,

a member of staff of the Port Corporation to whom the Port Corporation has issued written authorisation for the purposes of this Regulation is declared to be an authorised officer for the purposes of section 43A of the *Dangerous Goods Act 1975*.

[2] Schedule 4 Penalty notices

Insert at the end of the Schedule:

Offences under the Dangerous Goods (General) Regulation relating to ports

Clause 261 (3)	\$550	8132	Person responsible not comply with requirements of AS 3846
Clause 263 (1)	\$550	8168	Master enter port without approval/contrary to conditions
Clause 264 (1)	\$550	8169	Master handle dangerous goods/goods without approval/contrary to conditions
Clause 264 (1)	\$550	8171	Master permit/authorise/direct handling dangerous goods/goods without approval/contrary to conditions

Dangerous Goods (General) Amendment (Penalty Notices)
Regulation 2001

Schedule 1

Amendments

Clause 265 (a)	\$550	8173	Person responsible not notify spillage/damage/deterioration
Clause 265 (b)	\$550	8174	Person responsible not remove goods/container/tank/packaging as directed
Clause 267 (1)	\$220	8175	Master not display warning flag/light
Clause 268 (1)	\$220	8176	Master not display warning notice
Clause 276 (3)	\$550	8177	Master not ensure work accords with approval conditions/requirements
Clause 278 (1)	\$550	8178	Store category A dangerous goods on wharf
Clause 278 (2)	\$550	8213	Store category B/C dangerous goods on wharf without approval
Clause 279 (1)	\$550	8225	Owner not remove category A/B/C dangerous goods within time
Clause 293 (2)	\$550	8521	Person responsible exceed order limit in freight containers
Clause 331	\$550	8528	Owner of pipe/hose construct/install/maintain in breach of requirements

Electricity Supply (General) Amendment Regulation 2001

under the

Electricity Supply Act 1995

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Electricity Supply Act 1995*.

KIM YEADON, M.P.,
Minister for Energy

Explanatory note

The object of this Regulation is to amend the *Electricity Supply (General) Regulation 2001* for the following purposes:

- (a) to require information relating to the availability of interpreter services to be provided in notices, bills, application forms and contracts,
- (b) to reduce the minimum period for payment of an electricity bill from 15 business days to 12 business days,
- (c) to enable applications by customers for review of decisions by suppliers or service providers to be made orally,
- (d) to make it clear that arrangements relating to retailers of last resort apply in respect of certain customers under exempt electricity supply arrangements,
- (e) to make it clear that a last resort supply fee cannot be charged to a customer who was previously a customer under a standard form customer supply contract,
- (f) to enable market operations rules to be made about the transfer of information between licence holders,
- (g) to make other minor and law revision amendments.

Electricity Supply (General) Amendment Regulation 2001

Explanatory note

This Regulation is made under the *Electricity Supply Act 1995*, including sections 20 (1), 33A (3), 40 (1), 63C, 96 and 106 (the general regulation-making power) and clause 6 of Schedule 2.

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Electricity Supply (General) Amendment Regulation 2001

Clause 1

Electricity Supply (General) Amendment Regulation 2001

1 Name of Regulation

This Regulation is the *Electricity Supply (General) Amendment Regulation 2001*.

2 Commencement

This Regulation commences on 1 January 2002.

3 Amendment of Electricity Supply (General) Regulation 2001

The *Electricity Supply (General) Regulation 2001* is amended as set out in Schedule 1.

Electricity Supply (General) Amendment Regulation 2001

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 3)

[1] Clause 7 Small retail customers

Insert “or intervals” after “times” in clause 7 (3).

[2] Clause 11 Notice procedures where small retail customers change supplier or status

Omit “is to end” wherever occurring in clause 11 (1). Insert instead “ends”.

[3] Clause 11 (2A)

Insert after clause 11 (2):

(2A) The notice is to contain, in community languages (including Arabic, Cantonese, Vietnamese, Italian, Greek and Spanish, and any other language approved by the supplier after consultation with any relevant customer consultative group), information about the availability of interpreter services for the languages concerned and telephone numbers for the services.

[4] Clause 12 Election to be supplied under standard form customer supply contract

Insert after clause 12 (2):

(2A) The application form is to contain, in community languages (including Arabic, Cantonese, Vietnamese, Italian, Greek and Spanish, and any other language approved by the supplier after consultation with any relevant customer consultative group), information about the availability of interpreter services for the languages concerned and telephone numbers for the services.

[5] Clause 13 Information given to applicants for standard form contracts

Omit “the text of” from clause 13 (1) (a).

Electricity Supply (General) Amendment Regulation 2001

Amendments

Schedule 1

[6] Clause 13 (1A)

Insert after clause 13 (1):

- (1A) The document is to contain, in community languages (including Arabic, Cantonese, Vietnamese, Italian, Greek and Spanish, and any other language approved by the supplier after consultation with any relevant customer consultative group), information about the availability of interpreter services for the languages concerned and telephone numbers for the services.

[7] Clause 24 Contents of bill

Insert “named” before “Government” in clause 24 (2) (i).

[8] Clause 24 (2) (m)

Insert after clause 24 (2) (l):

- (m) in community languages (including Arabic, Cantonese, Vietnamese, Italian, Greek and Spanish, and any other language approved by the supplier after consultation with any relevant customer consultative group), information about the availability of interpreter services for the languages concerned and telephone numbers for the services.

[9] Clause 27 Correction where customer overcharged

Omit clause 27 (2) (b) and (c). Insert instead:

- (b) reimburse any overcharged amount paid by the customer in accordance with the customer’s instructions or, if no instructions are given, credit the amount to the customer in the next bill issued to the customer, and

[10] Clause 27 (2) (d) and (3) (b)

Omit “that amount”.

Insert instead “any overcharged amount paid by the customer”.

[11] Clause 27 (3)

Insert “and paid by the customer” after “overcharged”.

Electricity Supply (General) Amendment Regulation 2001

Schedule 1 Amendments

[12] Clause 30 Payment of bills for electricity supply by small retail customers

Omit “15” from clause 30 (1). Insert instead “12”.

[13] Clause 35 Calculation of charges if increase in rates of charges occurs

Omit clause 35 (3).

[14] Clause 36 Estimation of electricity supplied

Omit “finding was made” from clause 36 (1).

Insert instead “meter was last read”.

[15] Clause 42 Information to be provided to small retail customers about contracts

Omit clause 42 (5).

[16] Clause 43 Availability of contract documents

Insert at the end of the clause:

- (2) It is a condition of a standard supplier’s licence that the supplier make the following documents available through the internet:
 - (a) a copy of its standard form customer supply contract and any documents incorporated by reference in the contract,
 - (b) a copy of any document referred to in the contract that is not incorporated in the contract,
 - (c) a copy of the Act and this Regulation.

Electricity Supply (General) Amendment Regulation 2001

Amendments

Schedule 1

[17] Clause 47 Application for review

Omit clause 47 (2). Insert instead:

- (2) A written application must:
 - (a) be served on the supplier not later than 28 days after the person receives written notice of the decision, and
 - (b) state the reasons why the small retail customer is seeking the review.
- (3) An oral application must be made not later than 28 days after the person receives written notice of the decision.

[18] Clause 50 Persons who may apply to electricity industry ombudsman

Omit clause 50 (1) (a). Insert instead:

- (a) any person, in respect of a decision to classify the person as being or not being a small retail customer, or a small retail customer entitled to standard supply,

[19] Clause 56 Definitions

Insert in alphabetical order:

customer includes a person supplied with electricity under an exempt last resort supply arrangement or a new occupant supply arrangement.

[20] Clause 57 Conditions of endorsement as retailer of last resort

Omit “the customer” from clause 57 (d). Insert instead “a customer”.

[21] Clause 57 (e)

Omit the paragraph.

[22] Clause 60 Last resort supply notice

Omit “, including particulars of the categories of customers affected” from clause 60 (1).

Electricity Supply (General) Amendment Regulation 2001

Schedule 1 Amendments

[23] Clause 61 Notice to customers

Insert after clause 61 (1):

- (1A) The notice is to contain, in community languages (including Arabic, Cantonese, Vietnamese, Italian, Greek and Spanish, and any other language approved by the supplier after consultation with any relevant customer consultative group), information about the availability of interpreter services for the languages concerned and telephone numbers for the services.

[24] Clause 62 Terms and conditions applying to small retail customers

Insert “(other than a transferred customer who was, immediately before the transfer, a customer under a standard form customer supply contract)” after “transferred customer” in clause 62 (5).

[25] Clause 63 Terms and conditions applying to non-small retail customers

Insert “(being network charges, costs of network losses, NEMMCO charges, charges relating to metering services or other charges approved by the Minister)” after “arrangement” in clause 63 (2) (a).

[26] Clause 63 (2) (b)

Insert “, being charges applying generally to the supply of electricity to such customers” after “customers” where firstly occurring.

[27] Clause 63 (3)

Omit the subclause.

[28] Clause 63 (4)

Omit the definition of *pool price*. Insert instead:

pool price means the spot price at the local regional reference node under the *National Electricity Code*.

[29] Clause 68 Exemptions from sec 98

Omit “an appropriate licence was in force” from clause 68 (1).

Insert instead “the arrangement was authorised by a licence”.

Electricity Supply (General) Amendment Regulation 2001

Amendments

Schedule 1

[30] Clause 68 (2) (a)

Omit “30 MWh”. Insert instead “30 megawatts”.

[31] Clause 68 (2) (f)

Omit “customer”. Insert instead “person”.

[32] Clause 68 (2) (g)

Insert after clause 68 (2) (f):

- (g) an arrangement under which electricity is supplied by Ergon Energy Pty Ltd to a person in respect of premises in the Tenterfield Local Government area.

[33] Clause 68 (3)

Omit the subclause. Insert instead:

- (3) A licensed supplier, is for the purposes of this Regulation, taken to have entered into an electricity supply arrangement with a person occupying premises (not being a customer under a customer supply contract) if:
 - (a) the supplier supplies electricity to the premises, and
 - (b) the premises are no longer occupied by the customer under the relevant customer supply contract applicable to those premises.

[34] Clause 70 Conditions applying to exemptions in relation to residential premises

Omit “clause 68 (2) (e) or (f)” from clause 70 (1).

Insert instead “clause 68 (2) (e), (f) or (g)”.

[35] Clause 71 Conditions on exemptions for certain residential premises relating to disconnection from distribution system

Omit “clause 68 (2) (e) or (f)” from clause 71 (1).

Insert instead “clause 68 (2) (e), (f) or (g)”.

Electricity Supply (General) Amendment Regulation 2001

Schedule 1 Amendments

[36] Clause 71 (3)

Insert “(under an agreement with the person in respect of whom the connection services are provided, or electricity is supplied)” after “authorised”.

[37] Clause 72 Conditions for exemptions relating to new occupants of premises

Omit “the person who owns or occupies the premises” from clause 72 (2).
Insert instead “the person to whom electricity is supplied under the arrangement (the *new occupant*)”.

[38] Clause 72 (3)

Omit “person” where thirdly occurring. Insert instead “new occupant”.

[39] Clause 72 (3)

Omit “customer”. Insert instead “new occupant”.

[40] Clause 72 (4)

Omit “person” where thirdly and fourthly occurring.
Insert instead “new occupant”.

[41] Clauses 113A and 113B

Insert after clause 113:

113A Application of amending Regulation

- (1) Nothing in the *Electricity Supply (General) Amendment Regulation 2001* requires a licence holder to amend a customer contract, or to provide information relating to interpreter services, despite any amendment made by that Regulation.
- (2) Any customer contract that is entered into, or renewed or extended, by a licence holder is, if it complied with the requirements applicable to it on the commencement of this clause, taken to comply with the requirements of this Regulation as amended by the *Electricity Supply (General) Amendment Regulation 2001*.

Electricity Supply (General) Amendment Regulation 2001

Amendments

Schedule 1

- (3) This clause ceases to have effect 3 months after the commencement of this clause.

113B Estimation of consumption

Clause 36, as amended by the *Electricity Supply (General) Amendment Regulation 2001*, does not apply in respect of any period before the commencement of this clause.

[42] Clause 118 Market operations rules

Insert after clause 118 (b):

- (c) obligations and procedures relating to the implementation of systems relating to the transfer of information between licence holders, that is required to be made under any Act or other law relating to the supply of electricity related services.

[43] Schedule 1 Requirements applicable to both customer supply and customer connection contracts

Insert after clause 1 (3) (o):

- (p) in community languages (including Arabic, Cantonese, Vietnamese, Italian, Greek and Spanish, and any other language approved by the licence holder after consultation with any relevant customer consultative group), information about the availability of interpreter services for the languages concerned and telephone numbers for the services.

[44] Schedule 2 Customer Supply Contracts

Omit “during a billing period” from clause 2 (4).

[45] Schedule 2, clause 3 (2) (b)

Omit “the supplier”. Insert instead “a supplier”.

[46] Schedule 2, clause 3 (3)

Omit “the supplier” where firstly occurring. Insert instead “a supplier”.

Electricity Supply (General) Amendment Regulation 2001

Schedule 1 Amendments

[47] Schedule 2, clause 5 (2)

Omit “must”. Insert instead “may”.

[48] Schedule 2, clause 5 (2)

Omit “72 hours”.

Insert instead “the end of a specified period (not exceeding 72 hours)”.

[49] Schedule 2, clause 5 (3)

Omit “The”. Insert instead “A”.

[50] Schedule 2, clause 5 (4)

Insert after clause 5 (3):

- (4) Nothing in this clause prevents the contract from requiring the payment of additional charges by the customer on discontinuance, being charges otherwise permitted under the Act, this Regulation or the contract.

[51] Schedule 2, clause 10

Insert “not more than” after “connected for” wherever occurring.

[52] Schedule 3 Customer connection contracts

Omit “negotiated” from clause 1 (2).

[53] Schedule 3, clause 11

Insert “not more than” after “connected for” wherever occurring.

Firearms (General) Amendment (Firearm Frames Amnesty) Regulation 2001

under the

Firearms Act 1996

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

MICHAEL COSTA, M.L.C.,
Minister for Police

Explanatory note

Clause 16 of Schedule 3 to the *Firearms Act 1996* provides for a 6-month amnesty, ending on 31 December 2001, that enables unregistered firearm frames and receivers to be possessed, bought or sold without committing an offence under that Act.

The object of this Regulation is to facilitate the registration or surrender to the police of firearm frames and receivers by extending that amnesty until 30 June 2002. However, the amnesty is only to operate in relation to longarm firearm frames and receivers (being frames and receivers of firearms other than pistols).

This Regulation is made under the *Firearms Act 1996*, including section 88 (2) (r).

Firearms (General) Amendment (Firearm Frames Amnesty)
Regulation 2001

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 3)

Clause 93C

Omit the clause. Insert instead:

93C Amnesty concerning longarm firearm frames

- (1) A person who acquired a longarm firearm frame or receiver before 1 January 2002 that is not registered under Part 3 of the Act (as applied by section 93 of the Act) does not, during the period of the amnesty, commit an offence under section 36 of the Act by possessing, purchasing or selling the frame or receiver.
- (2) However, subclause (1) only operates in respect of the sale or purchase of an unregistered longarm firearm frame or receiver if:
 - (a) the person purchasing the frame or receiver is a licensed firearms dealer, or
 - (b) the transaction has, in accordance with this clause, been arranged through a licensed firearms dealer, or
 - (c) in any case where a licensed firearms dealer is not (as determined by this clause) reasonably available, the transaction is witnessed by a police officer authorised by the Commissioner.
- (3) A person who is the holder of a licence or permit and who applies, on or before the expiry of the period of the amnesty, for the registration of a longarm firearm frame or receiver does not commit an offence under section 36 of the Act in respect of the possession of an unregistered longarm firearm frame or receiver that is capable of forming part of a firearm to which the licence or permit relates before the person is notified of the registration or refusal of registration of the frame or receiver.

Firearms (General) Amendment (Firearm Frames Amnesty)
Regulation 2001

Schedule 1 Amendment

- (4) If, after the expiry of the period of the amnesty, a person who applied for the registration of an unregistered longarm firearm frame or receiver before the expiry of that period is notified that the application has been refused, the person must immediately surrender the frame or receiver to a police officer.

Maximum penalty (subclause (4)): 50 penalty units.

- (5) A person does not contravene any other provision of the Act just by surrendering a firearm frame or receiver in accordance with subclause (4).
- (6) The arrangements referred to in subclause (2) (b) for the sale or purchase of an unregistered longarm firearm frame or receiver through a licensed firearms dealer are as follows:
- (a) the sale must be conducted at the licensed firearms dealer's place of business or at another approved place,
 - (b) the firearms dealer must make the same records in respect of the sale as the dealer would otherwise be required to make under section 45 of the Act.
- (7) For the purposes of subclause (2) (c), a licensed firearms dealer is not reasonably available for the purposes of the sale or purchase of an unregistered longarm firearm frame or receiver if the nearest location of a firearms dealer's place of business is more than 100 kilometres from the ordinary place of residence of both the purchaser and the seller.
- (8) In this clause:

longarm firearm frame or receiver means a frame or receiver in respect of a firearm other than a pistol.

period of the amnesty means the period starting on 1 January 2002 and ending on 30 June 2002.

Forestry Amendment (Fees) Regulation 2001

under the

Forestry Act 1916

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Forestry Act 1916*.

KIM YEADON, M.P.,
Minister for Forestry

Explanatory note

The object of this Regulation is to amend the *Forestry Regulation 1999* so as to increase certain fees payable under the *Forestry Act 1916*. The fee for a grazing permit has not been increased.

This Regulation is made under the *Forestry Act 1916*, including section 41 (the general regulation-making power) and, in particular, section 41(1) (b), (f) and (n).

Clause 1 Forestry Amendment (Fees) Regulation 2001

Forestry Amendment (Fees) Regulation 2001

1 Name of Regulation

This Regulation is the *Forestry Amendment (Fees) Regulation 2001*.

2 Commencement

This Regulation commences on 1 January 2002.

3 Amendment of Forestry Regulation 1999

The *Forestry Regulation 1999* is amended as set out in Schedule 1.

Forestry Amendment (Fees) Regulation 2001

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 3)

Schedule 1

Omit the Schedule. Insert instead:

Schedule 1 Fees

(Clause 3)

Column 1	Column 2
Description	Fee
Application for a sawmill licence	\$139
Application for an occupation permit where no on-site inspection is required	\$94
Application for an occupation permit where an on-site inspection is, in the opinion of the appropriate Regional Manager, required	\$231
Application for a forest lease where no on-site inspection is required	\$94
Application for a forest lease where an on-site inspection is, in the opinion of the appropriate Regional Manager, required	\$231
Timber licence	\$86 for a licence the duration of which is not more than 3 months \$127 for a licence the duration of which is more than 3 months but not more than 6 months \$161 for a licence the duration of which is more than 6 months but not more than 9 months

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Forestry Amendment (Fees) Regulation 2001

Schedule 1 Amendment

Column 1	Column 2
Description	Fee
Products licence	\$185 for a licence the duration of which is more than 9 months but not more than 12 months
	For a licence the duration of which is more than 12 months—\$185 for each year, or part of a year, of the duration of the licence
	\$81 for a licence the duration of which is not more than 3 months
	\$104 for a licence the duration of which is more than 3 months but not more than 6 months
	\$122 for a licence the duration of which is more than 6 months but not more than 9 months
Forest materials licence	\$139 for a licence the duration of which is more than 9 months but not more than 12 months
	For a licence the duration of which is more than 12 months—\$139 for each year, or part of a year, of the duration of the licence
	\$81 for a licence the duration of which is not more than 3 months
	\$104 for a licence the duration of which is more than 3 months but not more than 6 months
	\$122 for a licence the duration of which is more than 6 months but not more than 9 months

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Forestry Amendment (Fees) Regulation 2001

Amendment

Schedule 1

Column 1 Description	Column 2 Fee
	\$139 for a licence the duration of which is more than 9 months but not more than 12 months
	For a licence the duration of which is more than 12 months—\$139 for each year, or part of a year, of the duration of the licence
Sawmill licence or any renewal of a sawmill licence	\$174 for each year ending 31 December, or any part of a year, of the duration of the licence
Grazing permit	\$6 per month, or part of a month, of the duration of the permit
Hunting permit	\$33 per month, or part of a month, of the duration of the permit
Transfer of forest lease	\$111
Transfer of occupation permit	\$111
Transfer of sawmill licence	\$116
Transfer of timber licence, products licence or forest materials licence	\$116
Contractor's licence	\$24 for a licence the duration of which is not more than 3 months
	\$41 for a licence the duration of which is more than 3 months but not more than 6 months
	\$52 for a licence the duration of which is more than 6 months but not more than 9 months

Forestry Amendment (Fees) Regulation 2001

Schedule 1 Amendment

Column 1 Description	Column 2 Fee
Operator's licence	<p>For a licence the duration of which is more than 9 months—\$58 for each year, or part of a year, of the duration of the licence</p> <p>\$24 for a licence the duration of which is not more than 3 months</p> <p>\$41 for a licence the duration of which is more than 3 months but not more than 6 months</p> <p>\$52 for a licence the duration of which is more than 6 months but not more than 9 months</p>
Permission to work a sawmill	<p>For a licence the duration of which is more than 9 months—\$58 for each year, or part of a year, of the duration of the licence</p> <p>\$86 for each year ending 31 December, or any part of a year, of the duration of the licence</p>
Application to vary a condition of a forest lease where no on-site inspection is required	\$58
Application to vary a condition of a forest lease where an on-site inspection is, in the opinion of the appropriate Regional Manager, required	\$174

Gas Supply (Customer Protection) Amendment (Natural Gas Retail Competition) Regulation 2001

under the

Gas Supply Act 1996

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Gas Supply Act 1996*.

KIM YEADON, M.P.,
Minister for Energy

Explanatory note

The object of this Regulation is to amend the *Gas Supply (Customer Protection) Regulation 1997* as a consequence of the making of the *Gas Supply (Natural Gas Retail Competition) Regulation 2001*. This Regulation omits from the 1997 Regulation matters that are dealt with in the 2001 Regulation.

This Regulation is made under the *Gas Supply Act 1996*, including section 83 (the general power to make regulations).

Clause 1 Gas Supply (Customer Protection) Amendment (Natural Gas Retail Competition) Regulation 2001

Gas Supply (Customer Protection) Amendment (Natural Gas Retail Competition) Regulation 2001

1 Name of Regulation

This Regulation is the *Gas Supply (Customer Protection) Amendment (Natural Gas Retail Competition) Regulation 2001*.

2 Commencement

This Regulation commences on 1 January 2002.

3 Amendment of Gas Supply (Customer Protection) Regulation 1997

The *Gas Supply (Customer Protection) Regulation 1997* is amended as set out in Schedule 1.

Gas Supply (Customer Protection) Amendment (Natural Gas Retail Competition) Regulation 2001

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 3)

[1] The whole Regulation

Omit “authorisation or”, “supplier,”, “supplier’s or” and “supplier or” wherever occurring.

[2] Clause 1 Name of Regulation

Insert “—LPG and Other Gases” after “Customer Protection”.

[3] Clause 3 Definitions

Omit the definitions of *customer* and *small customer*. Insert instead:

customer means a person who is supplied with gas (other than natural gas) at a rate of 100 Gigajoules per year or less.

[4] Clause 3, definition of “customer council”

Omit paragraph (a).

[5] Clause 3, note

Omit the note at the end of the clause.

[6] Clause 4 Object of this Regulation: section 83 (3)

Omit “standard form” from clause 4 (a).
Insert instead “customer supply”.

[7] Clause 5

Omit the clause.

[8] Clause 7 Establishment of customer councils

Omit clause 7 (1) and (4).

Page 3

Gas Supply (Customer Protection) Amendment (Natural Gas Retail
Competition) Regulation 2001

Schedule 1 Amendments

[9] Clause 7 (2)

Omit “small” wherever occurring.

[10] Clause 7 (3)

Omit the subclause. Insert instead:

- (3) A distributor that is also a supplier is not required to establish a customer council in its capacity as a distributor if it has established a customer council in its capacity as a supplier.

[11] Clause 9 Procedure of customer councils

Omit “supplier’s customer council or” from clause 9 (2) (a).

[12] Clause 11 Procedure for preparing customer service code

Omit clause 11 (1).

Gas Supply (General) Amendment (Natural Gas Retail Competition) Regulation 2001

under the

Gas Supply Act 1996

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Gas Supply Act 1996*.

KIM YEADON, M.P.,
Minister for Energy

Explanatory note

The object of this Regulation is to amend the *Gas Supply (General) Regulation 1997* as a consequence of the making of the *Gas Supply (Natural Gas Retail Competition) Regulation 2001*. This Regulation omits from the 1997 Regulation matters that are dealt with in the 2001 Regulation.

This Regulation is made under the *Gas Supply Act 1996*, including section 83 (the general power to make regulations).

Clause 1 Gas Supply (General) Amendment (Natural Gas Retail Competition) Regulation 2001

Gas Supply (General) Amendment (Natural Gas Retail Competition) Regulation 2001

1 Name of Regulation

This Regulation is the *Gas Supply (General) Amendment (Natural Gas Retail Competition) Regulation 2001*.

2 Commencement

This Regulation commences on 1 January 2002.

3 Amendment of Gas Supply (General) Regulation 1997

The *Gas Supply (General) Regulation 1997* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 3)

[1] Part 3

Omit the Part.

[2] Clause 26 Definition of “tariff customer”: Dictionary

Omit the clause.

Gas Supply (Natural Gas Retail Competition) Regulation 2001

under the

Gas Supply Act 1996

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Gas Supply Act 1996*.

KIM YEADON, M.P.,
Minister for Energy

Explanatory note

The object of this Regulation is to make regulations under the *Gas Supply Act 1996* as a consequence of the commencement of the uncommenced provisions of the *Gas Supply Amendment (Retail Competition) Act 2001*.

The Regulation contains the following provisions with respect to the supply of natural gas:

- (a) provisions setting out conditions of endorsement of standard suppliers, that is, suppliers who are required to provide gas to certain small retail customers and other customers located in their supply districts,
- (b) provisions prescribing the gas consumption levels for classification as a small retail customer and conferring rights on small retail customers,
- (c) provisions relating to the discontinuance of gas supply,
- (d) provisions setting out requirements relating to the establishment of customer councils by standard suppliers and other suppliers,
- (e) provisions setting out requirements for standard form customer supply contracts between suppliers and small retail customers and for negotiated customer supply contracts between suppliers and small retail customers and suppliers and other customers,

Gas Supply (Natural Gas Retail Competition) Regulation 2001

Explanatory note

- (f) provisions setting out requirements for the supply of gas where a contract has not been entered into,
- (g) provisions prescribing additional decisions for which review may be sought by small retail customers and setting out procedures for reviews of decisions by suppliers,
- (h) provisions prescribing matters for the purposes of the operation of gas industry ombudsman schemes and the exercise of functions by the gas industry ombudsman appointed under such a scheme,
- (i) provisions detailing arrangements relating to gas suppliers that are authorised to provide gas in the event of a default by another supplier, including provisions setting out the terms and conditions that are to apply in respect of customers who are subject to the arrangements,
- (j) other miscellaneous provisions, including savings and transitional provisions.

This Regulation is made under the *Gas Supply Act 1996*, including sections 11, 33A, 33C, 33E, 33F, 33G, 33K, 33R and 83 (the general regulation-making power), clause 1 of Schedule 2 and the Dictionary.

Gas Supply (Natural Gas Retail Competition) Regulation 2001

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Clause 1	Gas Supply (Natural Gas Retail Competition) Regulation 2001
Part 1	Preliminary

Gas Supply (Natural Gas Retail Competition) Regulation 2001

Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Gas Supply (Natural Gas Retail Competition) Regulation 2001*.

2 Commencement

This Regulation commences on 1 January 2002.

3 Definitions

In this Regulation:

approved last resort supply arrangement means a gas supply arrangement referred to in clause 42 (3) (b).

business day means a day that is not a Saturday or a Sunday or a day that is wholly or partly a public holiday.

customer supply contract means a standard form customer supply contract or a negotiated customer supply contract.

delivery point means the point on a natural gas distribution system at which gas is withdrawn from the system for delivery to a customer, being:

- (a) the inlet at a gas installation at a customer's premises, or
- (b) the outlet of basic metering equipment at a customer's premises.

Delivery Point Identifier means the numeric name of the delivery point.

Director-General means the Director-General of the Ministry of Energy and Utilities.

gas means natural gas.

gas industry ombudsman means the gas industry ombudsman appointed under an approved gas industry ombudsman scheme.

Gas Supply (Natural Gas Retail Competition) Regulation 2001

Clause 3

Preliminary

Part 1

gas marketer has the same meaning as it has in Division 5 of Part 2A of the Act.

guaranteed customer service standard means a service standard set out in Part 2 of Schedule 1 or, if the standard is varied as referred to in Division 2 of Part 4, the standard as so varied.

last resort supply arrangements means the gas supply arrangements applicable under the plan required to be prepared and maintained by a retailer of last resort under clause 68.

market operations rule means a rule approved under section 33K of the Act.

Marketing Code of Conduct has the same meaning as it has in Division 5 of Part 2A of the Act.

natural gas distribution system means the gas pipes and associated equipment that are used to convey and control the conveyance of gas to the premises of customers.

new occupant supply arrangement means a gas supply arrangement referred to in clause 54.

recognised code or **recognised document** means a code or document approved in writing by the Director-General, notice of which has been given in a newspaper circulating throughout the State.

residential premises means:

- (a) any premises or part of premises (including any land occupied with the premises) used or intended to be used as a place of residence, and
- (b) includes a moveable dwelling (within the meaning of the *Local Government Act 1993*) or site on which a moveable dwelling is situated or intended to be situated (or both the moveable dwelling and the site), if the moveable dwelling is used or intended to be used as a place of residence.

retailer of last resort means a supplier to whose authorisation is attached a retailer of last resort's endorsement.

retailer of last resort's endorsement means an endorsement of a kind referred to in clause 67.

the Act means the *Gas Supply Act 1996*.

4 Notes

The notes in this Regulation do not form part of the Regulation.

Clause 5 Gas Supply (Natural Gas Retail Competition) Regulation 2001

Part 2 Standard suppliers

Part 2 Standard suppliers

5 Endorsement conditions generally

For the purposes of section 33A (2) (c) of the Act, it is a condition of a standard supplier's endorsement that the supplier must only accept applications under section 33C (1) of the Act if they are in accordance with clause 12.

6 Endorsement condition relating to payment plans

- (1) For the purposes of section 33A (2) (c) of the Act, it is a condition of a standard supplier's endorsement that the supplier operate a payment plan:
 - (a) applying to small retail customers who own or occupy residential premises and who are, in the supplier's opinion, experiencing financial difficulties, and
 - (b) that complies with subclause (2) and is approved by the Minister.
- (2) The payment plan must:
 - (a) enable customers to make payments by instalments, in advance or arrears, and
 - (b) provide for the customer to be informed of the following matters:
 - (i) the period, or periods, of the payment plan,
 - (ii) the amount of each instalment and the frequency of instalments,
 - (iii) if the customer is in arrears, the number of instalments to pay the arrears,
 - (iv) if the customer is to pay in advance, the basis on which instalments are calculated, and
 - (c) provide for instalments to be calculated having regard to a customer's consumption needs and capacity to pay, and
 - (d) provide procedures that are fair and reasonable for dealing with payment difficulties faced by a customer who is obtaining the benefit of the scheme.

Gas Supply (Natural Gas Retail Competition) Regulation 2001	Clause 7
Customers and customer rights	Part 3
Small retail customers	Division 1

Part 3 Customers and customer rights

Division 1 Small retail customers

7 Small retail customers who are entitled to apply to be supplied under the standard form customer supply contract

For the purposes of section 33C (1) (b) of the Act, the premises of a small retail customer are connected to a distribution system if:

- (a) there is in or on the premises a meter connected by means of gas pipes or associated equipment through gas works to a natural gas distribution system, and
- (b) the meter, pipes, equipment and gas works are capable of safely conveying gas in accordance with the Act, this Regulation and any other regulations made under the Act.

8 Small retail customers

- (1) For the purposes of section 33R of the Act, the prescribed rate referred to in subsection (7) of that section is 1,000 gigajoules per year.
- (2) The following provisions apply for the purpose of estimating or measuring the consumption or expected consumption of gas so as to determine whether or not a customer is a small retail customer:
 - (a) consumption is to be measured or estimated in respect of all premises that are owned or occupied in this State by the customer and that are covered by the same customer supply contract,
 - (b) consumption in the immediately preceding period of 12 months is to be measured (if applicable) by having regard to gas consumption recorded in bills rendered during the relevant period or meter readings during the period.
- (3) A supplier must determine the rate of consumption or expected consumption of gas of a customer of the supplier for the purpose of determining whether or not the customer is a small retail customer at the following times or intervals:
 - (a) at the commencement of a customer supply contract,

Clause 8	Gas Supply (Natural Gas Retail Competition) Regulation 2001
Part 3	Customers and customer rights
Division 1	Small retail customers

- (b) if the terms and conditions of a customer supply contract relating to the customer are renegotiated and agreed to by the customer,
 - (c) at intervals of not less than 12 months during the term of a standard form customer supply contract,
 - (d) at any time that the supplier becomes aware that a customer may consume gas at premises at a rate of less than 1,000 gigajoules per year, unless otherwise provided by the customer supply contract.
- (4) It is a condition of a supplier's authorisation that the supplier comply with this clause.

9 Initial classification of small retail customers

- (1) It is a condition of the authorisation of a supplier holding an authorisation on the commencement of this Regulation that, not later than one month after that commencement, the supplier identify each customer of the supplier who is a small retail customer.
- (2) A customer who is so identified is, for the purposes of the Act and this Regulation, taken to be a small retail customer until otherwise classified in accordance with this Regulation.

10 Market operations rules

Market operations rules may be made for or with respect to the following matters:

- (a) the notification of customer classification determinations by suppliers,
- (b) the registration, maintenance and disclosure of customer classification determinations by suppliers.

11 Notice procedures where customers change or small retail customers change supplier or status

- (1) This clause applies if any of the following events occur:
 - (a) a supplier becomes aware that a person who is or may be a small retail customer is being supplied with gas by the supplier and is not subject to a customer supply contract but is subject to a new occupant supply arrangement,

Gas Supply (Natural Gas Retail Competition) Regulation 2001	Clause 11
Customers and customer rights	Part 3
Small retail customers	Division 1

- (b) a small retail customer notifies a supplier that the customer wishes to discontinue the supply of gas by the supplier with the effect that the customer supply contract ends,
 - (c) the period of supply of gas under a customer supply contract (other than a standard form customer supply contract) with a small retail customer ends,
 - (d) a supplier reclassifies a small retail customer taking supply under a standard form customer supply contract as being a customer who is not a small retail customer.
- (2) The supplier must give written notice to the person or customer concerned of the following matters:
- (a) that, if the person or customer wishes to continue to be supplied with gas at the premises, the person or customer must arrange supply under a customer supply contract with the supplier or another supplier,
 - (b) whether or not the person or customer is entitled to elect to take supply from a standard supplier under a standard form customer supply contract and, if the person or customer is so entitled and the supplier is not the relevant standard supplier, the name and contact details of that supplier,
 - (c) any charges that the person or customer may be liable to pay if the person or customer does not arrange supply under a customer supply contract,
 - (d) the circumstances in which the supplier may arrange for discontinuation of supply and the date on or after which the supply of gas to the person's or customer's premises may be discontinued.
- (3) The notice is to contain, in community languages (including Arabic, Cantonese, Vietnamese, Italian, Greek, Spanish and any other language approved by the relevant customer council) information about the availability of interpreter services for the languages concerned and telephone numbers for the services.
- (4) In a case where the period of supply under a negotiated customer supply contract ends, the notice must be given not later than 21 days before the end of the period of supply under the contract.
- (5) In any other case, the notice must be given as soon as practicable after the relevant event occurs.

Clause 11	Gas Supply (Natural Gas Retail Competition) Regulation 2001
Part 3	Customers and customer rights
Division 1	Small retail customers

- (6) It is a condition of a supplier's authorisation that the supplier comply with this clause.
- (7) A notice given under this clause may also constitute a notice given for the purposes of a customer supply contract if it complies with any requirements of the contract in relation to such a notice.

12 Application to be supplied under standard form customer supply contract

- (1) An application to be supplied with gas by a standard supplier under a standard form customer supply contract is to be made by serving on the standard supplier an application:
 - (a) in the form issued by the standard supplier, and
 - (b) that is signed and dated by the person making the election.
- (2) The application form must contain the following particulars:
 - (a) the name of the customer,
 - (b) the address of the premises to be supplied with gas,
 - (c) the customer's Delivery Point Identifier,
 - (d) a statement that supply of gas is to commence from a date specified in the contract.
- (3) The application form is to contain, in community languages (including Arabic, Cantonese, Vietnamese, Italian, Greek, Spanish and any other language approved by the relevant customer council) information about the availability of interpreter services for the languages concerned and telephone numbers for the services.
- (4) The application form may contain other particulars not inconsistent with this clause.
- (5) An application form:
 - (a) may apply only to one application related to one period of supply, and
 - (b) must be issued to a prospective customer by a standard supplier not later than one business day after a request by the prospective customer for a form, and
 - (c) when issued, must be accompanied by the document required to be provided under clause 13.

Gas Supply (Natural Gas Retail Competition) Regulation 2001	Clause 13
Customers and customer rights	Part 3
Small retail customers	Division 1

13 Information given to applicants for standard form contracts

- (1) As soon as practicable after receiving an application from any person who is or may be a small retail customer for the provision of supply of gas under a standard form customer supply contract, a standard supplier must furnish the customer, free of charge, with a document:
 - (a) that sets out any relevant guaranteed customer service standards, and
 - (b) that indicates that those standards form part of the relevant customer contract, and
 - (c) that contains a statement of the customer's rights in relation to disputes and resolution of disputes with the supplier, including particulars of any applicable approved gas industry ombudsman scheme and the procedures for referring complaints and disputes to the gas industry ombudsman under that scheme, and
 - (d) that indicates how copies of the supplier's customer supply contracts may be obtained, and
 - (e) that contains information on any available rebate or relief scheme under which a customer may obtain relief from charges, and
 - (f) that sets out the customer's right to obtain supply from a supplier of his or her choice and gives the names and contact details of suppliers authorised to operate in this State.
- (2) The document is to contain, in community languages (including Arabic, Cantonese, Vietnamese, Italian, Greek, Spanish and any other language approved by the relevant customer council) information about the availability of interpreter services for the languages concerned and telephone numbers for the services.
- (3) It is a condition of a standard supplier's authorisation that the supplier comply with this clause.

Division 2 Discontinuance of supply

14 Limitation on right to have premises supplied with gas by standard supplier

- (1) For the purposes of section 33C (4) of the Act, a standard supplier is authorised to refuse to supply premises with gas, or to discontinue the supply of gas, if the person who owns or occupies the premises:

Clause 14 Gas Supply (Natural Gas Retail Competition) Regulation 2001

Part 3 Customers and customer rights

Division 2 Discontinuance of supply

- (a) has failed to provide the security required by the standard supplier for the payment of any charge with respect to the supply of gas by the supplier, or
 - (b) has failed to pay an amount due to the standard supplier with respect to the supply of gas, or
 - (c) has refused or failed to give an inspector access to any premises supplied with gas by the standard supplier in accordance with any right to access provided for in the Act, any other regulation made under the Act or in the customer supply contract, or
 - (d) has obstructed an inspector in relation to any act, matter or thing done or to be done in carrying out any function under the Act, any other regulation made under the Act or the relevant customer supply contract, or
 - (e) is a small retail customer taking supply under a standard form customer supply contract who is reclassified as not being a small retail customer, or
 - (f) is a small retail customer taking supply under a negotiated customer supply contract with the standard supplier and the period of supply of gas under that contract ends, or
 - (g) is not a party to a customer supply contract, new occupant supply arrangement or a last resort supply arrangement.
- (2) A standard supplier must not refuse or discontinue the supply of gas to premises on a ground referred to in subclause (1) (a)–(d) unless the supplier has:
- (a) in the case of premises owned or occupied by a small retail customer, complied with the requirements of the customer supply contract and this Regulation, or
 - (b) in any other case, given the customer reasonable notice of its intention to discontinue supply to the premises to allow the customer a reasonable opportunity to remedy that ground.
- (3) A standard supplier must not refuse or discontinue the supply of gas to premises on a ground referred to in subclause (1) (e), (f) or (g) unless the supplier has given the customer notice under clause 11 and a reasonable time to enter into a customer supply contract.
- (4) Nothing in this clause affects the right to interrupt continuous supply as agreed in a customer supply contract.

Gas Supply (Natural Gas Retail Competition) Regulation 2001	Clause 14
Customers and customer rights	Part 3
Discontinuance of supply	Division 2

- (5) Nothing in this clause affects any right or obligation to refuse to supply gas, or to discontinue the supply of gas, to premises arising from the operation of the Act, this Regulation or any other regulations made under the Act.

15 Discontinuance of supply under negotiated customer supply contract

It is a condition of a supplier's authorisation that the supplier must not discontinue the supply of gas to the premises of a small retail customer under a negotiated customer supply contract unless the supplier has complied with the requirements of the contract relating to discontinuance.

Division 3 Customer consultation

16 Customer councils of standard suppliers

- (1) A standard supplier must appoint at least one customer council.
- (2) A customer council appointed by a standard supplier is to be constituted in accordance with a charter approved by the Minister.
- (3) Any such charter may also provide for other matters relating to the customer council, including the procedure of the council (including meeting intervals), funding of the council and access to information by the council.
- (4) It is a condition of a standard supplier's authorisation that the supplier must, within the time required by the Minister:
 - (a) prepare a charter governing the constitution and procedure of a customer council appointed by the supplier, and
 - (b) submit the charter for approval by the Minister.
- (5) The Minister may, for the purposes of this clause, approve as a charter of a customer council the charter of a customer consultative group approved under the *Electricity Supply (General) Regulation 2001*.

17 Customer councils of other suppliers

- (1) A supplier (other than a standard supplier) may establish a customer council in accordance with the provisions of Part 2 of the *Gas Supply (Customer Protection—LPG and Other Gases) Regulation 1997* that are applicable to distributors.

Clause 17	Gas Supply (Natural Gas Retail Competition) Regulation 2001
Part 3	Customers and customer rights
Division 3	Customer consultation

- (2) The provisions of that Part apply to a supplier (other than a standard supplier) in the same way as they apply to a distributor.

18 Functions of customer councils

For the purpose of exercising its function of advising the supplier on matters concerning the supply of gas to customers, a customer council may provide information and advice on the following matters:

- (a) the form and content of the guaranteed customer service standards,
- (b) any improvement in the way the supplier operates that the customer council believes would benefit customers,
- (c) any other matters relating to the supply of gas that the customer council believes have a considerable effect on customers,
- (d) such other matters as the supplier and the customer council agree should be the subject of information and advice.

19 Customer councils may have electricity functions

Nothing in this Regulation prevents the same body from being both a customer council for the purposes of this Regulation and a customer consultative group for the purposes of the *Electricity Supply Act 1995*.

Division 4 Charges and bills

20 Obligations of suppliers

It is a condition of a supplier's authorisation that the supplier must comply with the applicable provisions of this Division.

21 Variation of charges under a standard form customer supply contract

- (1) A variation in the rates of charges for gas supplied by a supplier under a standard form customer supply contract has no effect, and may not be imposed by the supplier, unless a notice setting out particulars of the variation is first:
 - (a) published by the relevant supplier in a newspaper or newspapers circulating throughout New South Wales or the area in which the variation is to take effect and on the supplier's internet site, or

Gas Supply (Natural Gas Retail Competition) Regulation 2001	Clause 21
Customers and customer rights	Part 3
Charges and bills	Division 4

- (b) in relation to gas supplied only to a particular customer or group of customers, served on the customer or group of customers.
- (2) The particulars to be set out in the notice must:
 - (a) specify the date on or after which the variation is to take effect, being a date that is later than the date the notice is published or served, and
 - (b) include a statement of the new rates or the amount of the variation.
- (3) The notice may have general application or may be limited in its application by reference to specified exceptions or factors.

22 Variation of charges under a negotiated customer supply contract

- (1) A variation in the rates of charges for gas supplied by a supplier under a negotiated customer supply contract with a small retail customer has no effect, and may not be imposed by the supplier, unless a written notice setting out particulars of the variation is served on the customer.
- (2) The particulars to be set out in such a notice must:
 - (a) specify the date on or after which the variation is to take effect, being a date that is later than the date the notice is served, and
 - (b) include a statement of the new rates or the amount of the variation.

23 Variation may not operate retrospectively

A variation in the rates of charges for gas supplied under a customer supply contract for which notice is required to be given under this Division operates from the date specified in the relevant notice of the variation and does not operate retrospectively.

24 Contents of bills of small retail customers

- (1) The information to be included in a bill issued by a supplier under a customer supply contract with a small retail customer must include the following:
 - (a) the customer's name and bill number, the address of the customer's premises and any relevant mailing address,
 - (b) the customer's Delivery Point Identifier and checksum, prominently displayed,

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- (c) the dates on which the billing period began and ended,
 - (d) the total charges to be paid by the customer,
 - (e) the charges payable for services provided or arranged by the supplier, separating those charges into charges in respect of gas supply and charges in respect of other services and goods provided,
 - (f) the date by which the bill must be paid,
 - (g) the amount of any arrears and the due date for payment of the arrears,
 - (h) the amount of any credit received,
 - (i) any amount deducted, credited or received under:
 - (i) any Government funded rebate or relief scheme, or
 - (ii) any payment plan operated by the supplier,
 - (j) the methods by which the bill may be paid,
 - (k) the name of, and details of the availability of, any Government funded rebate or relief scheme,
 - (l) contact details for the supplier's bill and payment enquiries service and a 24 hour contact phone number for faults and difficulties (prominently displayed on the bill),
 - (m) details of the availability of, costs of and refunds relating to, meter reliability tests,
 - (n) in community languages (including Arabic, Cantonese, Vietnamese, Italian, Greek, Spanish and any other language approved by the relevant customer council) information about the availability of interpreter services for the languages concerned and telephone numbers for the services.
- (2) The supplier must include in the bill particulars of the amount of any security held by the supplier, if requested to do so by the customer.

25 Review of bills and related matters

- (1) A small retail customer may make a complaint to a supplier about a bill issued by the supplier to the customer under a customer supply contract or any matter related to the bill or charges charged by the supplier to the customer, including for services arranged by the supplier.
- (2) A supplier must consider the complaint and may either determine that the bill or amount is correct or correct the bill or amount.

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Customers and customer rights	Part 3
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- (3) A review under this clause is taken to be a review under section 33E of the Act and Part 5 of this Regulation does not apply to any such review.

26 Correction where customer undercharged

- (1) If on a review of a complaint by a small retail customer, or at any other time, a supplier determines that the customer has been charged less than the amount that should have been charged under the customer supply contract concerned, the supplier may recover the amount that should have been charged.
- (2) However, the supplier may not recover an amount payable in respect of a period that is more than 12 months before the date on which the supplier notifies the customer of the determination.
- (3) The amount to be recovered must be listed separately, and explained, on a bill issued to the customer and interest may not be charged on the amount.
- (4) The supplier must give the customer a period of time to pay the amount to be recovered that is at least equal to the period during which the undercharging occurred, if requested to do so by the customer.

27 Correction where customer overcharged

- (1) If on a review of a complaint by a small retail customer, or at any other time, the supplier determines that the customer has been charged more than the amount that should have been charged under the customer supply contract concerned, and the amount overcharged exceeds \$25, the supplier must:
- (a) inform the customer not later than 10 business days after becoming aware of the overcharging, and
 - (b) reimburse the amount overcharged to the customer in accordance with the customer's instructions or if, no instructions are given, credit the amount to the customer in the next bill issued to the customer, and
 - (c) pay interest on any overcharged amount paid by the customer at the rate prescribed under section 95 (1) of the *Supreme Court Act 1970* for payment of interest on a judgment debt.

Clause 27	Gas Supply (Natural Gas Retail Competition) Regulation 2001
Part 3	Customers and customer rights
Division 4	Charges and bills

- (2) If any overcharged amount paid by the customer does not exceed \$25, the supplier must:
- (a) credit the amount to the customer in the next bill issued to the customer, and
 - (b) credit interest on that amount at the rate prescribed under section 95 (1) of the *Supreme Court Act 1970* for payment of interest on a judgment debt.

28 Provision of information about bills and related matters

- (1) A supplier must, if requested to do so by a small retail customer, supply the following information to the customer within a reasonable time of receiving the request:
- (a) information about the current status of the customer's bill or account,
 - (b) information about meter readings and meter registrations connected with a bill.
- (2) The supplier must provide the information free of charge.

29 Billing period for customer supply contracts with small retail customers

- (1) A bill must be issued by a supplier under a customer supply contract to a small retail customer at least once every 3 months.
- (2) In the case of a negotiated customer supply contract, a small retail customer and the supplier may agree that a bill may be issued at different intervals.

30 Payment of bills by small retail customers

- (1) The date for payment on any bill issued for the first time by a supplier under a customer supply contract with a small retail customer must be not less than 12 business days after the date on which it is sent out to the customer.
- (2) A supplier must accept payment by any such small retail customer of an amount owing to the supplier by any of the following payment methods:
- (a) by cash, cheque or credit card at an office or agent of the supplier,
 - (b) by post by means of cheque or credit card,
 - (c) by telephone by credit card,

Gas Supply (Natural Gas Retail Competition) Regulation 2001	Clause 30
Customers and customer rights	Part 3
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- (d) by direct debit from a cheque, savings or credit card account,
 - (e) by any other method agreed with the supplier.
- (3) The supplier may not impose any charge in connection with, or resulting from, a method of payment used by the customer and listed in subclause (2) (a)–(d).
- (4) Despite subclauses (2) and (3), a supplier and a small retail customer may agree under a negotiated customer supply contract as to the method or methods of payment of amounts owing to the supplier and any charges applicable to the method or methods.
- (5) If requested by a small retail customer, the supplier must accept payment in advance for the supply of gas or any other services or other charges under a customer supply contract.

31 Matters related to gas consumption to be included in bill

- (1) The information to be included in a bill issued by the supplier under a standard form customer supply contract must include the following:
- (a) the particulars of meter readings for the period,
 - (b) the estimated or measured quantity of gas supplied in megajoules,
 - (c) particulars of any rates of charges applicable to the supply of gas,
 - (d) particulars of the average daily consumption of all gas supplied during the billing period in respect of that bill (expressed in megajoules),
 - (e) if a bill was rendered by the same supplier for the corresponding billing period during the previous year, particulars of the average daily consumption during that previous billing period.
- (2) The information to be included in a bill issued by a supplier under a negotiated customer supply contract with a small retail customer must include the information set out in subclause (1) (b)–(e) if charges for the supply of gas under the contract are based on the customer's gas consumption.

Clause 32	Gas Supply (Natural Gas Retail Competition) Regulation 2001
Part 3	Customers and customer rights
Division 4	Charges and bills

32 How payments to be applied

If a supplier supplies, under a customer supply contract, other goods or services in addition to the supply of gas to a small retail customer, the supplier must apply any payments received from the customer firstly towards payment of any electricity related charges and then towards payment of gas related charges, unless otherwise directed by the customer.

33 Provision of historical billing information

- (1) A supplier must, if requested to do so by a small retail customer or former small retail customer, give to the customer copies of, or information about, previous bills issued by the supplier to the customer within a reasonable time of receiving the request.
- (2) The supplier must provide the copies free of charge but may charge the small retail customer for the reasonable costs of obtaining and supplying copies of a bill if:
 - (a) the billing period occurred more than 2 years before the request, or
 - (b) copies or information has been provided under this clause within the previous 12 months.
- (3) The supplier may provide copies of bills, or billing information, to a person other than the small retail customer only if the customer consents in writing to the provision of the bills or billing information to the other person.
- (4) For the avoidance of doubt, this clause does not prevent a supplier from providing consumption information for the purposes of customer registration, customer transfer, gas nomination, balancing and reconciliation systems or for any other purpose that the supplier is legally required to do so.

34 Meter testing

- (1) If a supplier determines that a bill or amount is correct on a review of a bill requested by a small retail customer, the customer has a right to request that the meter be tested in accordance with any applicable laws, market operations rules, codes or standards, including the *Gas Supply (Gas Meters) Regulation 1997*.

Gas Supply (Natural Gas Retail Competition) Regulation 2001	Clause 34
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- (2) The supplier may request that the small retail customer pay in advance the reasonable cost of testing the meter. The supplier is not required to test the meter if the small retail customer refuses to pay the amount in advance.
- (3) If the meter is found to be inaccurate the supplier must refund any amount paid in advance and the customer is not liable to pay the cost of testing if the meter is found to be inaccurate.

35 Calculation of charges if increase in rates of charges occurs

- (1) If a bill is issued for a billing period under a customer supply contract with a small retail customer in which there is an increase in the rates of charges for gas supplied, the charge for gas supplied during the period is to be calculated using the following methodology, or an equivalent methodology:
 - (a) the gas supplied for the whole period is to be charged for at the rate applicable at the end of the period, and
 - (b) for each variation that occurred during that period, an adjustment component (calculated for that part of the period occurring prior to the variation) is to be deducted from the charge so calculated.
- (2) For this purpose, the adjustment component is to be calculated in accordance with the following formula:

$$A = \frac{d (N - C)}{n}$$

where:

- A is the adjustment component.
- d is the number of days in the billing period during which gas was supplied:
- (i) in the case of the first or only variation, before the variation took effect, or
 - (ii) in the case of a second or subsequent variation, after the previous variation took effect and before the second or subsequent variation took effect.
- n is the number of days in the billing period during which gas was supplied.

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Part 3 Customers and customer rights

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N is the amount of the charge for the whole of the billing period, calculated at the rate applicable at the end of the period.

C is the amount of the charge for the whole of the billing period, calculated:

- (i) in the case of the first or only variation, at the rate applicable immediately before the variation took effect, or
- (ii) in the case of a second or subsequent variation, at the rate applicable immediately before the second or subsequent variation took effect.

36 Estimation of gas supplied

- (1) If a supplier under a customer supply contract with a small retail customer finds:
 - (a) that metering equipment has ceased to register or has ceased to register correctly the quantity of gas supplied, or
 - (b) that gas has been supplied without passing through metering equipment,

the supplier must estimate the quantity of or demand for gas supplied for any period of up to 6 months before the finding was made.
- (2) If gas is supplied under any such contract during a period, or part of a period, for which there is no meter reading, the supplier must estimate the quantity of or demand for gas supplied for the period or part of the period.
- (3) A small retail customer is liable to pay for, or is entitled to be paid a rebate for, the gas estimated under this clause.
- (4) The metering equipment is to be regarded as not registering correctly if it is an inaccurate gas meter within the meaning of the *Gas Supply (Gas Meters) Regulation 1997*.
- (5) The estimated bill is to be based on the small retail customer's historical meter data or, if the supplier does not have that data, the average daily consumption for the same class of customer supplied by the supplier, calculated for the period covered by the bill.
- (6) Interest is not payable in a case involving the supply of gas where overcharging is discovered by the supplier when reconciling charges made on the basis of estimation under this clause with actual gas consumption.

Gas Supply (Natural Gas Retail Competition) Regulation 2001	Clause 36
Customers and customer rights	Part 3
Charges and bills	Division 4

- (7) This clause does not apply to a negotiated customer supply contract if charges for the supply of gas under the contract are not based on the customer's gas consumption.

37 No access to meter

- (1) If a supplier under a customer supply contract with a small retail customer, or a person on behalf of the supplier, is unable to obtain access to metering equipment for the purpose of determining the quantity of gas supplied, the supplier must ask the customer to elect:
- (a) to pay an amount estimated in accordance with this Division and to have that amount reconciled in the next bill, or
 - (b) to pay an amount based on a determination by the supplier after obtaining access to the metering equipment.
- (2) Nothing in this clause prevents the supplier and the customer from agreeing that the customer is to pay an amount based on information provided by the customer as to the amount registered by the meter in respect of that period.
- (3) This clause does not apply to a negotiated customer supply contract if charges for the supply of gas under the contract are not based on the customer's gas consumption.

Division 5 Customers other than small retail customers

38 Application of Division

This Division applies to customers (other than small retail customers) who are supplied with gas by suppliers.

39 Contents of bills and debt collection procedures

- (1) The form and contents of a bill issued by a supplier to a customer under a customer supply contract must be in accordance with the requirements of the customer supply contract.
- (2) Procedures relating to debt collection relating to the supply of gas to a customer by a supplier must be in accordance with the requirements of the customer supply contract.

Clause 40	Gas Supply (Natural Gas Retail Competition) Regulation 2001
Part 3	Customers and customer rights
Division 5	Customers other than small retail customers

40 Customer service standards

The standards of service to be provided by a supplier to a customer must be in accordance with the requirements of the customer supply contract.

Gas Supply (Natural Gas Retail Competition) Regulation 2001	Clause 41
Customer supply contracts and supply arrangements	Part 4
Requirements for customer supply contracts and supply arrangements	Division 1

Part 4 Customer supply contracts and supply arrangements

Division 1 Requirements for customer supply contracts and supply arrangements

41 Effect of Part

This Part does not limit any other provision (not inconsistent with the Act or this Regulation) that may be contained in a customer supply contract or prevent the inclusion in a contract of any other matter that may be included in a contract under the Act.

42 Suppliers to supply gas under customer supply contracts

- (1) It is a condition of a supplier's authorisation that the supplier must not supply gas to the premises of a customer otherwise than under a customer supply contract.
- (2) It is a condition of a supplier's authorisation that a customer supply contract:
 - (a) must comply with any conditions imposed on the supplier by the supplier's authorisation, and
 - (b) must not be inconsistent with the provisions of the Act or any other regulation made under the Act or any relevant gas pricing order, and
 - (c) must comply with any applicable requirements of this Regulation.
- (3) Despite subclause (1), a supplier may supply gas otherwise than under a customer supply contract if:
 - (a) the gas is supplied to a customer under a new occupant supply arrangement that complies with Division 3, or
 - (b) the gas is supplied to a customer by a retailer of last resort and the supply is in accordance with Part 7 and the applicable last resort supply arrangements.

Clause 43	Gas Supply (Natural Gas Retail Competition) Regulation 2001
Part 4	Customer supply contracts and supply arrangements
Division 1	Requirements for customer supply contracts and supply arrangements

43 Negotiated customer supply contracts

A negotiated customer supply contract may (except as provided by this Regulation) contain such terms as the supplier and the customer agree, and the contract is enforceable accordingly.

44 Standard form customer supply contracts

A standard form customer supply contract prepared and notified under this Division is declared to be a standard form customer supply contract.

45 Making of standard form customer supply contracts

- (1) It is a condition of a standard supplier's endorsement that the standard supplier must prepare a standard form customer supply contract to establish the conditions on which it will supply gas to the premises of small retail customers who apply to be supplied with gas under standard form customer supply contracts.
- (2) It is a condition of a standard supplier's endorsement that the standard supplier must notify any relevant customer council, and must have due regard to its comments, before completing its preparation of a standard form customer supply contract.
- (3) Different forms of standard form customer supply contracts may be prepared for different classes of small retail customers.
- (4) Notice of the terms of a standard form customer supply contract must be published in a newspaper circulating throughout the relevant supply district.
- (5) The particulars to be set out in the notice are the particulars set out in clause 47.
- (6) A notice under this clause may be of general application or be limited in its application by reference to specified exceptions or factors.

46 Amendment of standard form customer supply contracts

- (1) From time to time a standard supplier may amend a standard form customer supply contract so as to vary the conditions on which it supplies gas to small retail customers.
- (2) This Part applies to and in respect of an amendment of a standard form customer supply contract in the same way as it applies to and in respect of the preparation and making of a standard form customer supply contract.

Gas Supply (Natural Gas Retail Competition) Regulation 2001	Clause 47
Customer supply contracts and supply arrangements	Part 4
Requirements for customer supply contracts and supply arrangements	Division 1

47 Notice of standard form customer supply contracts and amendments

- (1) A notice of the terms of a standard form customer supply contract published in a newspaper must include the following particulars:
 - (a) that the standard form customer supply contract is a new contract,
 - (b) the date on or after which the standard form customer supply contract is to take effect, not being a date that is earlier than the first date the notice is published,
 - (c) whether the standard form customer supply contract applies to new customers only, or whether it also applies to existing customers,
 - (d) a summary of the scope, intent and general effect of the standard form customer supply contract,
 - (e) a summary of any relevant guaranteed customer service standards.
- (2) A notice of the terms of an amendment to a standard form customer supply contract published in a newspaper must include the following particulars:
 - (a) a description of the existing standard form customer supply contract to which the amendment relates,
 - (b) the date on or after which the amendment is to take effect, not being a date that is earlier than the first date the notice is published,
 - (c) whether the amendment applies to new customers only, or whether it also applies to existing customers under the relevant standard form customer supply contract,
 - (d) a summary of the scope, intent and general effect of the amendment,
 - (e) if the amendment gives effect to a variation of the guaranteed customer service standards, a summary of those standards, as varied.

Clause 47	Gas Supply (Natural Gas Retail Competition) Regulation 2001
Part 4	Customer supply contracts and supply arrangements
Division 1	Requirements for customer supply contracts and supply arrangements

- (3) An amendment to a standard form customer supply contract that arises from an amendment to a document referred to in that contract that is issued by Standards Australia, or is a recognised document, and that is expressed to be in force from time to time, takes effect on the date on which the amendment to the document is published by Standards Australia, or by the Director-General, or on such other date as that amendment is expressed to commence at the time of publication.

48 Requirements for customer supply contracts

- (1) The following contracts must comply with the requirements of Schedule 1:
- (a) standard form customer supply contracts,
 - (b) negotiated customer supply contracts between a supplier and a small retail customer.
- (2) Variations of a minor nature may be made to the requirements of Schedule 1 where necessary to enable the provisions to be more readily understood within the context of the contract, without affecting the substance of the provisions.

49 Additional matters relating to guaranteed customer service standards

- (1) The guaranteed customer service standards:
- (a) are to be set out in a section of the relevant contract under the heading “Guaranteed Customer Service Standards” and are required to be in or to the effect of the form of the requirements set out in Part 2 of Schedule 1, and
 - (b) are to include a statement to the effect that they comply with the requirements imposed under the Act with respect to customer service.
- (2) If the guaranteed customer service standards applicable under the contract are varied under Division 2, the provisions of Part 2 of Schedule 1 are taken to be varied in accordance with any variation of those standards under that Division.

50 Information to be provided to small retail customers about contracts

- (1) It is a condition of a supplier’s authorisation that, as soon as practicable after receiving a request by or on behalf of a small retail customer to do so, the supplier must provide the customer with the following documents:

Gas Supply (Natural Gas Retail Competition) Regulation 2001	Clause 50
Customer supply contracts and supply arrangements	Part 4
Requirements for customer supply contracts and supply arrangements	Division 1

- (a) a copy of the contract and any documents incorporated by reference in the contract,
 - (b) a copy of any document referred to in the contract that is not incorporated in the contract,
 - (c) a copy of the Act and this Regulation.
- (2) It is a condition of an authorisation that a supplier that enters a negotiated customer supply contract with a small retail customer must provide the customer with a copy of the contract at the time that the contract is entered into.
- (3) The supplier must provide the first copy of any contract and the documents incorporated in the contract free of charge but may charge a reasonable fee for providing the documents referred to in the contract and not incorporated in the contract and any subsequent copies of any documents provided under this clause.

51 Contract documents to be available at supplier's office

- (1) It is a condition of a standard supplier's authorisation that the supplier make the following documents available for inspection, free of charge, at its offices during office hours:
- (a) copies of its standard form customer supply contracts and the document referred to in clause 13,
 - (b) a copy of any document incorporated by reference in a contract referred to in this clause and any document referred to in any such contract that is not incorporated in the contract.
- (2) It is a condition of a standard supplier's authorisation that the supplier, as far as practicable, make the documents referred to in subclause (1) available through the internet.

Division 2 Variation of guaranteed customer service standards

52 Variation of guaranteed customer service standards

- (1) At the request of a supplier, the Minister may, subject to this Division, vary the guaranteed customer service standards:
- (a) in relation to all customer supply contracts issued by the supplier to which the standards apply, or

Clause 52 Gas Supply (Natural Gas Retail Competition) Regulation 2001

Part 4 Customer supply contracts and supply arrangements

Division 2 Variation of guaranteed customer service standards

- (b) in relation to a specified class of customer supply contracts issued by the supplier to which the standards apply, or
 - (c) in relation to all customer supply contracts issued by the supplier to which the standards apply other than a specified class of customer supply contract issued by the supplier.
- (2) If a guaranteed customer service standard is varied, the customer contracts concerned must be amended so as to accord with the variation.
- (3) Within 3 months after it amends the customer supply contracts concerned so as to accord with a variation under this clause, a supplier must cause notice of the text of those standards, as varied, to be given to each customer.

53 Notice of request to vary guaranteed customer service standards

- (1) Before making a request to the Minister for the variation of any guaranteed customer service standard, the supplier:
- (a) must seek directions from the Minister as to which persons or organisations it should consult with in connection with the proposed request, and
 - (b) must consult with:
 - (i) the persons and organisations identified in the directions referred to in paragraph (a), and
 - (ii) any relevant customer council, and
 - (iii) if the matter is one covered by an approved gas industry ombudsman scheme, the gas industry ombudsman, and
 - (c) must cause notice of its proposed request to be published in a newspaper circulating generally in the area in which its customers' premises are situated, and
 - (d) must conduct a public meeting, no earlier than 2 weeks after the date of publication of the notice referred to in paragraph (c), for the purpose of:
 - (i) informing members of the public of the proposed request, and
 - (ii) allowing members of the public to express their views in connection with the proposed request, and
 - (e) must allow at least 2 weeks from the date of the public meeting for members of the public to make written submissions to the supplier in connection with the proposed request.

Gas Supply (Natural Gas Retail Competition) Regulation 2001	Clause 53
Customer supply contracts and supply arrangements	Part 4
Variation of guaranteed customer service standards	Division 2

- (2) The notice referred to in subclause (1) (c):
- (a) must state that the supplier proposes to request that the guaranteed customer service standard concerned be varied, and
 - (b) must contain particulars of the proposed variation, and
 - (c) must state that a public meeting will be held, at a date, time and place to be specified in the notice, for the purpose of:
 - (i) informing members of the public of the proposed request, and
 - (ii) allowing members of the public to express their views in connection with the proposed request, and
 - (d) must state that members of the public are invited to submit written submissions to the supplier in connection with the proposed request, and
 - (e) must indicate the address to which, and the date by which, any such submissions should be delivered to the supplier.
- (3) When making the request, the supplier must furnish the Minister with:
- (a) evidence that the requirements of this clause have been complied with, and
 - (b) an assessment of the effect on its customers of the proposed variation of the guaranteed customer service standard (including, in particular, the financial effect of the proposed variation) assuming that the request is approved, and
 - (c) any submissions received by the supplier as a result of the action taken by it under this clause, and
 - (d) an assessment of all such submissions, and
 - (e) evidence that the guaranteed customer service standards that will be applicable to the supplier if the request is granted will be comparable with the minimum standards applicable to similar organisations in other fully competitive energy markets.

Clause 54	Gas Supply (Natural Gas Retail Competition) Regulation 2001
Part 4	Customer supply contracts and supply arrangements
Division 3	New occupant supply arrangements

Division 3 New occupant supply arrangements

54 New occupant supply arrangements

For the purposes of this Regulation, a supplier is taken to have entered into a new occupant supply arrangement with a person occupying premises (in this Division referred to as a *new occupant*) who is or may be a small retail customer if:

- (a) the supplier supplies gas to the premises, and
- (b) the premises are no longer occupied by the customer under the relevant customer supply contract applicable to those premises, and
- (c) the supplier:
 - (i) is not aware that the customer no longer occupies the premises, or
 - (ii) is or becomes aware of that fact and that the person occupies the premises and is being supplied with gas by the supplier.

55 Terms of supply

- (1) A supplier that becomes aware that gas is being supplied to a new occupant must supply gas under the new occupant supply arrangement at the lowest of the following:
 - (a) the charges that applied in respect of gas supplied to the premises immediately before the commencement of the arrangement,
 - (b) any applicable published charges in force immediately before that commencement or, if there are no published charges in force, the amount that the standard supplier in whose supply district the premises are located would have charged under a standard form customer supply contract for that supply during that period.
- (2) A supplier must not require any security from a person supplied with gas under a new occupant supply arrangement other than a security of a kind that could have been required of a customer for the payment of any charge with respect to the supply of gas under the customer supply contract last in force with respect to the premises before the commencement of the arrangement.

Gas Supply (Natural Gas Retail Competition) Regulation 2001	Clause 55
Customer supply contracts and supply arrangements	Part 4
New occupant supply arrangements	Division 3

- (3) Clause 36 applies to or in respect of a new occupant supply arrangement in the same way that it applies to or in respect of a customer supply contract.
- (4) A supplier that contravenes this section is guilty of an offence.
Maximum penalty: 100 penalty units.
- (5) In this clause:
published charges means charges published in a newspaper circulating generally in the supply district in which the relevant premises are situated (whether or not the supplier is the standard supplier), being charges applying generally to the supply of gas to small retail customers.

56 Discontinuance of supply under new occupant supply arrangements

- (1) A supplier may discontinue the supply of gas under a new occupant supply arrangement only if at least one month has elapsed since the commencement of the arrangement, or the new occupant has commenced to receive supply under a customer supply contract with another supplier, or if the new occupant:
 - (a) has failed to provide any security required by the supplier for the payment of any charge with respect to the supply of gas, or
 - (b) has failed to pay an amount due to the supplier with respect to the supply of gas, or
 - (c) has failed to give an inspector access to any premises supplied with gas by the supplier in accordance with any right to access provided for in the Act or under any other regulation made under the Act, or
 - (d) has obstructed an inspector in relation to any act, matter or thing done or to be done in carrying out any function under the Act or under any other regulation made under the Act.
- (2) A supplier that is supplying gas under a new occupant supply arrangement and that is notified by the new occupant that the new occupant has entered into a customer supply contract with another supplier may not discontinue supply under subsection (1) (other than in the circumstances set out in subsection (1) (a)–(d)) unless the new occupant has commenced to receive supply under that contract.
- (3) A supplier must not discontinue the supply of gas to premises on a ground referred to in subclause (1) unless the supplier has given the

Clause 56	Gas Supply (Natural Gas Retail Competition) Regulation 2001
Part 4	Customer supply contracts and supply arrangements
Division 3	New occupant supply arrangements

new occupant reasonable notice of its intention to discontinue supply to the premises to allow the new occupant a reasonable opportunity to remedy that ground.

- (4) A supplier must not discontinue the supply of gas to premises on the ground that at least one month has elapsed since the commencement of the gas supply arrangement unless the supplier has given the new occupant notice under clause 11 and has also given the new occupant a reasonable opportunity to enter into a customer supply contract.
- (5) Nothing in this clause affects any right or obligation to refuse to supply gas, or to discontinue the supply of gas, to premises arising from the operation of the Act or any other regulation made under the Act.
- (6) A supplier that contravenes this section is guilty of an offence.
Maximum penalty: 100 penalty units.

Gas Supply (Natural Gas Retail Competition) Regulation 2001

Clause 57

Review of decisions

Part 5

Part 5 Review of decisions

57 Decisions for which review may be sought by small retail customer

For the purposes of section 33E (1) of the Act, a small retail customer may apply to a supplier for a review in relation to the following matters:

- (a) a matter arising out of the conduct of a supplier acting in the capacity of a gas marketer or of an agent of the supplier who is a gas marketer,
- (b) a decision of a supplier in relation to any matter arising under a last resort supply arrangement,
- (c) a decision of a supplier in relation to any matter arising under a new occupant supply arrangement.

58 Application for review

- (1) An application by a small retail customer for a review of a decision of a supplier for which a review may be sought under section 33E of the Act may be made orally or in writing.
- (2) A written application must:
 - (a) be served on the supplier not later than 28 days after the person receives written notice of the decision, and
 - (b) state the reasons why the small retail customer is seeking the review.
- (3) An oral application must be made not later than 28 days after the person receives written notice of the decision.

59 Review of decisions by supplier

- (1) On receiving an application by a small retail customer for a review of a decision for which a review may be sought under section 33E of the Act, the supplier must review its decision and make a determination under this clause.
- (2) After reviewing its decision, the supplier:
 - (a) may determine that the decision is to stand, or
 - (b) may vary or revoke the decision.

Clause 59 Gas Supply (Natural Gas Retail Competition) Regulation 2001

Part 5 Review of decisions

- (3) As soon as practicable after it makes its decision, the supplier must give written notice to the small retail customer:
- (a) of its determination, together with its reasons for the determination, and
 - (b) if the determination is to vary the decision, of the manner in which the decision is to be varied, and
 - (c) of the rights available to the customer under the Act and this Regulation.
- (4) A supplier that fails to give such a notice within 14 days after the application is made is taken to have determined:
- (a) that its decision is to stand (in the case of a complaint against a decision),
 - (b) that no action is to be taken (in the case of any other complaint).

60 Manner of handling application

In dealing with an application for a review of a decision under this Part, the supplier must comply with Australian Standard AS 4269–1995, *Complaints handling*.

Gas Supply (Natural Gas Retail Competition) Regulation 2001

Clause 61

Gas industry ombudsman schemes

Part 6

Part 6 Gas industry ombudsman schemes

61 Persons who may apply to gas industry ombudsman

- (1) For the purposes of section 33F (1) of the Act, the following persons may apply to a gas industry ombudsman under an approved gas industry ombudsman scheme for a review of a decision:
 - (a) any person, in respect of a decision to classify the person as being or not being a small retail customer, or a small retail customer entitled to standard supply,
 - (b) a person who is or may be a small retail customer who is subject to a new occupant supply arrangement or an approved last resort supply arrangement, in respect of any dispute or complaint under the gas supply arrangement concerned,
 - (c) a person who is or was a small retail customer, in respect of a decision of the supplier under a previous customer supply contract between the customer and the supplier, but only if that matter arose not more than 12 months before the application was made.
- (2) For the purposes of section 33F (3) of the Act, a review of a decision on an application made by a person referred to in subclause (1) is to be free of charge to the person.

62 Additional matters that may be covered by gas industry ombudsman schemes

For the purposes of section 33G (1) (c) of the Act, a gas industry ombudsman scheme may deal with a dispute or complaint about a decision for which review may be sought under clause 57 or 61.

63 Objectives of gas industry ombudsman schemes

For the purposes of section 33G (2) (d) of the Act, the persons who may seek a review referred to in clause 57 or 61 are prescribed as customers to whom the gas industry ombudsman is to be accessible.

64 Reports by gas industry ombudsman

- (1) The gas industry ombudsman:
 - (a) must cause copies of all public reports issued by the gas industry ombudsman to be given to the Minister, and

Clause 64 Gas Supply (Natural Gas Retail Competition) Regulation 2001

Part 6 Gas industry ombudsman schemes

- (b) must cause notice to be given to the Minister of changes in the policies and procedures to be adopted in connection with the relevant approved gas industry ombudsman scheme.
- (2) Without limiting subclause (1), the Minister may from time to time require the gas industry ombudsman appointed under an approved gas industry ombudsman scheme to provide the Minister with reports on the operation of the scheme, including:
- (a) particulars as to the extent to which the scheme is meeting the objectives referred to in section 33G (2) of the Act, and
 - (b) particulars as to the extent to which the scheme has met relevant best practice benchmarks, and
 - (c) particulars as to the extent to which suppliers or specified suppliers and other persons bound by the scheme have complied with their obligations under the scheme.

65 Offences

A gas marketer must not fail to comply with a decision of a gas industry ombudsman under an approved gas industry ombudsman scheme as to a dispute between the marketer and a small retail customer.

Maximum penalty: 100 penalty units (in the case of a corporation) and 25 penalty units (in any other case).

Gas Supply (Natural Gas Retail Competition) Regulation 2001	Clause 66
Retailers of last resort	Part 7
Preliminary	Division 1

Part 7 Retailers of last resort

Division 1 Preliminary

66 Definitions

In this Part:

customer includes a person supplied with gas under a last resort supply arrangement or a new occupant supply arrangement.

last resort supply event means an event referred to in clause 70.

last resort supply notice means a notice published in the Gazette under clause 69.

retail market business scheme means a scheme for the administration and implementation of business rules and retail market business systems relating to the natural gas industry, being a scheme that a supplier is required to be a member of as a condition of the supplier's authorisation.

retail market business system has the same meaning as it has in section 33J of the Act.

transferred customer means a customer who is being supplied with gas by, and who is or is to be transferred to, a retailer of last resort under this Part.

Division 2 Endorsements of retailers of last resort

67 Conditions of endorsement as retailer of last resort

For the purposes of section 33A (3) of the Act, a retailer of last resort's endorsement consists of:

- (a) a condition that designates the supplier as a retailer of last resort in respect of any one or more of the following:
 - (i) a supply district or part of a supply district, or any other area specified by the Minister in the endorsement,
 - (ii) small retail customers or specified small retail customers of one or more retail suppliers, and

Clause 67	Gas Supply (Natural Gas Retail Competition) Regulation 2001
Part 7	Retailers of last resort
Division 2	Endorsements of retailers of last resort

- (b) a condition that the retailer must comply with the obligations of a retailer of last resort set out in this Part and any applicable market operations rules, and
- (c) a condition that the endorsement has effect for a period of 2 years or such other period as the Minister specifies, and
- (d) a condition that any last resort supply fee charged to a customer by the retailer be calculated in the manner approved by the Minister after consultation with the Tribunal.

68 Last resort supply arrangements

- (1) A retailer of last resort must prepare and maintain a plan setting out the arrangements to be implemented by it in the event that it is required to supply gas in its capacity as a retailer of last resort.
- (2) The plan must provide for the following matters:
 - (a) the arrangements that are to apply to small retail customers subject to standard form customer supply contracts and small retail customers entitled to standard supply who are subject to negotiated supply contracts,
 - (b) the maintenance of the capacity to implement last resort supply arrangements,
 - (c) the charges for the supply of gas, and any additional charges permitted under this Regulation, for small retail customers subject to last resort supply arrangements, and the manner in which the charges are to be calculated,
 - (d) the securities that may be required of small retail customers subject to last resort supply arrangements,
 - (e) provision for the notification to small retail customers subject to last resort supply arrangements of their right to obtain supply from another retail supplier,
 - (f) provision of information to small retail customers subject to last resort supply arrangements about the terms and conditions that are to apply to the supply of gas under the arrangements,
 - (g) the implementation of last resort supply arrangements,
 - (h) any other matters required by the Minister.
- (3) The plan must be approved by the Minister and comply with any applicable provisions of this Regulation and the market operations rules.

Gas Supply (Natural Gas Retail Competition) Regulation 2001	Clause 68
Retailers of last resort	Part 7
Endorsements of retailers of last resort	Division 2

- (4) The Minister must not approve a plan unless the Minister is satisfied that:
- (a) the retailer has consulted with the relevant customer council, and
 - (b) the plan adequately addresses customer interests.

Division 3 Operation of last resort supply

69 Commencement of last resort supply arrangements

- (1) A retailer of last resort's obligations under its endorsement with respect to the implementation of last resort supply arrangements for small retail customers for whom it is a retailer of last resort take effect on the date specified in a last resort supply notice published with respect to those customers.
- (2) If a last resort supply event occurs, the Minister must publish a notice in the Gazette, and in a newspaper circulating generally in the State, that last resort supply arrangements have come into force and setting out the following particulars:
 - (a) particulars of the affected suppliers and small retail customers and the date on which the arrangements take effect,
 - (b) particulars of the affected supply districts or parts of supply districts.
- (3) The Director-General must before, or as soon as practicable after, last resort supply arrangements take effect give written notice to the following persons of the date on which the arrangements are to take effect or took effect:
 - (a) the affected suppliers,
 - (b) the reticulator in whose network sections the affected customers are supplied,
 - (c) the administrator of any retail market business scheme of which the suppliers concerned are members.

Clause 69	Gas Supply (Natural Gas Retail Competition) Regulation 2001
Part 7	Retailers of last resort
Division 3	Operation of last resort supply

- (4) On last resort supply arrangements taking effect, the retailer of last resort must ensure that the small retail customers for whom it is a retailer of last resort are transferred as customers of the retailer, if the transfer does not occur by any other means. A transfer must comply with the retailer's last resort supply arrangements, the Act, this Regulation and any applicable market operations rules.
- (5) A transfer of a small retail customer under a last resort supply arrangement does not amount to a novation of the customer supply contract with the customer.
- (6) On a last resort supply arrangement taking effect, the retailer of last resort must implement the last resort supply arrangements applicable to the small retail customers subject to the arrangements.

70 Last resort supply events

- (1) The following events are last resort supply events:
 - (a) the Minister forms the opinion that a supplier has ceased or is likely to cease to supply gas to all, or a group of, its customers or is unable, or has failed or refused, to operate in the retail market,
 - (b) a supplier's authorisation is cancelled.
- (2) Without limiting subclause (1) (a), the Minister may form an opinion referred to in that paragraph if the supplier, or an administrator, receiver or liquidator appointed in respect of the supplier, notifies the Minister that the supplier has ceased, or is likely to cease, to continue to supply gas to its customers or is unable or has failed or refused to operate in the retail market.
- (3) Without limiting subclause (1) (a), the Minister may form the opinion that a supplier is unable, or has failed or refused, to operate in the retail market if it is unable, or has failed or refused, to comply with the requirements for retail market business systems under the retail market business scheme of which the supplier is required to be a member.
- (4) This clause does not apply if a supplier is temporarily unable to supply gas to its customers as a result of operational or technical difficulties in the delivery of gas.

Gas Supply (Natural Gas Retail Competition) Regulation 2001	Clause 71
Retailers of last resort	Part 7
Operation of last resort supply	Division 3

71 Notice to customers

- (1) A retailer of last resort must, as soon as practicable after the commencement of its obligation to provide last resort supply arrangements, give written notice to each small retail customer who is subject to those arrangements of the following matters:
 - (a) the commencement of last resort supply arrangements,
 - (b) the terms and conditions on which gas is to be supplied,
 - (c) that the customer may arrange supply under a customer supply contract with the retailer of last resort or another supplier,
 - (d) whether or not the customer is entitled to elect to take supply from a standard supplier under a standard form customer supply contract and, if the customer is so entitled and the supplier is not the relevant standard supplier, the name and contact details of that supplier,
 - (e) the date on or after which the retailer of last resort may discontinue supply to the premises of the customer,
 - (f) any charges that the customer may be liable to pay if the customer does not enter into a customer supply contract.
- (2) The notice is to contain, in community languages (including Arabic, Cantonese, Vietnamese, Italian, Greek, Spanish and any other language approved by the relevant customer council) information about the availability of interpreter services for the languages concerned and telephone numbers for the services.
- (3) A retailer of last resort must, as soon as practicable after the commencement of its obligation to provide last resort supply arrangements, cause to be published in a newspaper circulating generally in this State a notice containing the following matters:
 - (a) a statement that last resort supply arrangements have come into force for small retail customers or classes of small retail customers specified in the notice,
 - (b) contact details for the retailer of last resort.

72 Terms and conditions applying to small retail customers

- (1) A retailer of last resort who is also a standard supplier must supply a transferred customer who is a small retail customer whose premises are located in the supplier's supply district with gas under the standard form customer supply contract.

Clause 72	Gas Supply (Natural Gas Retail Competition) Regulation 2001
Part 7	Retailers of last resort
Division 3	Operation of last resort supply

- (2) A retailer of last resort who is also a standard supplier must supply a transferred customer who is a small retail customer whose premises are not located in the supplier's supply district with gas under the standard form customer supply contract that is applicable to the supply district in which the premises are located.
- (3) A retailer of last resort who is not a standard supplier must supply a transferred customer who is a small retail customer with gas on the same terms and conditions as apply to small retail customers under the standard form customer supply contract that is applicable to the supply district in which the customer's premises are located.
- (4) A small retail customer entitled to standard supply transferred to a retailer of last resort is taken:
 - (a) to have applied to be transferred under a gas supply arrangement on the terms and conditions set out in this clause, and
 - (b) if the retailer of last resort is a standard supplier, to have made an application under section 33C (1) of the Act, in accordance with this Regulation, being an application that took effect on the transfer date.
- (5) A retailer of last resort may require a transferred customer (other than a transferred customer who was, before the transfer, a customer under a standard form customer supply contract) to pay a last resort supply fee not exceeding the fee approved by the Minister after consultation with the Tribunal.

73 Commencement of discontinuance procedures by retailer of last resort

- (1) A retailer of last resort is authorised to discontinue the supply of gas under an approved last resort supply arrangement only if at least three months have elapsed since the commencement of the last resort supply arrangements or the person who owns or occupies the premises:
 - (a) has failed to provide any security required by the retailer for the payment of any charge, or
 - (b) has failed to pay an amount due to the retailer with respect to the supply of gas, or
 - (c) has failed to give an inspector access to any premises supplied with gas by the retailer in accordance with any right to access provided for in the Act or any other regulation made under the Act, or

Gas Supply (Natural Gas Retail Competition) Regulation 2001	Clause 73
Retailers of last resort	Part 7
Operation of last resort supply	Division 3

- (d) has obstructed the inspector in relation to any act, matter or thing done or to be done in carrying out any function under the Act or any other regulation made under the Act.
- (2) A retailer of last resort must not discontinue the supply of gas to premises on a ground referred to in subclause (1) unless the retailer has complied with the requirements of the terms and conditions applicable to the supply of gas under the last resort supply arrangements and this Regulation.
- (3) A retailer of last resort must not discontinue the supply of gas to premises on the ground that at least three months have elapsed since the commencement of the last resort supply arrangements unless the retailer has given the customer reasonable notice of its intention to discontinue supply to the premises to allow the customer a reasonable opportunity to enter into a customer supply contract.
- (4) Nothing in this clause affects the right to interrupt continuous supply as agreed in a customer supply contract.
- (5) Nothing in this clause affects any right or obligation to refuse to supply gas, or to discontinue the supply of gas, to premises arising from the operation of the Act or any other regulations made under the Act.

74 Market operations rules

Market operations rules may be made for or with respect to the following matters:

- (a) disclosure of information to the Minister by suppliers in respect of matters that may constitute grounds for a last resort supply event or are related to matters connected with a possible last resort supply event,
- (b) disclosure of information about small retail customers transferred or proposed to be transferred from a supplier to a retailer of last resort by the supplier whose customers are transferred,
- (c) implementation of last resort supply arrangements or preparation of proposed last resort supply arrangements by a supplier in the capacity of a retailer of last resort,
- (d) the rights and obligations of suppliers with respect to other suppliers as to matters relating to or arising out of last resort supply arrangements,

Clause 74 Gas Supply (Natural Gas Retail Competition) Regulation 2001

Part 7 Retailers of last resort

Division 3 Operation of last resort supply

- (e) obligations with respect to the provision of metering services when last resort supply arrangements take effect,
- (f) requirements for notifications by a supplier to the Minister of circumstances that might form the basis for the Minister forming an opinion necessary for a last resort supply event.

Gas Supply (Natural Gas Retail Competition) Regulation 2001

Clause 75

Social programs for energy

Part 8

Part 8 Social programs for energy

75 Objects of Part

The objects of this Part are:

- (a) to provide for the imposition of conditions on authorisations held under the Act by which suppliers can be obligated to facilitate the delivery of any aspect of the Government's social programs for energy, and
- (b) to provide a mechanism by which the nature and extent of those obligations, and the ascertainment of how much suppliers are to be paid for meeting those obligations, are to be established.

76 Directions to suppliers

- (1) Any Minister (the *sponsoring Minister*) may, with the concurrence of the Treasurer, direct a supplier to take such action as the sponsoring Minister considers appropriate to facilitate the implementation of any aspect of the Government's social programs for energy within the sponsoring Minister's administrative responsibility.
- (2) The direction:
 - (a) may specify that particular services are to be provided to particular classes of persons free of charge, at specified charges or subject to specified discounts or rebates, and
 - (b) must specify the amount or a methodology by which that amount may be assessed by the sponsoring Minister as the estimated efficient cost to the supplier of complying with the direction, and
 - (c) may require the supplier to publish the direction in the manner specified in the direction, and
 - (d) must specify arrangements for the payment to the supplier of an amount equivalent to the costs assessed by the sponsoring Minister, as referred to in subclause (b), or, if the supplier disputes that assessment, the costs assessed under clause 77.
- (3) Before making a direction, the Minister must:
 - (a) consult with the suppliers proposed to be made subject to the direction, and

Clause 76 Gas Supply (Natural Gas Retail Competition) Regulation 2001

Part 8 Social programs for energy

- (b) give the suppliers written notice of the criteria on which the estimated efficient costs of complying with the direction are to be assessed.
- (4) If a direction is given to a supplier under this clause, it is a condition of the supplier's authorisation that the supplier must take the action required by the direction on and from the date the direction takes effect or, if the direction specifies a later date, on and from that later date.

77 Re-assessment of costs of compliance with direction

- (1) Any dispute between a supplier and a sponsoring Minister by whom a direction has been given under this Part (being a dispute as to the cost to the supplier of complying with the direction) is to be referred to a committee constituted by one or more assessors.
- (2) The assessor or assessors to constitute such a committee are to be suitably qualified persons appointed by agreement between the supplier and the sponsoring Minister or, if no such agreement can be reached:
 - (a) by the Minister administering the Act, or
 - (b) if the Minister administering the Act is the sponsoring Minister, by the Premier.
- (3) In determining a dispute that has been referred to it under this clause, a committee:
 - (a) must consider any representations made by the parties to the dispute, and
 - (b) must determine, on the basis of those representations and any other information available to it, the amount or a methodology by which the amount may be assessed as the efficient cost to the supplier of complying with the direction to which the dispute relates.
- (4) A committee may conduct proceedings under this clause in the manner it considers appropriate.
- (5) The committee's decision on a dispute binds the parties to the dispute, but does not prevent the direction to which it relates from being withdrawn.
- (6) The committee's decision as to the efficient costs is taken to be the amount of or the methodology for assessing costs for the purposes of the Minister's direction and the direction is accordingly varied from the date specified in the decision.

Gas Supply (Natural Gas Retail Competition) Regulation 2001	Clause 77
Social programs for energy	Part 8

- (7) A committee may determine 2 or more disputes in the same proceedings if it considers that it is appropriate to do so.

78 Costs of proceedings

- (1) The costs of any proceedings under clause 77, including the costs of the committee, are to be borne by the parties in equal proportions unless the committee determines otherwise.
- (2) The committee may determine the proportion of the costs to be borne by each of the parties, having regard to the merits of the case, and, in that event, the costs are to be borne by the parties according to the committee's determination.

79 Market operations rules

Market operations rules may be made for or with respect to the administrative arrangements for delivery of social programs for energy.

Clause 80	Gas Supply (Natural Gas Retail Competition) Regulation 2001
Part 9	Miscellaneous
Division 1	General matters

Part 9 Miscellaneous

Division 1 General matters

80 Market operations rule relating to network operators

Market operations rules may be made for or with respect to standards of customer service applicable to network operators and suppliers.

81 How notice is to be given

- (1) A requirement of this Regulation that a person be given written notice is a requirement that the person be given notice in writing either personally or by post.
- (2) If previously agreed between the parties, a person may be given written notice by personal e-mail or facsimile transmission.
- (3) For the purposes of section 76 of the *Interpretation Act 1987*, a notice served by post on a person for the purposes of this Regulation is to be treated as being properly addressed if it is addressed to the address of the person last known to the person giving the notice.

82 Service of documents on supplier

For the purposes of this Regulation, a document may be given to or served on a supplier by leaving it at or sending it by post to any office of the supplier. This clause does not affect the operation of any provision of a law or of the rules of a court authorising a document to be served on a supplier in a different manner.

Division 2 Savings and transitional provisions

83 Definitions

In this Division:

amending Act means the *Gas Supply Amendment (Retail Competition) Act 2001*.

Gas Supply (Natural Gas Retail Competition) Regulation 2001	Clause 84
Miscellaneous	Part 9
Savings and transitional provisions	Division 2

84 Requirements for new customer supply contracts

- (1) A customer supply contract with a small retail customer that is entered into, or renewed or extended, before, on or after the commencement of this Regulation and not later than 2 months after that commencement, or within such later period as the Minister may determine, is taken to comply with the Act and this Regulation if it complies with the requirements applicable to a customer supply contract of the same kind entered into by a customer immediately before the commencement of this Regulation.
- (2) This clause ceases to have effect at the end of the term of the contract or on 1 July 2002, whichever is the earlier.

85 Terms of supply where no existing customer supply contract

- (1) This clause applies to a customer who was, immediately before the commencement of this Regulation, supplied with gas by a supplier otherwise than under a customer supply contract.
- (2) On the commencement of this Regulation, a customer who is a small retail customer of a standard supplier and the supplier are taken to have entered into a standard form customer supply contract on the same terms and conditions as apply to small retail customers under the standard form customer supply contract that is applicable to the supply district in which the customer's premises are located.
- (3) On the commencement of this Regulation, a customer who is not a customer of a standard supplier is to continue to be supplied with gas on the same terms and conditions as applied to the supply of gas to the premises immediately before that commencement.
- (4) Clause 42 does not apply to the supplier in respect of the supply of gas to a customer.
- (5) This clause ceases to have effect on 1 July 2002.

86 Existing billing provisions apply

- (1) A supplier is not required to comply with the provisions of Division 4 of Part 3 if the supplier complies with the provisions applicable to bills and charges under the *Gas Supply (Customer Protection—LPG and Other Gases) Regulation 1997*, as in force immediately before the commencement of this Regulation.
- (2) This clause ceases to have effect on 1 March 2002.

Clause 87	Gas Supply (Natural Gas Retail Competition) Regulation 2001
Part 9	Miscellaneous
Division 2	Savings and transitional provisions

87 Payment plans

A standard supplier is required to comply with clause 6 not later than 2 months after the commencement of this Regulation or within such later period as the Minister may determine.

88 Customer councils

- (1) A standard supplier is required to comply with clause 16 not later than 2 months after the commencement of this Regulation or within such later period as the Minister may determine.
- (2) A customer council established by a supplier (other than a standard supplier) under the *Gas Supply (Customer Protection—LPG and Other Gases) Regulation 1997*, and in existence immediately before the commencement of this Regulation, is taken to be a customer council established under clause 17.

Gas Supply (Natural Gas Retail Competition) Regulation 2001

Requirements applicable to customer supply contracts

Schedule 1

Schedule 1 Requirements applicable to customer supply contracts

(Clause 48)

Part 1 General requirements

1 General requirements

- (1) A supplier must use its best endeavours to ensure that a customer supply contract is expressed unambiguously and in plain English.
- (2) All words in the contract must be printed in a size and style that is easy to read.
- (3) The contract must contain the following matters:
 - (a) a statement of the kind of contract it is, the name of the supplier and contact details of the supplier,
 - (b) the name of any recognised code or recognised document that is relevant to any matter regulated by the contract and that the supplier has chosen not to incorporate in the contract,
 - (c) any installation and service requirements with which the supplier or customer must comply,
 - (d) if any condition of the contract specifies that the supplier has a discretion in making any decision under the contract, the grounds on which that discretion may be exercised,
 - (e) the means by which a customer may arrange to see, or obtain a copy of, all or any part of the contract,
 - (f) a description of the services to be provided by the supplier under the contract,
 - (g) in respect of any document incorporated (in whole or in part) by reference in the customer contract, the reason the document has been incorporated,
 - (h) if a document referred to in paragraph (g) is incorporated as in force from time to time, a note to the effect that:
 - (i) an amendment of any such document will have the effect of amending the standard form customer supply contract, and

Gas Supply (Natural Gas Retail Competition) Regulation 2001

Schedule 1 Requirements applicable to customer supply contracts

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- (ii) if the document is issued by Standards Australia, or is a recognised document, no separate notice will be given of that amendment,
 - (i) particulars of the proper care and custody to be exercised by the customer in respect of metering or other equipment installed by or on behalf of the supplier,
 - (j) a statement of the customer's rights in relation to disputes and resolution of disputes with the supplier, including particulars of any applicable approved gas industry ombudsman scheme and the procedures for referring complaints and disputes to the gas industry ombudsman under that scheme,
 - (k) particulars of the circumstances, if any, in which information about a customer may be disclosed to another person,
 - (l) the manner in which notices under the contract are to be given or served,
 - (m) in the case of a standard form customer supply contract, a right for the supplier to amend the contract without the prior consent of the customer,
 - (n) a requirement that the supplier provide free of charge, if requested to do so by the customer, information about efficient energy consumption,
 - (o) a statement as to the debt collection procedures to be observed by the supplier in relation to an amount owed by the customer under the contract,
 - (p) a statement that the contract complies with the applicable provisions of the *Gas Supply Act 1996*, the *Gas Supply (Natural Gas Retail Competition) Regulation 2001* and other instruments made under that Act,
 - (q) in community languages (including Arabic, Cantonese, Vietnamese, Italian, Greek, Spanish and any other language approved by the relevant customer council) information about the availability of interpreter services for the languages concerned and telephone numbers for the services.

2 Basis of charges is consumption

- (1) The contract is to provide that charges payable by the customer for the supply of gas are to be based on the customer's measured or estimated consumption during a billing period.

Gas Supply (Natural Gas Retail Competition) Regulation 2001

Requirements applicable to customer supply contracts

Schedule 1

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- (2) The contract must require that metered consumption of gas by the customer is to be measured at intervals of not less than 6 months.
 - (3) The contract must require that the supplier reconcile any charges paid by the customer with the consumption measured.
 - (4) Despite subclause (1), a negotiated customer supply contract may provide that the charges payable by the customer for the supply of gas are to be based on something other than the customer's consumption during a billing period.

3 Requirements relating to charges

- (1) The contract must contain the following matters related to charges:
 - (a) a description of charges payable under the contract for services provided or arranged by the supplier,
 - (b) the amount of, or basis for calculation of, charges in respect of gas supply services and charges in respect of any other services,
 - (c) the tariffs and charges,
 - (d) the circumstances, if any, in which the supplier may recover the costs associated with recovering any unpaid amount due to the supplier,
 - (e) the circumstances, if any, in which the supplier may charge interest on any unpaid amount due to the supplier and the rate at which interest is to be charged.
- (2) The contract must provide that a customer is not liable to pay any charge unless the amount of, or basis for the calculation of the amount of, the charge is set out in the contract.
- (3) The rate at which interest may be charged on an unpaid account under a contract must not exceed the rate prescribed under section 95 (1) of the *Supreme Court Act 1970* for payment of interest on a judgment debt.

4 Requirements relating to bills

The contract must require the supplier to provide the customer with a statement of the customer's rights with respect to the matters covered by Division 4 of Part 3 of this Regulation.

Gas Supply (Natural Gas Retail Competition) Regulation 2001

Schedule 1 Requirements applicable to customer supply contracts

5 Requirements relating to securities given for charges

The contract must separately provide for each of the following matters:

- (a) the circumstances in which the supplier may require security to be provided by customers for payment of any charge,
- (b) the form and amount of any security to be provided by the customer,
- (c) if the security is to be in the form of a deposit with a financial institution, the interest, if any, that the supplier is required to pay to the customer, or to the customer's account, in respect of any such security held by the supplier,
- (d) the circumstances, if any, in which the supplier can use that security to set off against the amount due on the customer's account,
- (e) when the security may be returned.

6 Requirements relating to service standards

- (1) The contract must contain provisions establishing minimum standards of service to be provided to the customer by the supplier.
- (2) Those minimum standards must separately provide for or deal with each of the following matters:
 - (a) the quality of services,
 - (b) the reliability of services,
 - (c) the response to customer enquiries (including the time taken to respond to such enquiries),
 - (d) the period within which services or work will be commenced in response to a customer enquiry,
 - (e) the period within which services or work will be commenced so as to remedy a disruption in the service,
 - (f) the period of notice required to be given when the supplier carries out work (other than emergency work) that will disrupt the service,
 - (g) particulars of any relevant Government funded rebate or relief scheme to facilitate the payment of charges due to the supplier,
 - (h) particulars of any payment plan operated by the supplier to facilitate the payment of charges due to the supplier,

Gas Supply (Natural Gas Retail Competition) Regulation 2001

Requirements applicable to customer supply contracts

Schedule 1

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- (i) particulars of the arrangements made by the supplier for the payment of compensation arising under the guaranteed customer service standards.
 - (3) Nothing in this clause prevents the contract from containing other provisions as to the standard of service to be provided to customers.

7 Additional requirements relating to negotiated customer supply contracts

A negotiated customer supply contract must contain the following matters:

- (a) particulars of the customer's premises,
- (b) the manner in which the contract may be varied and notification of variations to the customer,
- (c) the names of the parties to the contract and contact details for the parties and that the customer is a small retail customer,
- (d) the terms and conditions that apply to or in respect of termination of the contract by the supplier or the customer,
- (e) a prohibition on the supplier using any part of a security deposit paid under the contract to recover amounts due in respect of charges other than charges related to the supply of gas,
- (f) the basis for calculation of charges that will apply if the customer is supplied for a subsequent period of supply under the contract.

8 Restrictions on power to discontinue supply

- (1) The contract must prohibit the supplier from discontinuing the supply of gas to the customer's premises on grounds arising out of a failure to provide a required security, or to pay an amount due with respect to the supply of gas, while any application made by the customer for assistance under:
 - (a) any Government funded rebate or relief scheme that is available to customers, or
 - (b) any payment plan that is available to customers and is operated by the supplier,is pending.

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Schedule 1 Requirements applicable to customer supply contracts

- (2) The contract must provide that in the event that the supplier becomes authorised to discontinue the supply of gas to the customer's premises on grounds arising from the contract, the Act or any Regulation, the supplier must not do so:
- (a) on a Friday, Saturday or Sunday, or
 - (b) on a public holiday or day immediately preceding a public holiday, or
 - (c) after 3.00 pm on any other day.

9 Commencement of supply

- (1) The contract must provide for the supply of gas to commence on a date specified in the contract.
- (2) The contract may provide for the supply of gas to be taken to commence at an earlier date than the date the contract commences if the customer was, immediately before the commencement of the contract, being supplied gas by the supplier under a new occupant supply arrangement or an approved last resort supply arrangement.
- (3) The contract must provide that a customer who has been supplied with gas by the supplier, otherwise than under a customer supply contract, immediately before the commencement of the supply of gas under this contract, is liable to the supplier under this contract for payment for any amount unpaid with respect to that period of supply.
- (4) Despite subclause (3), a customer is not to be liable under the contract to pay the supplier if the customer pays another supplier for the supply of that gas or, in the case of a negotiated customer supply contract, the customer terminates the contract under a cooling off clause before the commencement of supply under this contract.

10 Discontinuance of supply at customer's request

- (1) The contract is to require the customer to give the supplier not less than 3 business days' notice of the customer's desire that the supply of gas to the customer be discontinued.
- (2) If notice is not given, the contract must make the customer liable for all charges in respect of the supply concerned until:
- (a) the end of a specified period (not exceeding 3 business days) after the supplier becomes aware of the customer's desire that supply be discontinued, or

Gas Supply (Natural Gas Retail Competition) Regulation 2001

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- (b) the supply is discontinued or is otherwise transferred, or
 - (c) the supplier enters into, or is taken to have entered into, a new customer supply contract or a new occupant supply arrangement in respect of the same premises,
- whichever happens first.
- (3) Nothing in this clause prevents the contract from requiring the payment of additional charges by the customer on discontinuance, being charges otherwise permitted under the Act, this Regulation or the contract.
 - (4) This clause does not apply to a negotiated customer supply contract.

11 Customer not liable in event of involuntary transfer

- (1) The contract must require the customer to transfer, or be transferred, as a customer to another supplier, if last resort supply arrangements are implemented with respect to the customer.
- (2) The contract must provide that the supplier under the contract is not entitled to be paid any compensation or other payment by the customer in respect of any such transfer, including the cost incurred by the supplier in relation to the transfer.
- (3) The contract must provide that information concerning the customer may be given to another supplier for the purpose of implementing last resort supply arrangements.
- (4) The contract must provide for the termination of the contract on the transfer of the customer under last resort supply arrangements.

12 Cooling off period under negotiated customer supply contracts

- (1) A negotiated customer supply contract must confer on the customer a right, not later than 10 days after the contract is entered into, to terminate the contract by notice in writing to the supplier.
- (2) The contract must provide that the supplier is not entitled to the payment of any costs, compensation or any other amount as a consequence of any such termination of the contract, other than charges payable in respect of any gas supplied, or any other services provided, under the contract.

Gas Supply (Natural Gas Retail Competition) Regulation 2001

Schedule 1 Requirements applicable to customer supply contracts

13 Discontinuance of supply under negotiated customer supply contracts

- (1) A negotiated customer supply contract must enable the supplier to discontinue the supply of gas to the premises if the period of supply under the contract ends or if the person who owns or occupies the premises:
 - (a) has failed to provide any security required for the payment of any charges related to the supply of gas, or
 - (b) has failed to pay an amount due to the supplier under the contract with respect to the supply of gas, or
 - (c) has failed to give an inspector access to any premises supplied with gas by the supplier in accordance with any right to access provided for in the Act or any regulations made under the Act or the contract, or
 - (d) has obstructed the inspector in relation to any act, matter or thing done or to be done in carrying out any function under the Act or any regulations made under the Act or the contract.
- (2) The contract must provide that nothing in the provisions relating to discontinuance affects the right to interrupt continuous supply as agreed in the contract or any right or obligation to refuse to supply gas, or discontinue the supply of gas, to premises arising from the Act or any regulation made under the Act.

Part 2 Guaranteed customer service standards**14 Telephone hotlines**

- (1) The contract must require the supplier to inform the customer about any relevant telephone service that operates 7 days a week and 24 hours a day, being a telephone service:
 - (a) that operates on a number to which a customer can be connected for not more than the price of a local telephone call, and
 - (b) that can receive notice of, and give information concerning, faults and difficulties in gas works.

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- (2) The contract must require the supplier to provide a telephone service that operates during business hours, being a telephone service:
 - (a) that operates on a number to which a person can be connected for not more than the price of a local telephone call, and
 - (b) that can receive notice of, and give information concerning, customers' bills and services arranged by the supplier.
 - (3) An automated answering service satisfies the requirements of this clause only if it makes provision for the transfer of calls to a human operator.

15 No discontinuation of supply except after due notice

- (1) This clause applies if the supplier becomes authorised to discontinue gas supply to a customer on grounds arising under the contract, the Act or any regulation made under the Act.
- (2) The contract must require that the supplier not take action to discontinue supply unless:
 - (a) the supplier has sent to the customer at least 2 written notices of the supplier's intention to do so, the second notice to be sent no earlier than one week after the first notice, and
 - (b) the supplier has made reasonable attempts to deal with the customer in person or by telephone, whether before or after sending any such notice, for the purpose of assisting the customer to do whatever is necessary to remove the grounds referred to in that notice.
- (3) The contract must require that in any notice referred to in subclause (2) (a), and in any dealings with the customer referred to in subclause (2) (b), the supplier:
 - (a) must specify the grounds authorising the supplier to take the action proposed, and
 - (b) must indicate the date on or after which the supply to the customer's premises may be discontinued if those grounds are not removed, being a date occurring no earlier than 14 days after the first such notice is sent, and
 - (c) must advise the customer:
 - (i) of the customer's rights under this Part, and
 - (ii) in particular, of any rights that the customer may have to have the matter referred to the gas industry ombudsman for resolution, and

Gas Supply (Natural Gas Retail Competition) Regulation 2001

Schedule 1 Requirements applicable to customer supply contracts

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- (d) if the grounds authorising the supplier to take the action proposed include the customer's failure to make due payment of money owed to the supplier with respect to the supply of gas, must advise the customer:
- (i) of any Government funded rebate or relief schemes that are relevant to the customer, and
 - (ii) of any payment plan operated by the supplier.
- (4) The contract must require that if all other attempts under subclause (2) (b) to deal with the customer have been unsuccessful, at least one further attempt must be made outside business hours.
- (5) The contract must require the supplier to document all action that it takes under subclause (2) (b) or (4).
- (6) The contract must require that the supplier not take action of the kind referred to in subclause (1):
- (a) until after the date specified in accordance with subclause (3) (b) in the notices referred to in subclause (2) (a), or
 - (b) subject to paragraph (a), if before that date the customer makes a request that the matter (being a matter that is covered by an approved gas industry ombudsman scheme) be referred for resolution by the gas industry ombudsman, until the date the matter is determined,
- and, in any case, must not take any such action if, before the date last referred to in paragraph (b), the gas industry ombudsman directs that such action not be taken.
- (7) The contract must provide that nothing in the provisions referred to in this clause require a supplier that is not a standard supplier to operate a payment plan.
- (8) The contract must provide that nothing in the provisions relating to discontinuance referred to in this clause affects the supplier's right to interrupt continuous supply as agreed in the contract.

16 Notice to be given to customer after discontinuation of supply

- (1) The contract must require that, if the customer's premises are disconnected from a distribution system on the request of the supplier, the supplier must give the customer a notice to the effect that the premises have been disconnected.

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- (2) The contract must require that the notice contain the following information:
- (a) the grounds on which the customer's premises were disconnected from the distribution system,
 - (b) a telephone number to contact for the purpose of enabling the customer to discuss the matter with a person acting on behalf of the supplier,
 - (c) the arrangements that the customer will need to make for the reconnection of the premises to the distribution system, including any costs payable by the customer in relation to reconnection,
 - (d) the dispute resolution procedures that are available to the customer in relation to disputes between the customer and the supplier.

17 Discontinuance of supply at customer's request

This Part does not prevent a supplier from discontinuing the supply of gas at the customer's request to a customer's premises in accordance with a request from the customer.

18 Recommencement of supply

- (1) The contract must require a supplier that has discontinued the supply of gas to the customer's premises to recommence the supply of gas if:
 - (a) the customer rectifies the grounds for discontinuance within a reasonable time, and
 - (b) the customer requests that supply be recommenced, and
 - (c) the customer pays the supplier's reasonable reconnection fee.
- (2) The contract must require the supplier to use its best endeavours to recommence supply within the following periods:
 - (a) if the customer's request is made before 3 pm on a business day, on the day the request is made,
 - (b) if the customer's request is made after 3 pm on a business day, on the next business day after the request is made,
 - (c) if the customer's request is made after 3 pm on a business day and the customer pays an after hours connection charge to the supplier, on the day requested by the customer.

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Schedule 1 Requirements applicable to customer supply contracts

19 Punctuality in keeping appointments

The contract must provide that if the supplier (or the supplier's representative) is more than 15 minutes late for an appointment with a customer (or the customer's representative) the supplier must pay to the customer, by way of compensation for the delay, not less than \$25.

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under the

Home Building Act 1989

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Home Building Act 1989*.

JOHN AQUILINA, M.P.,
Minister for Fair Trading

Explanatory note

The object of this Regulation is to amend the *Home Building Regulation 1997*:

- (a) to remove the need for written contracts for residential building work or specialist work that costs \$1,000 or less, and
- (b) to add to the list of circumstances in which an application for the issue of a licence or a certificate must be rejected, and
- (c) to prescribe the fee for an application for determination of a building claim, and
- (d) to increase the threshold for owner-builder work that is subject to controls, and
- (e) to reduce the period after which a building claim is taken to be refused from 60 days to 45 days, and
- (f) to increase the time for lodging an appeal against a decision of an insurer from 30 days to 45 days and to allow the Fair Trading Tribunal to allow further time for such an appeal, and
- (g) to make certain provisions regarding the resolution of building disputes and building claims, and

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Explanatory note

- (h) to add to the list of matters that must be included on the public register containing particulars of authorities, and
- (i) to make certain transitional arrangements.

This Regulation is made under the *Home Building Act 1989* (as amended by the *Home Building Legislation Amendment Act 2001*) including section 140 (the general regulation-making power).

Home Building Amendment Regulation 2001

Clause 1

Home Building Amendment Regulation 2001

1 Name of Regulation

This Regulation is the *Home Building Amendment Regulation 2001*.

2 Commencement

This Regulation commences on 1 January 2002.

3 Amendment of Home Building Regulation 1997

The *Home Building Regulation 1997* is amended as set out in Schedule 1.

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Schedule 1 Amendments

Schedule 1 Amendments

(Clause 3)

[1] Whole Regulation (except references elsewhere repealed or replaced)

Omit "Licence", "licence", "Licences" and "licences" wherever occurring. Insert instead "Contractor licence", "contractor licence", "Contractor licences" and "contractor licences", respectively.

[2] Clause 13 Exemptions from requirements for contracts

Omit clause 13 (d). Insert instead:

- (d) is for a contract price not exceeding \$1,000 or, if the contract price is not known, is for the provision of labour and materials by the contractor the reasonable market cost of which does not exceed \$1,000.

[3] Clause 19 Requirements for obtaining licences

Insert after clause 19 (1):

(1A) Before a licence is issued, the Director-General must be satisfied that:

- (a) the individual who is the applicant, or
- (b) every individual who is a member of a partnership that is the applicant, or
- (c) any director of a corporation that is the applicant,

is not a person whose licence or other authority is currently suspended under the Act, the *Fair Trading Act 1987* or any other Act administered by the Minister.

(1B) Before a licence is issued, the Director-General must be satisfied that the applicant or, in the case of an applicant that is a partnership, any partner of that applicant or, in the case of an applicant that is a corporation any director of that corporation:

- (a) is not bankrupt or is not a director or person concerned in the management of a company that is the subject of a winding up order or for which a controller or administrator has been appointed, or

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- (b) was not bankrupt or was not a director or person concerned in the management of a company when the company was the subject of a winding up order, or when a controller or administrator was appointed, within a period of 3 years before the date of the application, unless the Director-General is satisfied that the person took all reasonable steps to avoid the bankruptcy, liquidation or administration, or
 - (c) is not subject to any order of the Tribunal that has not been satisfied within the period required by the Tribunal, or
 - (d) has not had what the Director-General considers to be an unreasonable number of complaints made against him, her or it, or
 - (e) has not had what the Director-General considers to be an unreasonable number of formal cautions given to him, her or it, or
 - (f) has not had what the Director-General considers to be an unreasonable number of penalty notices issued against him, her or it (being penalty notices for offences under the Act that were not dealt with by a court and dismissed), or
 - (g) has not carried out work in respect of which the Director-General considers an unreasonable number of insurance claims have been paid.
- (1C) Before a licence is issued, the Director-General must be satisfied that the applicant was not a director, partner or person concerned in the management of a company or partnership that was disqualified from holding a licence or certificate within 3 years before the date of the application, unless the Director-General is satisfied that the applicant took all reasonable steps to prevent the conduct that led to the disqualification.

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[4] Clause 20 Requirements for obtaining certificates

Insert at the end of clause 20:

- (2) Before a certificate is issued, the Director-General must be satisfied that the applicant is not a person whose certificate or other authority is currently suspended under the Act, the *Fair Trading Act 1987* or any other Act administered by the Minister.
- (3) Before a certificate of registration is issued, the Director-General must be satisfied that the applicant:
 - (a) is not subject to any order of the Tribunal that has not been satisfied within the period required by the Tribunal, or
 - (b) has not had what the Director-General considers to be an unreasonable number of complaints made against him or her, or
 - (c) has not had what the Director-General considers to be an unreasonable number of formal cautions given to him or her, or
 - (d) has not had what the Director-General considers to be an unreasonable number of penalty notices issued against him or her (being penalty notices for offences under the Act that were not dealt with by a court and dismissed), or
 - (e) has not carried out work in respect of which the Director-General considers an unreasonable number of insurance claims have been paid.
- (4) Before a qualified supervisor certificate is issued, the Director-General must be satisfied that the applicant:
 - (a) is not bankrupt or is not a director or person concerned in the management of a company that is the subject of a winding up order or for which a controller or administrator has been appointed, or

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- (b) was not bankrupt or was not a director or person concerned in the management of a company when the company was the subject of a winding up order, or when a controller or administrator was appointed, within a period of 3 years before the date of application, unless the Director-General is satisfied that the person took all reasonable steps to avoid the bankruptcy, liquidation or administration, or
 - (c) is not subject to any order of the Tribunal that has not been satisfied within the period required by the Tribunal, or
 - (d) has not had what the Director-General considers to be an unreasonable number of complaints made against him or her, or
 - (e) has not had what the Director-General considers to be an unreasonable number of formal cautions given to him or her, or
 - (f) has not had what the Director-General considers to be an unreasonable number of penalty notices issued against him or her (being penalty notices for offences under the Act that were not dealt with by a court and dismissed), or
 - (g) has not carried out work in respect of which the Director-General considers an unreasonable number of insurance claims have been paid.
- (5) Before a certificate is issued, the Director-General must be satisfied that the applicant was not a director, partner or person concerned in the management of a company or partnership that was disqualified from holding a licence within 3 years before the date of the application, unless the Director-General is satisfied that the applicant took all reasonable steps to prevent the conduct that led to the disqualification.

[5] Clause 36 Owner-builder permits

Omit "\$3,000" from clause 36 (1). Insert instead "\$5,000".

[6] Clause 54 Refusal of insurance claims

Omit "60 days". Insert instead "45 days".

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[7] Clause 54 (2)

Insert at the end of clause 54:

- (2) The amendment made to this clause by the *Home Building Amendment Regulation 2001* does not apply to an insurance claim lodged before its commencement.

[8] Clause 55 Insurance appeals

Omit "section 89A" from clause 55 (1). Insert instead "Part 3A".

[9] Clause 55 (1)

Omit "30 days". Insert instead "45 days".

[10] Clause 55 (3)–(5)

Insert after clause 55 (2):

- (3) However, an appeal may, with the leave of the Tribunal or court, be lodged with the registrar of the Tribunal or court after the end of the period referred to in subclause (1), if:
 - (a) an application is made to the Tribunal or court for leave to lodge the appeal out of time, and
 - (b) in the opinion of the Tribunal or court, there are special circumstances to grant leave, and
 - (c) the Tribunal or court grants leave.
- (4) Without limiting the type of circumstances that may be considered special circumstances, the time taken for a decision to be reviewed by the insurer is a factor in determining special circumstances.
- (5) The amendment made to this clause by the *Home Building Amendment Regulation 2001* does not apply to an appeal against a decision made before its commencement.

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[11] Part 5A

Insert after clause 57B:

Part 5A Resolution of building disputes and building claims

57C Application of Division 2 of Part 3A of Act

For the purposes of section 48B of the Act, Division 2 of Part 3A of the Act does not apply to a building dispute relating to a claim relating to money, or building goods and services, exceeding in value \$500,000.

57D Notifying Tribunal of building dispute

For the purposes of section 48C (1) of the Act, a notification to the Tribunal must be in writing, must be signed and dated by the person who gives the notification and must include the following details:

- (a) the name, address and telephone number (if any) of the person who gives the notification,
- (b) the name, address and telephone number (if any) of the other party to the building dispute,
- (c) the address at which the building goods or services the subject of the building dispute were or are being provided,
- (d) the licence number of the person who provided the goods or services,
- (e) the Tribunal file number of any previous notification to the Tribunal relating to the provision of the goods or services,
- (f) a concise statement containing particulars sufficient to enable the Tribunal to understand the nature of the dispute,
- (g) if an amount of money is in dispute, the amount involved.

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57E Fee for notifying Tribunal of building dispute

- (1) For the purposes of section 48C (2) of the Act, the prescribed fee to accompany a notification to the Tribunal is \$55.
- (2) If the Tribunal considers that there are special reasons for so doing, the Tribunal:
 - (a) may direct that a fee required to be paid under section 48C (2) of the Act be waived wholly or in part, and that any part of the fee waived that has been paid be refunded, and
 - (b) may postpone the time for payment of the whole or a part of a fee required by section 48C (2) of the Act, and make any such postponement subject to any conditions the Tribunal may think fit to impose.

57F Costs of assessment

For the purposes of section 48F of the Act, if a building dispute is referred by the Tribunal for assessment by an independent expert, and the parties to the dispute elect to employ their own independent expert rather than rely on one arranged by the Tribunal, the parties are to bear the costs of the assessment in the proportions that they may agree among themselves.

57G Application for determination of building claim

- (1) For the purposes of section 48I of the Act, an application for determination of a building claim must be made in writing.
- (2) An application made to the Tribunal must contain the following particulars:
 - (a) the name and address of the applicant,
 - (b) the name and last known address of the other party,
 - (c) a description of the order or orders sought by the applicant,
 - (d) a concise statement containing particulars sufficient to enable the other party to know the nature of the claim,
 - (e) if an amount of money is claimed or in dispute, the amount claimed or disputed.

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- (3) An application must be signed and dated by the applicant, unless any Act or law conferring jurisdiction on the Tribunal authorises another person to sign the application.
 - (4) An application may be lodged:
 - (a) at any registry of the Tribunal, or
 - (b) at a Fair Trading Centre of the Department of Fair Trading, or
 - (c) at any Local Court registry.
 - (5) The Tribunal may accept lodgment of applications by electronic means.
 - (6) Except where the Registrar otherwise determines, an application is taken to have been lodged when it has been duly lodged in accordance with this clause, whether or not payment of any fee occasioned by the lodgment has been made. The Tribunal is, however, entitled to decline to hear proceedings on the application until the fee has been paid.

57H Fee for application for determination of building claim

- (1) For the purpose of section 48I of the Act, the fee for an application for determination of a building claim is:
 - (a) if the amount claimed or in dispute is less than \$2,000—\$11, or
 - (b) if the amount claimed or in dispute is not less than \$2,000 but is less than \$4,000—\$22, or
 - (c) if the amount claimed or in dispute is not less than \$4,000 but is less than \$6,000—\$33, or
 - (d) if the amount claimed or in dispute is not less than \$6,000 but is less than \$10,000—\$43, or
 - (e) if the amount claimed or in dispute is not less than \$10,000—\$109, or
 - (f) if no amount is claimed or in dispute—\$27.
- (2) Despite subclause (1), the fee chargeable in respect of an application made by an eligible pensioner or eligible student is:
 - (a) \$2, if the matter is one in which the amount claimed or in dispute is less than \$6,000, or

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- (b) \$5, if the matter is one in which the amount claimed or in dispute is not less than \$6,000.
- (3) If the Tribunal or the Registrar considers that there are special reasons for so doing, the Tribunal or Registrar:
- (a) may direct that a fee required to be paid by this Regulation be waived wholly or in part, and that any part of the fee waived that has been paid be refunded, and
- (b) may postpone the time for payment of the whole or a part of a fee required by this clause, and make any such postponement subject to any conditions the Tribunal or Registrar may think fit to impose.
- (4) In this clause:
eligible pensioner means:
- (a) a person who receives a pension, benefit or allowance under Chapter 2 of the *Social Security Act 1991* of the Commonwealth, or a service pension under Part III of the *Veterans' Entitlements Act 1986* of the Commonwealth, and who is the holder of a pensioner concession card issued by or on behalf of the Commonwealth Government, or
- (b) a person who receives a pension from the Commonwealth Department of Veterans' Affairs as:
- (i) the widow or widower of a member of the Australian Defence or Peacekeeping Forces, or
- (ii) the unmarried mother of a deceased unmarried member of either of those Forces, or
- (iii) the widowed mother of a deceased unmarried member of either of those Forces,
- and who does not have income and assets that would prevent the person from being granted a pensioner concession card if the person were eligible for such a card, or
- (c) a person who receives a special rate of pension under section 24 of the *Veterans' Entitlements Act 1986* of the Commonwealth, or

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- (d) a person who holds a Senior's Card (being a card of that name issued by the New South Wales Government).

eligible student means a person who is receiving full-time education at a school, college or university and is a recipient of a student assistance allowance from a Commonwealth government authority in respect of that education.

57I Transfer of proceedings to or from other courts or tribunals

- (1) For the purposes of section 48L of the Act:
- (a) proceedings are to be transferred by order of the court hearing the building claim, and
 - (b) notice of the transfer is to be given to the Registrar of the Tribunal by the registrar of the court hearing the building claim, and
 - (c) all documents relating to the proceedings in the custody of the court hearing the building claim are to be transferred by the registrar of the court to the Registrar of the Tribunal.
- (2) On receipt of such a notice of transfer and accompanying documents, the Registrar must serve on all of the parties a notice fixing a date and time for the holding of the hearing or a directions hearing in relation to the proceedings.

57J Warning notice for Tribunal orders

For the purposes of section 48R of the Act, the following warning must be included in an order made under Part 3A of the Act:

Attention: Important information about this order for licence holders under the Home Building Act 1989

- (a) If you are required to do, or not to do, something by this order the fact that you have not complied will be recorded with the other information kept about you and your business in the register kept under section 120 of the *Home Building Act 1989*.
- (b) That information is available to the public.

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- (c) It is your responsibility to notify the Department of Fair Trading in writing that the order has been complied with (that is, that you have done the work or paid the money).
- (d) It is important to notify the Department of Fair Trading as soon as possible. If the Department is not notified on or before the date by which the order was required to be complied with, the information kept about you and your business in the register will be changed to say that you have not complied with the order, even if you actually have.
- (e) A penalty of up to \$22,000 may be imposed if you knowingly make a false statement that an order has been complied with.

[12] Clause 58 Register

Insert after clause 58 (a) (xiii):

- (xiv) details of any penalty notices issued to the holder,
- (xv) any instance of non-compliance with a Tribunal order to do work or to pay money,
- (xvi) details of any public warnings issued regarding the holder under section 23 of the Act,
- (xvii) details of any formal cautions issued to the holder regarding his, her or its conduct,
- (xviii) any cancellation or suspension of the contractor licence, whether made under the Act or any other Act.

[13] Clause 58 (b) (viii)–(xiv)

Insert after clause 58 (b) (vii):

- (viii) results of any prosecutions against the holder under the Act,
- (ix) the number of insurance claims paid in respect of work done or supervised by the holder,
- (x) details of any penalty notices issued to the holder,

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- (xi) any instance of non-compliance with a Tribunal order to do work or to pay money,
 - (xii) details of any public warnings issued regarding the holder under section 23 of the Act,
 - (xiii) details of any formal cautions issued to the holder regarding his or her conduct,
 - (xiv) any cancellation or suspension of the supervisor certificate, whether made under the Act or any other Act.

[14] Clause 58 (c) (vii)–(xii)

Insert after clause 58 (c) (vi):

- (vii) results of any prosecutions against the holder under the Act,
- (viii) details of any penalty notices issued to the holder,
- (ix) any instance of non-compliance with a Tribunal order to do work or to pay money,
- (x) details of any public warnings issued regarding the holder under section 23 of the Act,
- (xi) details of any formal cautions issued to the holder regarding his or her conduct,
- (xii) any cancellation or suspension of the registration certificate, whether made under the Act or any other Act.

[15] Clause 58 (d) (vii)–(xiii)

Insert after clause 58 (d) (vi):

- (vii) results of any prosecutions against the holder under the Act,
- (viii) the number of insurance claims paid in respect of work done or supervised by the holder,
- (ix) details of any penalty notices issued to the holder,
- (x) any instance of non-compliance with a Tribunal order to do work or to pay money,

Home Building Amendment Regulation 2001

Schedule 1 Amendments

-
- (xi) details of any public warnings issued regarding the holder under section 23 of the Act,
 - (xii) details of any formal cautions issued to the holder regarding his or her conduct,
 - (xiii) any cancellation or suspension of the owner-builder permit, whether made under the Act or any other Act.

[16] Clause 65A

Insert after clause 65:

65A Transitional provision: applications for renewal or restoration

The amendment made to section 39 of the Act by Schedule 1 [13] to the *Home Building Legislation Amendment Act 2001* does not apply to an authority that expired before the commencement of the amendment.

Liquor Amendment (Undesirable Liquor Product) Regulation 2001

under the

Liquor Act 1982

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Liquor Act 1982*.

J. RICHARD FACE, M.P.,
Minister for Gaming and Racing

Explanatory note

Section 117I of the *Liquor Act 1982* provides for the regulations to declare a specified liquor product or class of liquor products to be an undesirable liquor product. The licensee is guilty of an offence if any undesirable liquor product is sold or supplied on licensed premises to any person.

The object of this Regulation is to declare an alcoholic product of certain strength provided in an aerosol container to be an undesirable liquor product.

This Regulation is made under sections 117I and 156 (the general regulation-making power) of the *Liquor Act 1982*.

Clause 1 Liquor Amendment (Undesirable Liquor Product) Regulation 2001

Liquor Amendment (Undesirable Liquor Product) Regulation 2001

1 Name of Regulation

This Regulation is the *Liquor Amendment (Undesirable Liquor Product) Regulation 2001*.

2 Amendment of Liquor Regulation 1996

The *Liquor Regulation 1996* is amended as set out in Schedule 1.

Liquor Amendment (Undesirable Liquor Product) Regulation 2001

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 2)

Clause 86D

Omit the clause. Insert instead:

86D Sale of undesirable liquor products

For the purposes of section 117I of the Act, the following are declared to be undesirable liquor products:

- (a) alcoholic iceblock—a product that is sold in an individual package or individual packages for consumption in frozen form and that, at 20° Celsius, contains more than 1.15 per cent ethanol by volume,
- (b) a product that is sold in an aerosol container for consumption by humans and that, at 20° Celsius, contains more than 1.15 per cent ethanol by volume.

Local Government (Rates and Charges) Amendment (Museum of Contemporary Art) Regulation 2001

under the

Local Government Act 1993

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Local Government Act 1993*.

HARRY WOODS, M.P.,
Minister for Local Government

Explanatory note

The object of this Regulation is to amend the *Local Government (Rates and Charges) Regulation 1999* to provide that land occupied by the Museum of Contemporary Art is exempt from all rates under the *Local Government Act 1993* (other than water supply special rates and sewerage special rates).

This Regulation is made under the *Local Government Act 1993*, including sections 556 (1) (r) and 748 (the general regulation-making power).

Clause 1 Local Government (Rates and Charges) Amendment (Museum of Contemporary Art) Regulation 2001

Local Government (Rates and Charges) Amendment (Museum of Contemporary Art) Regulation 2001

1 Name of Regulation

This Regulation is the *Local Government (Rates and Charges) Amendment (Museum of Contemporary Art) Regulation 2001*.

2 Notes

The explanatory note does not form part of this Regulation.

3 Amendment of Local Government (Rates and Charges) Regulation 1999

The *Local Government (Rates and Charges) Regulation 1999* is amended by inserting the following after clause 6:

6A Museum of Contemporary Art exempt from rates (sec 556 of Act)

All land occupied by the Museum of Contemporary Art Limited is exempt from all rates, except water supply special rates and sewerage special rates.

Occupational Health and Safety (Clothing Factory Registration) Regulation 2001

under the

Occupational Health and Safety Act 2000

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Occupational Health and Safety Act 2000*.

JOHN DELLA BOSCA, M.L.C.,
Special Minister of State

Explanatory note

Previously, section 11 of the *Shops and Industries Act 1962* (formerly the *Factories, Shops and Industries Act 1962*) required the occupier of a factory to ensure that the factory was registered under that Act. That section was repealed by the *Occupational Health and Safety Amendment Act 1997*.

The object of this Regulation is to re-introduce a registration requirement in respect of premises used in connection with certain aspects of the clothing industry. The Regulation will require an occupier of a clothing factory (which includes premises used in connection with the making of footwear, buttons and hats) who is an employer and is a respondent to, or subject to, a relevant clothing industry award to ensure that the premises are registered as a clothing factory for the purpose of facilitating inspection and enforcement of occupational health and safety requirements. Relevant clothing industry awards are defined to include certain clothing and footwear industry awards made under the *Workplace Relations Act 1996* of the Commonwealth and the *Industrial Relations Act 1996*.

Occupational Health and Safety (Clothing Factory Registration) Regulation 2001

Explanatory note

Under the Regulation, if an application for registration is duly made to WorkCover, WorkCover is required to register the premises as a clothing factory and to issue a certificate of registration. The certificate of registration ceases to be in force if the premises cease to be used as a clothing factory or the occupancy details change.

The Regulation includes provisions of a saving or transitional nature. Under those provisions, any premises that were registered under the repealed provisions of the *Shops and Industries Act 1962*, and that are required to be registered under the new requirements, are to be treated as having been registered under the new requirements.

This Regulation is made under the *Occupational Health and Safety Act 2000*, including section 33 (the general regulation-making power) and section 35.

The Regulation comprises or relates to matters of a machinery nature, matters that are not likely to impose an appreciable burden, cost or disadvantage on any sector of the public, and matters of a savings or transitional nature.

Occupational Health and Safety (Clothing Factory Registration) Regulation 2001

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Clause 1	Occupational Health and Safety (Clothing Factory Registration) Regulation 2001
Part 1	Preliminary

Occupational Health and Safety (Clothing Factory Registration) Regulation 2001

Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Occupational Health and Safety (Clothing Factory Registration) Regulation 2001*.

2 Commencement

This Regulation commences on 1 January 2002.

3 Definitions

In this Regulation:

approved form means a form approved for the time being by WorkCover for the purposes of the provision in which the expression is used.

certificate of registration means a certificate of registration of a clothing factory issued by WorkCover under this Regulation, and includes a replacement certificate of registration issued under this Regulation.

clothing factory means any building or place in which:

- (a) four or more persons are engaged directly or indirectly in any handicraft or process in or incidental to the making, altering, preparing, ornamenting or finishing of any clothing, fabrics, footwear, hats, buttons or related products for trade, sale or gain, or
- (b) mechanical power is used in aid of any handicraft or process in or incidental to the making, altering, preparing, ornamenting or finishing of any clothing, fabrics, footwear, hats, buttons or related products for trade, sale or gain.

Occupational Health and Safety (Clothing Factory Registration)
Regulation 2001

Clause 3

Preliminary

Part 1

clothing industry award means:

- (a) any of the following awards made under the *Workplace Relations Act 1996* of the Commonwealth:
 - (i) the *Clothing Trades Award 1999*,
 - (ii) the *Felt Hatting Industry Award 1999*,
 - (iii) the *Footwear Industries Award 2000*,
 - (iv) the *Textile Industry Award 2000*, or
- (b) any of the following awards made under the *Industrial Relations Act 1996*:
 - (i) the *Buttonmakers & c. (State) Consolidated Award (Award Code: 077)*,
 - (ii) the *Clothing Trades (State) Consolidated Award (Award Code: 139)*,
 - (iii) the *Footwear Manufacturing Industry (State) Consolidated Award (Award Code: 168)*,
 - (iv) the *Textile Industry (State) Consolidated Award (Award Code: 212)*.

occupier, in relation to a clothing factory, has the same meaning as occupier, in relation to a shop, has in the *Shops and Industries Act 1962*.

mechanical power means power generated by water, steam, gas, oil electricity, or any power other than manual power.

registered clothing factory means premises in respect of which a certificate of registration is for the time being in force.

the Act means the *Occupational Health and Safety Act 2000*.

4 Notes

Notes included in this Regulation do not form part of this Regulation.

Clause 5 Occupational Health and Safety (Clothing Factory Registration)
Regulation 2001

Part 2 Registration

Part 2 Registration

5 Clothing factories to be registered

An occupier of a clothing factory who is an employer and is a respondent to, or subject to, a clothing industry award, is guilty of an offence unless the clothing factory is a registered clothing factory.

Maximum penalty: 20 penalty units.

6 Registration of clothing factories

- (1) An application for the registration of premises as a clothing factory is to be made to WorkCover in an approved form.
- (2) WorkCover must, if the application is duly made, register the premises as a clothing factory and issue to the applicant a certificate of registration for the premises.

7 Duration of certificate of registration

A certificate of registration takes effect from the date of issue of the certificate, and remains in force until it ceases to have effect under this Regulation.

8 Change in use of clothing factory or in occupier details

- (1) A certificate of registration ceases to have effect if:
 - (a) the premises in respect of which the certificate was issued cease to be used as a clothing factory, or
 - (b) a person other than a person named in the certificate of registration as the occupier of the clothing factory to which the certificate applies becomes the occupier of the clothing factory, or
 - (c) the person named in the certificate of registration as the occupier of the clothing factory to which the certificate applies changes his or her name.

Occupational Health and Safety (Clothing Factory Registration)
Regulation 2001

Clause 8

Registration

Part 2

-
- (2) A person named in a certificate of registration as the occupier of the clothing factory to which the certificate applies must notify WorkCover in writing if the certificate ceases to have effect under this clause, within 14 days after it ceases to have effect.

Maximum penalty: 20 penalty units.

Note. A new certificate of registration may be applied for in respect of the factory under clause 6.

9 Replacement certificate

- (1) WorkCover may at any time issue to the occupier of premises that are registered as a clothing factory a replacement certificate of registration for those premises.
- (2) A certificate of registration for any premises ceases to be in force if WorkCover issues a replacement certificate of registration for those premises.
- (3) An application for a replacement certificate of registration is to be made to WorkCover in an approved form.

10 Certificate of registration to be displayed

The occupier of a registered clothing factory must cause a copy of a certificate of registration that is in force in respect of the clothing factory to be displayed at the clothing factory in a conspicuous position at or near the principal entrance to the clothing factory.

Maximum penalty: 2 penalty units.

11 Manner of giving applications and notices

An application or notice under this Regulation is to be given to WorkCover by leaving it at, or sending it by post to, an office of WorkCover.

12 Public register

- (1) WorkCover is to keep a public register in accordance with this clause.
- (2) WorkCover is to record in the register details of each certificate of registration issued under this Regulation, including such of the following details as WorkCover considers appropriate:
- (a) the registered business name or trading name (if any) of the occupier of the clothing factory,

Clause 12 Occupational Health and Safety (Clothing Factory Registration)
Regulation 2001

Part 2 Registration

- (b) the address of the clothing factory,
 - (c) a description of the type of building or place in which the clothing factory is located (such as whether the factory forms part of an industrial estate or complex),
 - (d) the type of work being carried out in the clothing factory,
 - (e) the number of employees working in the clothing factory.
- (3) However, WorkCover is not to record in the register any information that would disclose:
- (a) the name of an individual, or
 - (b) any manufacturing or commercial secrets or working processes.
- (4) The register may be kept in any form determined by WorkCover.
- (5) The register is to be available for public inspection, free of charge, at the principal office of WorkCover during ordinary office hours.
- (6) A copy of any entry in the register may be taken on payment of such fee as may be determined by WorkCover.

Occupational Health and Safety (Clothing Factory Registration)
Regulation 2001

Clause 13

Transitional

Part 3

Part 3 Transitional

13 Transitional

- (1) On the commencement of this Regulation, any premises that were registered under section 11 of the *Shops and Industries Act 1962* (formerly the *Factories, Shops and Industries Act 1962*) immediately before the repeal of that section, and that are premises that are required to be registered as a clothing factory under this Regulation, are taken to have been registered as a clothing factory under this Regulation.
- (2) A certificate or permit issued under section 11 of that Act in respect of the premises, that was in force immediately before the repeal of that section, is taken to be a certificate of registration issued under this Regulation. However, WorkCover may issue a replacement certificate of registration for the premises, as provided by clause 9.
- (3) A reference in a clothing industry award or other instrument to a factory registered under a law of New South Wales (however expressed) is taken (unless the context otherwise requires) to be a reference to a factory registered under this Regulation, until otherwise provided by the award or instrument.

Registered Clubs Amendment (Undesirable Liquor Product) Regulation 2001

under the

Registered Clubs Act 1976

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Registered Clubs Act 1976*.

J. RICHARD FACE, M.P.,
Minister for Gaming and Racing

Explanatory note

Section 57C of the *Registered Clubs Act 1976* provides for the regulations to declare a specified liquor product or class of liquor products to be an undesirable liquor product. The secretary of a registered club is guilty of an offence if any undesirable liquor product is sold or supplied at the club to any person.

The object of this Regulation is to declare an alcoholic product of certain strength provided in an aerosol container to be an undesirable liquor product.

This Regulation is made under sections 57C and 73 (the general regulation-making power) of the *Registered Clubs Act 1976*.

Clause 1 Registered Clubs Amendment (Undesirable Liquor Product)
Regulation 2001

Registered Clubs Amendment (Undesirable Liquor Product) Regulation 2001

1 Name of Regulation

This Regulation is the *Registered Clubs Amendment (Undesirable Liquor Product) Regulation 2001*.

2 Amendment of Registered Clubs Regulation 1996

The *Registered Clubs Regulation 1996* is amended as set out in Schedule 1.

Registered Clubs Amendment (Undesirable Liquor Product)
Regulation 2001

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 2)

Clause 50A

Omit the clause. Insert instead:

50A Sale of undesirable liquor products

For the purposes of section 57C of the Act, the following are declared to be undesirable liquor products:

- (a) alcoholic iceblock—a product that is sold in an individual package or individual packages for consumption in frozen form and that, at 20° Celsius, contains more than 1.15 per cent ethanol by volume,
- (b) a product that is sold in an aerosol container for consumption by humans and that, at 20° Celsius, contains more than 1.15 per cent ethanol by volume.

Road Transport (Driver Licensing) Amendment (Fees) Regulation (No 2) 2001

under the

Road Transport (Driver Licensing) Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (Driver Licensing) Act 1998*.

CARL SCULLY, M.P.,
Minister for Roads

Explanatory note

The objects of this Regulation are:

- (a) to increase the fee payable for a hazard perception test or driver qualification test provided by the Roads and Traffic Authority, and
- (b) to fix a fee for the provision of a driver knowledge test, and for the provision of certain handbooks, by the Roads and Traffic Authority.

This Regulation is made under the *Road Transport (Driver Licensing) Act 1998*, including section 19 (the general regulation-making power) and section 20.

Clause 1 Road Transport (Driver Licensing) Amendment (Fees) Regulation
 (No 2) 2001

Road Transport (Driver Licensing) Amendment (Fees) Regulation (No 2) 2001

1 Name of Regulation

This Regulation is the *Road Transport (Driver Licensing) Amendment (Fees) Regulation (No 2) 2001*.

2 Commencement

This Regulation commences on 1 January 2002.

3 Amendment of Road Transport (Driver Licensing) Regulation 1999

The *Road Transport (Driver Licensing) Regulation 1999* is amended as set out in Schedule 1.

Road Transport (Driver Licensing) Amendment (Fees) Regulation
(No 2) 2001

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 3)

Schedule 3 Fees

Omit items 8 and 9. Insert instead:

8	Hazard Perception Test	\$30
9	Driver Qualification Test	\$30
10	Driver Knowledge Test	\$30
11	Provision of handbook (fee per copy):	
	(a) Road Users' Handbook (including any foreign language version of that handbook)	\$25
	(b) Heavy Vehicle Drivers' Handbook	\$25
	(c) Motorcycle Riders' Handbook	\$25
	(d) Hazard Perception Handbook	\$25
	(e) Driver Qualification Handbook	\$25

Road Transport (Driver Licensing) Amendment (Miscellaneous) Regulation 2001

under the

Road Transport (Driver Licensing) Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (Driver Licensing) Act 1998*.

CARL SCULLY, M.P.,
Minister for Roads

Explanatory note

The objects of this Regulation are:

- (a) to provide that an application for issue or variation of a driver licence may be refused if the applicant is a person who, if already licensed, would be liable to have action taken against the person because of the number of demerit points incurred, and
- (b) to provide for the correction of mistakes, errors or omissions in the driver licence register, and
- (c) to include 26 December 2001 and 27 December 2001 in the long weekend demerit points period for Christmas and New Year 2001–2002, so that the period will extend from midnight 20 December 2001 until midnight 1 January 2002, and
- (d) to prevent a driver whose driver licence has expired during the period while it is suspended from obtaining a new licence during the period of suspension, and

Road Transport (Driver Licensing) Amendment (Miscellaneous) Regulation 2001

Explanatory note

- (e) to repeal a redundant provision relating to cancellation or suspension of licences for speeding (which is now covered by section 33 of the *Road Transport (Driver Licensing) Act 1998*), and
- (f) to omit a provision that created an exemption from the requirement to hold a licence for the driver of a vehicle under the control of the NSW Fire Brigades (being a provision that expired on 1 March 2000).

This Regulation is made under sections 19 (the general regulation-making power) and 20 of the *Road Transport (Driver Licensing) Act 1998*.

Road Transport (Driver Licensing) Amendment (Miscellaneous)
Regulation 2001

Clause 1

Road Transport (Driver Licensing) Amendment (Miscellaneous) Regulation 2001

1 Name of Regulation

This Regulation is the *Road Transport (Driver Licensing) Amendment (Miscellaneous) Regulation 2001*.

2 Amendment of Road Transport (Driver Licensing) Regulation 1999

The *Road Transport (Driver Licensing) Regulation 1999* is amended as set out in Schedule 1.

Road Transport (Driver Licensing) Amendment (Miscellaneous)
Regulation 2001

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 2)

[1] Clause 18 When application for driver licence can be refused

Insert “or 16A (8)” after “16 (9)” in clause 18 (2) (d).

[2] Clause 24 Driver licence register

Insert after clause 24 (3):

- (4) The Authority may correct any mistake or error in, or omission of, matter recorded in the driver licence register, subject to any requirements of the Act or this Regulation.

[3] Clause 36 Demerit points and offences

Omit “29 December 1999” from paragraph (b) of the definition of *over a long weekend* in clause 36 (5).

Insert instead:

26 December 2001

27 December 2001

[4] Clause 38 Variation, suspension or cancellation of driver licence

Insert after clause 38 (2):

- (3) If a person’s driver licence expires during a period of suspension for the licence imposed under section 17 of the Act or this Regulation, the person cannot apply to the Authority for another driver licence during the unexpired portion of the period of licence suspension.

[5] Clause 38B Cancellation or suspension of licences for speeding offences

Omit the clause.

Road Transport (Driver Licensing) Amendment (Miscellaneous)
Regulation 2001

Amendments

Schedule 1

[6] Clause 55D Other exemptions from licensing

Omit clause 55D (1) (a) and (2).

Road Transport (Driver Licensing) Amendment (Safe-T-Cam Zones) Regulation 2001

under the

Road Transport (Driver Licensing) Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (Driver Licensing) Act 1998*.

CARL SCULLY, M.P.,
Minister for Roads

Explanatory note

The object of this Regulation is to amend the *Road Transport (Driver Licensing) Regulation 1999* to increase the demerit points incurred for certain traffic offences where committed by the drivers of certain heavy vehicles in the vicinity of a Safe-T-Cam.

This Regulation is made under the *Road Transport (Driver Licensing) Act 1998*, including sections 15 (Offences for which demerit points are incurred) and 19 (the general regulation-making power).

Clause 1 Road Transport (Driver Licensing) Amendment (Safe-T-Cam Zones)
 Regulation 2001

Road Transport (Driver Licensing) Amendment (Safe-T-Cam Zones) Regulation 2001

1 Name of Regulation

This Regulation is the *Road Transport (Driver Licensing) Amendment (Safe-T-Cam Zones) Regulation 2001*.

2 Amendment of Road Transport (Driver Licensing) Regulation 1999

The *Road Transport (Driver Licensing) Regulation 1999* is amended as set out in Schedule 1.

Road Transport (Driver Licensing) Amendment (Safe-T-Cam Zones)
Regulation 2001

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 2)

[1] Schedule 1 Demerit points offences and penalties

Omit the matter relating to Rule 127 of the *Australian Road Rules* from Part 2 of Schedule 1.

Insert instead:

Long vehicle following other long vehicle too closely, other than where following long vehicle is:	3	4	Rule 127 of <i>Australian Road Rules</i>
(a) a class C motor vehicle, and			
(b) in a Safe-T-Cam zone			
Long vehicle following other long vehicle too closely, where following long vehicle is:	4	5	Rule 127 of <i>Australian Road Rules</i>
(a) a class C motor vehicle, and			
(b) in a Safe-T-Cam zone			

Road Transport (Driver Licensing) Amendment (Safe-T-Cam Zones)
Regulation 2001

Schedule 1 Amendments

[2] Schedule 1, Part 2

Omit the matter relating to Rules 147 and 146 of the *Australian Road Rules*.

Insert instead:

Cross continuous line separating marked lanes, other than where vehicle crossing line is:	3	4	Rule 147 of <i>Australian Road Rules</i>
(a) a class C motor vehicle, and			
(b) in a Safe-T-Cam zone			
Cross continuous line separating marked lanes, where vehicle crossing line is:	4	5	Rule 147 of <i>Australian Road Rules</i>
(a) a class C motor vehicle, and			
(b) in a Safe-T-Cam zone			
Not drive within single marked lane or line of traffic, other than where vehicle not driven within single marked lane or line of traffic is:	3	4	Rule 146 of <i>Australian Road Rules</i>
(a) a class C motor vehicle, and			
(b) in a Safe-T-Cam zone			

Road Transport (Driver Licensing) Amendment (Safe-T-Cam Zones)
Regulation 2001

Amendments

Schedule 1

Not drive within single marked lane or line of traffic, where vehicle not driven within single marked lane or line of traffic is:	4	5	Rule 146 of <i>Australian Road Rules</i>
(a) a class C motor vehicle, and			
(b) in a Safe-T-Cam zone			

[3] Schedule 1, Part 2

Omit the matter relating to clause 53 (1) of the *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999*.

Insert instead:

Driving at night/dark without headlight alight, other than where vehicle driven is:	1	2	Clause 53 (1) of <i>Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999</i>
(a) a class C motor vehicle, and			
(b) in a Safe-T-Cam zone			
Driving at night/dark without headlight alight, where vehicle driven is:	4	5	Clause 53 (1) of <i>Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999</i>
(a) a class C motor vehicle, and			
(b) in a Safe-T-Cam zone			

Road Transport (Driver Licensing) Amendment (Safe-T-Cam Zones)
Regulation 2001

Schedule 1 Amendments

[4] Schedule 1, Part 2

Insert the following at the end of the Part:

Drive on/over continuous white edge line, where vehicle driven is:	4	5	Rule 150 of <i>Australian Road Rules</i>
(a) a class C motor vehicle, and			
(b) in a Safe-T-Cam zone			

[5] Dictionary

Insert in alphabetical order:

class C motor vehicle means a coach (within the meaning of the *Road Transport (Safety and Traffic Management) Act 1999*) or a motor vehicle with a GVM of more than 12 tonnes.

Safe-T-Cam sign means a traffic sign bearing the words "SAFE-T-CAM MANAGING SPEED AND FATIGUE".

Safe-T-Cam zone means a length of road to which a Safe-T-Cam sign applies, being a length of road beginning at a Safe-T-Cam sign and ending 100 metres along the length of road in the direction driven by a driver on the road who faces the sign before passing it.

Road Transport (General) (Short Descriptions and Penalty Notice Offences) Amendment (Safe-T-Cam Zones) Regulation 2001

under the

Road Transport (General) Act 1999

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (General) Act 1999*.

CARL SCULLY, M.P.,
Minister for Roads

Explanatory note

The object of this Regulation is to amend the *Road Transport (General) (Short Descriptions and Penalty Notice Offences) Regulation 1999* to increase the penalties for certain traffic offences where committed by drivers of certain heavy vehicles in the vicinity of a Safe-T-Cam.

This Regulation also makes minor amendments in the nature of statute law revision.

This Regulation is made under the *Road Transport (General) Act 1999*, including sections 15 (Penalty notices for certain offences) and 71 (the general regulation-making power).

Clause 1 Road Transport (General) (Short Descriptions and Penalty Notice Offences) Amendment (Safe-T-Cam Zones) Regulation 2001

Road Transport (General) (Short Descriptions and Penalty Notice Offences) Amendment (Safe-T-Cam Zones) Regulation 2001

1 Name of Regulation

This Regulation is the *Road Transport (General) (Short Descriptions and Penalty Notice Offences) Amendment (Safe-T-Cam Zones) Regulation 2001*.

2 Amendment of Road Transport (General) (Short Descriptions and Penalty Notice Offences) Regulation 1999

The *Road Transport (General) (Short Descriptions and Penalty Notice Offences) Regulation 1999* is amended as set out in Schedule 1.

Road Transport (General) (Short Descriptions and Penalty Notice
Offences) Amendment (Safe-T-Cam Zones) Regulation 2001

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 2)

[1] Clause 3 Definitions

Insert in clause 3 (1) in appropriate order:

Safe-T-Cam sign means a traffic sign bearing the words
“SAFE-T-CAM MANAGING SPEED AND FATIGUE”.

Safe-T-Cam zone means a length of road to which a
Safe-T-Cam sign applies, being a length of road beginning at
a Safe-T-Cam sign and ending 100 metres along the length of
road in the direction driven by a driver on the road who faces
the sign before passing it.

[2] Schedule 2 Penalty notice offences

Omit the matter relating to Rule 127 (1) of the *Australian Road Rules*.

Insert instead in appropriate order:

Rule 127 (1), in relation to a class C motor vehicle in a Safe-T-Cam zone	2712	long vehicle not required distance from other long vehicle	1	857
Rule 127 (1), otherwise than in relation to a class C motor vehicle in a Safe-T-Cam zone	3007	long vehicle not required distance from other long vehicle	1	165

Road Transport (General) (Short Descriptions and Penalty Notice
Offences) Amendment (Safe-T-Cam Zones) Regulation 2001

Schedule 1 Amendments

[3] Schedule 2

Omit the matter relating to Rule 146 (1) and (2) of the *Australian Road Rules*.

Insert instead in appropriate order:

Rule 146 (1), in relation to a class C motor vehicle in a Safe-T-Cam zone	2713	not drive within marked lane on multi-lane road	1	857
Rule 146 (1), otherwise than in relation to a class C motor vehicle in a Safe-T-Cam zone	3028	not drive within marked lane on multi-lane road	1	118
Rule 146 (2), in relation to a class C motor vehicle in a Safe-T-Cam zone	2724	not drive within single line of traffic (no lanes marked)	1	857
Rule 146 (2), otherwise than in relation to a class C motor vehicle in a Safe-T-Cam zone	3029	not drive within single line of traffic (no lanes marked)	1	118

[4] Schedule 2

Omit the matter relating to Rule 147 of the *Australian Road Rules*.

Insert instead in appropriate order:

Rule 147, in relation to a class C motor vehicle in a Safe-T-Cam zone	2716	move from marked lane to another across continuous line	1	857
Rule 147, otherwise than in relation to a class C motor vehicle in a Safe-T-Cam zone	3030	move from marked lane to another across continuous line	1	118

Road Transport (General) (Short Descriptions and Penalty Notice
Offences) Amendment (Safe-T-Cam Zones) Regulation 2001

Amendments

Schedule 1

[5] Schedule 2

Omit the matter relating to Rule 150 (1) of the *Australian Road Rules*.
Insert instead in appropriate order:

Rule 150 (1), in relation to a class C motor vehicle in a Safe-T-Cam zone	2669	drive on/over continuous white edge line	1	857
Rule 150 (1), otherwise than in relation to a class C motor vehicle in a Safe-T-Cam zone	3034	drive on/over continuous white edge line	1	70

[6] Schedule 2

Omit the matter relating to clause 53 (1) of the *Road Transport (Safety and
Traffic Management) (Road Rules) Regulation 1999*.
Insert instead in appropriate order:

Clause 53 (1), in relation to a class C motor vehicle in a Safe-T-Cam zone	2717	drive with lights not turned on	1	857
Clause 53 (1), otherwise than in relation to a class C motor vehicle in a Safe-T-Cam zone	3781	drive with lights not turned on	1	70

Road Transport (General) (Short Descriptions and Penalty Notice Offences) Amendment (Traffic Management) Regulation 2001

under the

Road Transport (General) Act 1999

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (General) Act 1999*.

CARL SCULLY, M.P.,
Minister for Roads

Explanatory note

The object of this Regulation is to designate Traffic Commanders, appointed or employed by the Roads and Traffic Authority, as authorised officers for the purpose of issuing penalty notices for certain offences and to make other law revision amendments.

This Regulation is made under the *Road Transport (General) Act 1999*, including section 3 (1) (the definition of **authorised officer**), section 15 and section 71 (the general regulation-making power).

Clause 1 Road Transport (General) (Short Descriptions and Penalty Notice Offences) Amendment (Traffic Management) Regulation 2001

Road Transport (General) (Short Descriptions and Penalty Notice Offences) Amendment (Traffic Management) Regulation 2001

1 Name of Regulation

This Regulation is the *Road Transport (General) (Short Descriptions and Penalty Notice Offences) Amendment (Traffic Management) Regulation 2001*.

2 Amendment of Road Transport (General) (Short Descriptions and Penalty Notice Offences) Regulation 1999

The *Road Transport (General) (Short Descriptions and Penalty Notice Offences) Regulation 1999* is amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

Road Transport (General) (Short Descriptions and Penalty Notice Offences) Amendment (Traffic Management) Regulation 2001

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 2)

[1] Schedule 1 Authorised officers

Insert after the definition of *Class 16 officer*:

Class 17 officer means a person who is appointed or employed by the Roads and Traffic Authority as a Traffic Commander.

[2] Schedule 2 Penalty notice offences

Omit the matter relating to Rules 59 (1), 112 (2), 113 (2), 167, 168 (1), 169, 170, 176 (1), 177 (1), 178, 187, 191, 192, 293 (2) and 304 (1) of the *Australian Road Rules*.

Insert instead in appropriate order:

Rule 59 (1), otherwise than at toll booth	2883, 3835, 3836, 3837, 3838	proceed through red traffic light	1	211
Rule 59 (1), at toll booth	3801	proceed through red traffic light	1	126
Rule 112 (2)	2982	enter roundabout not give left change of direction signal	1	118
Rule 113 (2)	2984	enter roundabout not give right change of direction signal	1	118
Rule 167, in relation to a sign bearing the words "no stopping"	3261, 3371, 6963, 9190	disobey no stopping sign	1, 13, 17	141
Rule 167, in relation to a sign bearing the words "no standing"	0036, 0037, 7518, 7519	disobey no standing sign	1, 13, 17	63

Road Transport (General) (Short Descriptions and Penalty Notice
Offences) Amendment (Traffic Management) Regulation 2001

Schedule 1

Amendments

Rule 168 (1)	3262, 3372, 6964, 9191	disobey no parking sign	1, 13, 17	63
Rule 169	3263, 3373, 6965, 9192	stop at side of road with continuous yellow edge line	1, 13, 17	141
Rule 170 (1)	3264, 3374, 6966, 9193	stop in intersection	1, 13, 17	63
Rule 170 (2)	3265, 3375, 8465, 6967	stop on/near intersection (traffic lights)	1, 13, 17	63
Rule 170 (3)	3266, 3376, 8466, 6968	stop on/near intersection (no traffic lights)	1, 13, 17	63
Rule 176 (1)	3272, 3382, 8472, 6974	stop on clearway	1, 13, 17	141
Rule 177 (1)	3273, 3383, 8473, 6975	stop on freeway	1, 13, 17	141
Rule 178	3274, 3384, 8474, 6976	stop in emergency stopping lane	1, 13, 17	141
Rule 187 (1)	3287, 3397, 8487, 6989	stop in/on bus/transit/truck lane	1, 13, 17	118
Rule 187 (2)	1410, 1413, 8654, 8656	stop in/on bicycle lane	1, 13, 17	86
Rule 187 (2), in relation to clearway, bus or transit lane	1417, 1418, 8658, 8659	stop in/on bicycle lane (in clearway/ bus/transit lane)	1, 13, 17	118
Rule 187 (3)	3290, 3400, 6992, 9194	stop in/on tram lane/ tracks	1, 13, 17	86
Rule 187 (3), in relation to clearway, bus or transit lane	3288, 3398, 8488, 6990	stop in/on tram lane/tracks (in clearway/bus/ transit lane)	1, 13, 17	118

Road Transport (General) (Short Descriptions and Penalty Notice
Offences) Amendment (Traffic Management) Regulation 2001

Amendments

Schedule 1

Rule 191	3294, 3404, 6996, 9198	stop near obstruction so as to obstruct traffic	1, 13, 17	63
Rule 192 (1)	3295, 3405, 6997, 9199	stop on structure	1, 13, 17	63
Rule 192 (2)	3296, 3406, 6998, 9200	stop in tunnel/underpass	1, 13, 17	63
Rule 293 (2)	3215, 9132	not remove/have removed any thing fallen/put on road	1, 2, 17	118
Rule 304 (1)	3239	not obey direction of police/authorised person	1, 17	45

[3] Schedule 2

Omit the matter relating to section 23 of the *Road Transport (Driver Licensing) Act 1998*.

Insert instead:

Section 23 (1) (a)	1391	unlawfully possess Australian licence	1	503
Section 23 (1) (b)	1392	unlawfully possess article like licence	1	503
Section 23 (2)	1393	alter licence	1	503
Section 23 (3)	1394	produce altered licence	1	503
Section 23 (4) (in relation to forging a driver licence)	1397	forge driver licence	1	503

Road Transport (General) (Short Descriptions and Penalty Notice
Offences) Amendment (Traffic Management) Regulation 2001

Schedule 1 Amendments

Section 23 (4) (in relation to fraudulently altering, using or lending a driver licence)	1399	fraudulently alter/use/lend driver licence	1	503
Section 23 (4) (in relation to fraudulently allowing a driver licence to be used by another person)	1407	allow use of driver licence by other person	1	503

[4] Schedule 2

Omit the matter relating to item (f) relating to section 25 (1) (b) of the *Road Transport (Driver Licensing) Act 1998*.

Insert instead:

(f) where the driver had never been licensed within the meaning of section 25 (4) (for the first offence only)	3846, 8660	permit unlicensed driver/rider	1, 2	524
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[5] Schedule 2

Insert “or axle group” after “with respect to that axle” in Column 1 of item (b) in relation to clause 16 (operate or drive Class 2 vehicle not in accordance with notice or permit) of the *Road Transport (Mass, Loading and Access) Regulation 1996*.

[6] Schedule 2

Omit “, or the sum of the axle loads on a twinsteer axle group or a tandem axle group,” from Column 1 of item (a) in relation to clause 36 (in relation to a breach of a mass limit in respect of a condition of a notice or permit by owner of part of a combination) of the *Road Transport (Mass, Loading and Access) Regulation 1996*.

Road Transport (General) (Short Descriptions and Penalty Notice Offences) Amendment (Traffic Management) Regulation 2001

Amendments

Schedule 1

[7] Schedule 2

Omit “or axle group” from Column 1 of item (a) in relation to clause 36 (in relation to a breach of a mass limit in respect of a condition of a notice or permit by owner of part of a combination) of the *Road Transport (Mass, Loading and Access) Regulation 1996*.

[8] Schedule 2

Insert “, or the sum of the axle loads on a twinsteer axle group or a tandem axle group” after “dual tyres” in Column 1 of item (b) in relation to clause 36 (in relation to a breach of a mass limit in respect of a condition of a notice or permit by owner of part of a combination) of the *Road Transport (Mass, Loading and Access) Regulation 1996*.

[9] Schedule 2

Insert “or axle group” after “with respect to that axle” in Column 1 of item (b) in relation to clause 36 (in relation to a breach of a mass limit in respect of a condition of a notice or permit by owner of part of a combination) of the *Road Transport (Mass, Loading and Access) Regulation 1996*.

[10] Schedule 2

Omit the matter relating to clause 60 of the *Road Transport (Safety and Traffic Management) (Driver Fatigue) Regulation 1999*.

Insert instead:

Clause 60 (1)	8309	driver not give copy of driving records to employer	1, 2, 4	157
Clause 60 (2)	4211	employer not obtain copy of employee driving records	1, 2, 4	157

Road Transport (General) (Short Descriptions and Penalty Notice
Offences) Amendment (Traffic Management) Regulation 2001

Schedule 1 Amendments

[11] Schedule 2

Omit the matter relating to clauses 43, 60 (1), 79 (1), 82 (1) and 132 of the *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999*.

Insert instead in appropriate order:

Clause 43 (1)	3758	allow waste oil/grease to drop on roadway	1, 2, 17	95
Clause 43 (2)	3759	responsible person allow waste oil/grease to drop on roadway	1, 2, 17	95
Clause 60 (1)	3330, 3440, 8423, 9577	stop/park in restricted parking area	1, 8, 9, 10, 11, 13, 16, 17	63
Clause 79 (1)	0740, 773, 9238, 9239	park in special event parking area	1, 13, 14, 16, 17	141
Clause 82 (1)		stop/wait next to clearway line	17	
Clause 132 (1)	3569	obscure traffic control device	1, 2, 12, 17	118
Clause 132 (2)		not remove obstruction from traffic control device	1, 2, 12, 17	118

Road Transport (Safety and Traffic Management) (Road Rules) Amendment (Parking Meters and Ticket Machines) Regulation 2001

under the

Road Transport (Safety and Traffic Management) Act 1999

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (Safety and Traffic Management) Act 1999*.

CARL SCULLY, M.P.,
Minister for Roads

Explanatory note

The object of this Regulation is to amend the *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999* (the **principal regulation**):

- (a) to allow a person to park a vehicle in a metered parking space without the need to pay for unexpired time displayed on the relevant parking meter, and
- (b) to allow a person to pay a fee indicated on a parking meter or ticket machine, by using a smart card.

Schedule 1 [1] amends clause 61 of the principal regulation. At present, clause 61 (2) creates an offence for parking a vehicle in a metered parking space without paying the relevant parking fee for at least the minimum period of time for which parking in the space must be paid. The amendment allows a person to park a vehicle in a metered parking space without the need to pay for any unexpired time displayed on the relevant parking meter.

Road Transport (Safety and Traffic Management) (Road Rules) Amendment (Parking Meters and Ticket Machines) Regulation 2001

Explanatory note

Schedule 1 [4] and [5] amend clauses 99 and 104 of the principal regulation. The amendments allow a person to pay the fee indicated on a parking meter or ticket machine for parking in a metered parking space or ticket parking area by using a smart card. Schedule 1 [6] inserts a definition of *smart card* in the Dictionary. Schedule 1 [2] and [3] make consequential amendments.

This Regulation is made under the *Road Transport (Safety and Traffic Management) Act 1999*, including section 71 (the general regulation-making power) and Schedule 1 (Regulation-making powers).

Road Transport (Safety and Traffic Management) (Road Rules)
Amendment (Parking Meters and Ticket Machines) Regulation 2001

Clause 1

Road Transport (Safety and Traffic Management) (Road Rules) Amendment (Parking Meters and Ticket Machines) Regulation 2001

1 Name of Regulation

This Regulation is the *Road Transport (Safety and Traffic Management) (Road Rules) Amendment (Parking Meters and Ticket Machines) Regulation 2001*.

2 Commencement

This Regulation commences on 21 December 2001.

3 Amendment of Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999

The *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999* is amended as set out in Schedule 1.

Road Transport (Safety and Traffic Management) (Road Rules)
Amendment (Parking Meters and Ticket Machines) Regulation 2001

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 3)

[1] Clause 61 Use of meters in metered parking areas

Omit clause 61 (3). Insert instead:

- (3) A person does not commit an offence against subclause (2) if:
- (a) the person parks a vehicle in a metered parking space before paying the relevant parking fee, so long as the person pays the fee immediately after parking, or
 - (b) when the person parks a vehicle in a metered parking space, the parking meter for the metered parking space is displaying unexpired time.

[2] Clause 64 Misuse of parking meters

Insert “, such as a smart card” after “payment” in clause 64 (a).

[3] Clause 70 Misuse of ticket machine

Insert “, such as a smart card” after “payment” in clause 70 (a).

[4] Clause 99 Parking meters

Omit clause 99 (1) (b). Insert instead:

- (b) that the fee may be paid using cash or a smart card, and
- (c) the denomination of coins to be used in the meter, if the fee is to be paid using cash, and
- (d) the type of card that may be used, and how the card is to be used, if the fee is to be paid using a smart card.

[5] Clause 104 Ticket machines

Omit clause 104 (b). Insert instead:

- (b) that the fee may be paid using cash or a smart card, and
- (c) the denomination of coins to be used in the machine, if the fee is to be paid using cash, and

Road Transport (Safety and Traffic Management) (Road Rules)
Amendment (Parking Meters and Ticket Machines) Regulation 2001

Amendments

Schedule 1

- (d) the type of card that may be used, and how the card is to be used, if the fee is to be paid using a smart card.

[6] Dictionary

Insert in alphabetical order in Part 1 of the Dictionary:

smart card means a stored-value card keeping a record of financial transactions made using the card.

Road Transport (Vehicle Registration) Amendment (Fees) Regulation (No 2) 2001

under the

Road Transport (Vehicle Registration) Act 1997

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (Vehicle Registration) Act 1997*.

CARL SCULLY, M.P.,
Minister for Roads

Explanatory note

The objects of this Regulation are:

- (a) to fix a fee for the issue of a number-plate or number-plates in respect of a vehicle, and the issue of replacement number-plates, with effect from 1 January 2002, and
- (b) to increase the fee payable in respect of the registration (or renewal of registration) or inspection of various categories of heavy vehicle, with effect from 1 March 2002.

This Regulation is made under the *Road Transport (Vehicle Registration) Act 1997*, including section 14 (the general regulation-making power) and section 15.

Road Transport (Vehicle Registration) Amendment (Fees) Regulation
(No 2) 2001

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 3)

[1] Clause 20 Number-plates generally

Insert “, on payment of the applicable scheduled fee for the issue of a vehicle number-plate or number-plates,” after “The Authority must” in clause 20 (2).

[2] Clause 27 Exchange of number-plates

Omit “applicable gazetted fee”. Insert instead “applicable scheduled fee”.

[3] Clause 28 Damaged number-plates

Omit “applicable gazetted fee” from clause 28 (2).

Insert instead “applicable scheduled fee”.

[4] Clause 28 (3)

Omit “on payment of any applicable gazetted fee for the issue”.

Insert instead “on payment of any applicable gazetted fee (in the case of a special number-plate), or any applicable scheduled fee (in any other case), for the issue”.

[5] Clause 29 Lost, stolen or destroyed number-plates

Omit clause 29 (3) (b). Insert instead:

- (b) if a vehicle number-plate is lost, stolen or destroyed—to pay any applicable scheduled fee for replacing a lost, stolen or destroyed number-plate.

[6] Clause 29 (4)

Omit “applicable gazetted fee”. Insert instead “applicable scheduled fee”.

Road Transport (Vehicle Registration) Amendment (Fees) Regulation
(No 2) 2001

Schedule 1 Amendments

[7] Schedule 2 Scheduled fees

Omit items 1 and 2. Insert instead:

Clauses 11 (1) (c) 1 and 32 (1) (b)	Registration or renewal of registration of a motor vehicle or trailer for a period exceeding 3 months in the case of:	
	(a) a motor vehicle (not being a motor vehicle referred to in paragraph (b), (c), (d), (e) or (f))	43
	(b) a public passenger vehicle:	
	(i) in the case of a bus (not being a bus registered in the name of the State Transit Authority) or other vehicle with an unladen weight of 5 tonnes or more equipped to seat more than 8 adult persons	343
	(ii) in the case of a bus (not being a bus registered in the name of the State Transit Authority) or other vehicle with an unladen weight of less than 5 tonnes equipped to seat more than 8 adult persons	193
	(iii) in the case of a taxi-cab (not being a taxi-cab licensed under the <i>Passenger Transport Act 1990</i> to operate in a transport district within the meaning of the <i>Transport Administration Act 1988</i>)	193

Road Transport (Vehicle Registration) Amendment (Fees) Regulation
(No 2) 2001

Amendments

Schedule 1

	(iv) in the case of any other public passenger vehicle (not being a mourning coach, private hire car or wedding car)	193
	(c) an articulated motor lorry	289
	(d) a motor lorry (not being an articulated motor lorry), including a tow truck that is not a trailer, with an unladen weight of 5 tonnes or more or a prime mover	193
	(e) a trailer, including a trailer that is a tow truck, with an unladen weight of 2.5 tonnes or more	142
	(f) a tow truck that is not a trailer, with an unladen weight of less than 5 tonnes or a trailer, that is a tow truck, with an unladen weight of less than 2.5 tonnes	119
Clauses 11 (1) (c) 2 and 32 (1) (b)	Registration or renewal of registration of a motor vehicle or trailer for a period not exceeding 3 months in the case of:	
	(a) a motor vehicle referred to in item 1 (a)	17
	(b) a motor vehicle referred to in:	
	(i) item 1 (b) (i)	93
	(ii) item 1 (b) (ii)	55
	(iii) item 1 (b) (iii)	55
	(iv) item 1 (b) (iv)	55
	(c) a motor vehicle or trailer referred to in:	
	(i) item 1 (c)	78
	(ii) item 1 (d)	55
	(iii) item 1 (e)	41
	(iv) item 1 (f)	36

Road Transport (Vehicle Registration) Amendment (Fees) Regulation
(No 2) 2001

Schedule 1 Amendments

[8] Schedule 2, items 2A and 2B

Insert after item 2:

Clause 20 (2)	2A	Issue of 1 number-plate or 2 number-plates with the same number: (a) in the case of a premium number-plate or number-plates in specially styled aluminium (not having a number that is comprised of 1 to 6 numerals only) (b) in any other case	58 30
Clauses 27, 28 (2) and (3) and 29 (3) (b) and (4)	2B	Issue of 1 number-plate or 2 number-plates with the same number (not being a special number-plate or number-plates) to replace a surrendered, damaged, lost, stolen or destroyed number-plate or number-plates: (a) in the case of a premium number-plate or number-plates in specially styled aluminium (not having a number that is comprised of 1 to 6 numerals only) (b) in any other case	42 30

Road Transport (Vehicle Registration) Amendment (Fees) Regulation
(No 2) 2001

Amendments

Schedule 1

[9] Schedule 2, item 6

Omit the item. Insert instead:

Clause 62 (1)	6	<p>Inspection of applicable vehicle by the Authority (other than an inspection to which item 7 or 8 applies):</p> <p>(a) in the case of an articulated motor lorry 246</p> <p>(b) in the case of a bus or other vehicle with an unladen weight of 5 tonnes or more equipped to seat more than 8 adult persons 150</p> <p>(c) in the case of a motor lorry (not being an articulated motor lorry), including a tow truck that is not a trailer, with an unladen weight of 5 tonnes or more or a prime mover 150</p> <p>(d) in the case of a motor lorry (not being an articulated motor lorry or a tow truck) with an unladen weight of more than 2 tonnes but less than 5 tonnes 36</p> <p>(e) in the case of a bus or other vehicle with an unladen weight of less than 5 tonnes equipped to seat more than 8 adult persons 76</p> <p>(f) in the case of a taxi-cab or other public passenger vehicle (not being a public passenger vehicle referred to in paragraph (b) or (e) or mourning coach, private hire car or wedding car) 76</p> <p>(g) in the case of a trailer, including a trailer that is a tow truck, with an unladen weight of 2.5 tonnes or more 99</p>
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Road Transport (Vehicle Registration) Amendment (Fees) Regulation
(No 2) 2001

Schedule 1 Amendments

- (h) in the case of a tow truck that is not a trailer with an unladen weight of less than 5 tonnes or a trailer, that is a tow truck, with an unladen weight of less than 2.5 tonnes 76
- (i) in the case of a trailer (not being a trailer that is a tow truck) with an unladen weight of less than 2.5 tonnes 16
- (j) in the case of a motor bike 16
- (k) in the case of any other registrable vehicle 26

Road Transport (Vehicle Registration) Amendment (Traffic Management) Regulation 2001

under the

Road Transport (Vehicle Registration) Act 1997

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (Vehicle Registration) Act 1997*.

CARL SCULLY, M.P.,
Minister for Roads

Explanatory note

The object of this Regulation is to include a vehicle used by a Traffic Commander, or a Traffic Emergency Patroller, of the Roads and Traffic Authority, in the class of vehicles capable of being fitted with a siren and the class of vehicles capable of displaying a flashing or rotating light which is blue or red.

This Regulation is made under the *Road Transport (Vehicle Registration) Act 1997*, including section 14 (the general regulation-making power) and section 15A.

Clause 1 Road Transport (Vehicle Registration) Amendment (Traffic Management) Regulation 2001

Road Transport (Vehicle Registration) Amendment (Traffic Management) Regulation 2001

1 Name of Regulation

This Regulation is the *Road Transport (Vehicle Registration) Amendment (Traffic Management) Regulation 2001*.

2 Amendment of Road Transport (Vehicle Registration) Regulation 1998

The *Road Transport (Vehicle Registration) Regulation 1998* is amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

Road Transport (Vehicle Registration) Amendment (Traffic Management)
Regulation 2001

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 2)

[1] Schedule 4 Vehicle standards

Insert after clause 33 (3) (g) in Division 1 of Part 2:

, or

- (h) a vehicle used by a Traffic Commander or a Traffic Emergency Patroller, appointed or employed by the Authority.

[2] Schedule 4

Insert “or a vehicle used by a Traffic Commander or a Traffic Emergency Patroller, appointed or employed by the Authority” after “fire fighting vehicle” in clause 123 (5) (a) in Division 19 of Part 5.

Rules

ELECTRICITY SUPPLY ACT 1995

Notice of Amendment of Market Operations (NSW Transfer Rules for Retail Electricity Supply) Rules No. 4 of 2001 under section 63C of the *Electricity Supply Act 1995*.

I, Kim YEADON, Minister for Energy, pursuant to section 63C of the Electricity Supply Act 1995, give notice of the approval of amendments to the Market Operations (NSW Transfer Rules for Retail Electricity Supply) Rules No. 4 of 2001 as set out in Schedule 1. The amendments to the Market Operations Rules take effect on the day on which this notice is published.

Kim Yeadon, M.P.,
Minister for Energy

Schedule 1

[1] Insert after clause 12, clause 12A:

“12A Transitional Requirement for the transfer of a Small Retail Customer

12A.1 A Retail Supplier must not complete the transfer of a *Small Retail Customer* unless there is a *Scheduled Meter Reading*.

12A.2 Nothing in subclause 12A.1 prevents a *Retail Supplier* from completing a transfer if the *Retail Supplier*, with the consent of the *Small Retail Customer*, obtains a *Special Meter Reading* for the *Small Retail Customer*.

12A.3 In this clause:

- (a) “*Metering Data Provider*” has the same meaning as in the *NEMMCO Transfer Procedures*.
- (b) “*Scheduled Meter Reading*” means a meter reading that occurs during the customer’s normal billing cycle.
- (c) “*Special Meter Reading*” means a meter reading by a *Metering Data Provider* other than a *Scheduled Meter Reading*.

12A.4 This clause ceases to apply on 1 July 2002.”

Orders

Fisheries Management Amendment (Threatened Species Conservation) Order (No 5) 2001

under the

Fisheries Management Act 1994

I, the Minister for Fisheries, on the recommendation of the Fisheries Scientific Committee, make the following Order under section 220D of the *Fisheries Management Act 1994*.

Dated this 19th day of December 2001.

The Hon EDWARD OBEID, M.L.C.,
Minister for Fisheries

Explanatory note

Part 7A of the *Fisheries Management Act 1994* (the Act) deals with the conservation of threatened species, populations and ecological communities of fish and marine vegetation. For the purposes of identification and classification, provision is made for the listing:

- (a) in Schedule 4 to the Act, of endangered species, endangered populations, and endangered ecological communities and species that are presumed to be extinct, and
- (b) in Schedule 5, of vulnerable species, and
- (c) in Schedule 6, of key threatening processes.

Under the Act, listings and amendments to listings are to be made by the Minister by order on the recommendation of the Fisheries Scientific Committee (the Committee).

Fisheries Management Amendment (Threatened Species Conservation) Order (No 5) 2001

Explanatory note

The object of this Order is to list the aquatic ecological community in the natural drainage system of the lower Murray River catchment in Part 3 of Schedule 4 to the Act (Endangered ecological communities), as recommended by the Committee.

The Committee has recommended this listing because it considers that the community is likely to become extinct in nature in New South Wales unless the circumstances and factors threatening its survival cease to operate.

The Committee's recommendation is available for inspection at all NSW Fisheries Offices.

Fisheries Management Amendment (Threatened Species Conservation)
Order (No 5) 2001

Clause 1

Fisheries Management Amendment (Threatened Species Conservation) Order (No 5) 2001

1 Name of Order

This Order is the *Fisheries Management Amendment (Threatened Species Conservation) Order (No 5) 2001*.

2 Commencement

This Order takes effect on the date that it is published in the Gazette.

3 Amendment of Fisheries Management Act 1994—Schedule 4, Part 3 Endangered ecological communities

The *Fisheries Management Act 1994* is amended by inserting in Part 3 of Schedule 4 to that Act:

Aquatic ecological community in the natural drainage system of the lower Murray River catchment (as described in the recommendation of the Fisheries Scientific Committee to list the ecological community)

4 Notes

The explanatory note does not form part of this Order.

Fisheries Management (Continuation of Activities in Lower Murray River) Interim Order 2001

under the

Fisheries Management Act 1994

I, the Minister for Fisheries, make the following Order under section 221IG of the *Fisheries Management Act 1994*.

Dated this 19th day of December 2001.

The Hon EDWARD OBEID, M.L.C.,
Minister for Fisheries

Explanatory note

The aquatic ecological community in the natural drainage system of the lower Murray River catchment is listed as an endangered ecological community under the *Fisheries Management Act 1994*.

However, the Act enables the Minister for Fisheries to make an order authorising a class of persons to carry out an activity that may result in harm to an endangered species, population or ecological community or damage to its habitat. As an interim measure (that is, while such a proposed order is being assessed under the Act) the Minister may make an order lasting up to 6 months to allow an existing activity to be continued.

The object of this Order is to make such interim provision in relation to the continuation of certain recreational and commercial fishing activities in the natural drainage system of the lower Murray River catchment. The activities the subject of this Order may only continue subject to compliance with any applicable fishing regulatory controls. (For example, the taking of silver perch is to be subject to compliance with the fishing closure under section 8 of the *Fisheries Management*

Fisheries Management (Continuation of Activities in Lower Murray River) Interim Order 2001

Explanatory note

Act 1994 that prohibits the taking of silver perch by all methods of fishing from all New South Wales waters except, and only to the extent it is otherwise lawful to do so, from the backed up waters of any dam or impoundment.)

The recommendation of the Fisheries Scientific Committee referred to in this Order is available for inspection at all NSW Fisheries Offices.

This Order is made under section 221IG of the *Fisheries Management Act 1994*.

Fisheries Management (Continuation of Activities in Lower Murray River) Interim Order 2001

1 Name of Order

This Order is the *Fisheries Management (Continuation of Activities in Lower Murray River) Interim Order 2001*.

2 Commencement and duration

This Order:

- (a) takes effect on the day that it is published in the Gazette, and
- (b) ceases to have effect on the day that is 6 months after the day on which it takes effect.

3 Continuation of existing activities

- (1) The following activities may continue in the natural drainage system of the lower Murray River catchment (as described in the recommendation of the Fisheries Scientific Committee to list the aquatic ecological community in that system as an endangered ecological community) subject to compliance with any applicable fishing regulatory controls:

- (a) recreational fishers may take or possess any of the following:
 - (i) *Paratya australiensis* (freshwater shrimp),
 - (ii) *Macrobrachium australiense* (freshwater prawn),
 - (iii) *Caridina mccullochi* (freshwater shrimp),
 - (iv) *Cherax destructor* (yabby),
 - (v) *Euastacus armatus* (Murray crayfish),
 - (vi) *Tandanus tandanus* (freshwater catfish),
 - (vii) *Gadopsis marmoratus* (river blackfish),
 - (viii) *Maccullochella peelii peelii* (Murray cod),
 - (ix) *Macquaria ambigua* (golden perch),
 - (x) *Bidyanus bidyanus* (silver perch),
 - (xi) *Nematalosa erebi* (bony bream),

or carry out any routine activity in that connection,

Clause 3 Fisheries Management (Continuation of Activities in Lower Murray River)
Interim Order 2001

- (b) persons holding a commercial fishing licence with a class A: Yabby and carp endorsement (transferable) may take, possess or sell *Cherax destructor* (yabby), or carry out any routine activity in that connection.
- (2) In this clause ***fishing regulatory controls*** has the same meaning it has in Division 5 of Part 5 of the *Environmental Planning and Assessment Act 1979*.

Ref. No. FR16
File No. FSC 01/01

RECOMMENDATION

AQUATIC ECOLOGICAL COMMUNITY IN THE NATURAL DRAINAGE SYSTEM OF THE LOWER MURRAY RIVER CATCHMENT.

The Fisheries Scientific Committee, established under Part 7A of the *Fisheries Management Act 1994* (the Act), has made a recommendation to list the Aquatic Ecological Community In The Natural Drainage System Of The Lower Murray River Catchment as an ENDANGERED ECOLOGICAL COMMUNITY in Part 3 of Schedule 4 of the Act.

Included in the recommendation are all natural creeks, rivers, and associated lagoons, billabongs and lakes of the regulated portions of the Murray River (also known as the River Murray) downstream of Hume Weir, the Murrumbidgee River downstream of Burrinjuck Dam, the Tumut River downstream of Blowering Dam and all their tributaries anabranches and effluents including Billabong Creek, Yanco Creek, Colombo Creek, and their tributaries, the Edward River and the Wakool River and their tributaries, anabranches and effluents, Frenchmans Creek, the Rufus River and Lake Victoria. Excluded from this recommendation are the Lachlan River and the Darling River and their tributaries, and man made/artificial canals, water distribution and drainage works, farm dams and off-stream reservoirs.

Listing of Endangered Ecological Communities is provided for by Part 7A, Division 2 of the Act.

The Fisheries Scientific Committee has found that:

The aquatic ecological community of the lower Murray, Murrumbidgee, and Tumut Rivers is characterised by the following assemblage of native animal species:

CRUSTACEANS	
<i>Austrochiltonia australis</i> (water scud)	<i>Paratya australiensis</i> (freshwater shrimp)
<i>Austrochiltonia subtenuis</i> (water scud)	<i>Macrobrachium australiense</i> (freshwater prawn)
<i>Bosmina meridonalis</i> (water flea)	<i>Cherax destructor</i> (Yabbie)
<i>Daphnia lumholtzi</i> (water flea)	<i>Euastacus armatus</i> (Murray cray)
<i>Boeckella fluviialis</i> (copepod)	<i>Tachea picta</i> (shrimp lice)
<i>Caridina mccullochi</i> (fresh water shrimp)	<i>Heterias pusilla</i> (freshwater slater)
FISHES	
<i>Mordacia mordax</i> (Shortheaded lamprey)	<i>Nematalosa erebi</i> (Bony bream)
<i>Galaxias olidus</i> (Mountain galaxias)	<i>Galaxias rostratus</i> (Murray jollytail)
<i>Retropinna semoni</i> (Southern smelt)	<i>Tandanus tandanus</i> (Freshwater catfish)

* <i>Craterocephalus fluviatilis</i> (Murray hardyhead)	<i>Craterocephalus stercusmuscarum fulvus</i> (Nonspecked hardyhead)
<i>Melanotaenia fluviatilis</i> (Crimsonspotted rainbowfish)	* <i>Ambassis agassizi</i> (Olive perchlet)
* <i>Maccullochella macquariensis</i> (Trout cod)	<i>Maccullochella peeli peeli</i> (Murray cod)
<i>Macquaria ambigua</i> (Golden perch)	* <i>Macquaria australasica</i> (Macquarie perch)
* <i>Nannoperca australis</i> (Southern pygmy perch)	<i>Gadopsis marmoratus</i> (River blackfish)
* <i>Bidyanus bidyanus</i> (Silver perch)	<i>Hypseleotris klunzingeri</i> (Western carp gudgeon)
<i>Hypseleotris</i> sp. 4 (Midgleys carp gudgeon)	<i>Hypseleotris</i> sp. 5 (Lakes carp gudgeon)
* <i>Mogurnda adspersa</i> (Purplespotted gudgeon)	<i>Philypnodon grandiceps</i> (Flathead gudgeon)
<i>Philypnodon</i> sp. (Dwarf flathead gudgeon)	
INSECTS	
<i>Antiporus femoralis</i> (water beetle)	<i>Micronecta gracilis</i> (water bug)
<i>Antiporus gilberti</i> (water beetle)	<i>Microvelia paramoena</i> (water bug)
<i>Chironomus cloacalis</i> (midge)	<i>Xanthagrion erythroneurum</i> (dragonfly)
<i>Coelopynia pruinosa</i> (midge)	<i>Hemicordulia tau</i> (dragonfly)
<i>Cryptochironomus grisiedorsum</i> (midge)	<i>Austrogompus cornutus</i> (dragonfly)
<i>Kiefferulus martini</i> (midge)	<i>Notostricta solida</i> (dragonfly)
<i>Procladius paludicola</i> (midge)	<i>Anisocentropus latifascia</i> (caddis fly)
<i>Tanytarsus fuscithorax</i> (midge)	<i>Ecnomus pansus</i> (caddis fly)
<i>Micronecta annae annae</i> (water bug)	<i>Hellyethira eskensis</i> (caddis fly)
MOLLUSCS	
<i>Alathyria condola</i> (bivalve)	<i>Austropeplea lessoni</i> (snail)
<i>Alathyria jacksoni</i> (bivalve)	<i>Glyptophysa gibbosa</i> (snail)
<i>Corbiculina australis</i> (bivalve)	* <i>Notopala sublineata hanleyi</i> (snail)
<i>Sphaerium problematicum</i> (bivalve)	<i>Thiara balonnensis</i> (snail)
<i>Sphaerium tasmanicum</i> (bivalve)	<i>Velesunio ambiguus</i> (bivalve)
OTHER	
<i>Ephydatia ramsayi</i> (freshwater sponge)	<i>Brachionus falcatus</i> (rotifer)
<i>Eunapius fragilis</i> (freshwater sponge)	<i>Brachionus novaezealandia</i> (rotifer)
<i>Heterorotula contraversa</i> (sponge)	<i>Microscolex dubius</i> (oligochaete worm)
	<i>Temnocephala chaeropsis</i> (flatworm)

An * beside the species denotes a proposed or listed threatened species in the Act.

1. The total species list of the community is much larger than that given above. Only fishes, most macro-molluscs and most macro-crustaceans have been listed comprehensively. With more than 400 aquatic invertebrate species recorded from the Murray, only representative species of each of the major invertebrate groups are included here. At any particular site, not all of the assemblage listed above may be present at any one time. The species composition of a site will be influenced by the size and ecological characteristics of the area and the level of threatening processes present.

2. In its natural state, the particular area occupied by this community was characterised by a seasonal pattern of winter/spring high flows and floods and summer/autumn periods of low flow. Many species rely on this seasonal flow pattern for successful reproduction. Regulation of the system by numerous dams and weirs has reversed the seasonal flow regime and has stopped migrations upriver because passageways over or around the barriers were few. The release of cold water from the bottom of dams and weirs has also upset the natural temperature regime, with further deleterious effects on fish reproduction by cold water pollution.

3. The presence of at least six different species of introduced fishes, (carp, goldfish, redfin perch, eastern mosquitofish, oriental weatherloach, and tench) is an additional threat to the community. Such introduced species can act as predators, competitors, disease carriers, and/or habitat modifiers. Carp, redfin perch, and eastern mosquitofish have all been identified as having deleterious effects on native species.

4. The clearing of riparian vegetation and continued stock access to the riparian zone, in addition to the removal of logs and snags from the river bottom, detrimentally increases erosion and sedimentation with the former and removes critical habitat, including reproductive sites, with the latter. Clearing of floodplain vegetation for agriculture also increases sedimentation and reduces carbon inputs to rivers that are an important food source for instream invertebrates.

5. Some types of agriculture can produce threatening processes to native aquatic animals. The reduction of river flow by irrigation and pollution through insecticide and fertilizer runoff are both detrimental to aquatic life. Salinisation of inland waters, exacerbated by both forest clearing and irrigation, is also detrimental to some freshwater species.

6. Overfishing has reduced populations of species such as Murray cod and the Murray Cray. For species listed as endangered or vulnerable, such as trout cod, Macquarie perch, and silver perch, targeted or incidental recreational catch must be considered as a threatening process.

7. Eight of the 23 native fish species of this community are listed in NSW and/or Victoria as endangered or vulnerable, with two of these endemic to the community. Two species are considered extinct in Victoria and one or two may be extinct in N.S.W. One species of freshwater snail is endangered. A further two species of fishes and the Murray Cray have documented declines. Some species, like the sponges, may no longer occur in the Lower Murray, owing to changes in the flow regime. The Lowland Riverine Fish Community of the Southern Murray-Darling Basin was listed as a Vulnerable Ecological Community by the State of Victoria in 2000.

8. The Committee recognises and greatly appreciates the initiatives undertaken by the Murray-Darling Basin Commission, State, Commonwealth and local governments, community groups and private interest stakeholders to address concerns about the decline in the health of this aquatic community. Improvements have been, or are being, made in numerous areas, including water sharing allocations, riparian vegetation management, irrigation runoff and fish passage around smaller weirs. The Committee also recognises that changes to commercial and recreational fishing regulations have been made in the interests of protection of threatened species and stock conservation for exploited species. Restocking of

angling species is also widespread and likely to be having an impact on the availability of fish for anglers. Where these programs are found to be of benefit, it is the wish of the Committee to see them incorporated into the recovery plan for the ecological community. However, the Committee does not consider that the benefits of these programs have, at this stage, reversed the decline of the aquatic community.

9. In light of the above, the Fisheries Scientific Committee is of the opinion that the Aquatic Community of the Lower Murray River Drainage is likely to become extinct in nature, unless the circumstances and factors threatening its survival cease to operate. Therefore, the community qualifies for inclusion in Part 3 of Schedule 4, as an **ENDANGERED ECOLOGICAL COMMUNITY**.

Dr Andrew Sanger
Chairperson
Fisheries Scientific Committee

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OFFICIAL NOTICES

Appointments

ART GALLERY OF NEW SOUTH WALES ACT 1980

Appointment of Trustees
Art Gallery of New South Wales Trust

HER Excellency the Governor, with the advice of the Executive Council, has approved, pursuant to section 6 of the Art Gallery of New South Wales Act 1980, of the following persons being appointed as trustees of the Art Gallery of New South Wales, from 1 January 2002 to 31 December 2004:

- (i) Anne LANDA (re-appointment)
- (ii) Anne FULWOOD (new appointment)
- (iii) Irene LEE (new appointment)

BOB CARR, M.P.,
Premier
and Minister for the Arts

AUSTRALIAN MUSEUM TRUST ACT 1975

Appointment of Trustees
Australian Museum Trust

HER Excellency the Governor, with the advice of the Executive Council, has approved, pursuant to section 6 of the Australian Museum Trust Act 1975, of the following persons being appointed as trustees of the Australian Museum from 1 January 2002 to 31 December 2004:

- (i) Dr Cindy PAN (new appointment)
- (ii) David HANDLEY (new appointment)
- (iii) Brian SCHWARTZ (re-appointment)

BOB CARR, M.P.,
Premier
and Minister for the Arts

CONSTITUTION ACT 1902

Ministerial Arrangements During the Absence from the State of the Premier, Minister for the Arts and Minister for Citizenship

PURSUANT to section 36 of the Constitution Act 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable A. J. REFSHAUGE, M.P., Deputy Premier, Minister for Planning, Minister for Aboriginal Affairs and Minister for Housing, to act for and on behalf of the Premier, as on and from 21 December 2001, with a view to him performing the duties of the offices of Premier, during my absence from the State.

Bob Carr,
Premier

The Cabinet Office, Sydney.
12 December 2001.

CONSTITUTION ACT 1902

Ministerial Arrangements During the Absence from the State of the Treasurer and Minister for State Development PURSUANT to section 36 of the Constitution Act 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable C. J. KNOWLES, M.P., Minister for Health, to act for and on behalf of the Treasurer, and Minister for State Development, as on and from 7 January 2002, with a view to them performing the duties of the Honourable M. R. EGAN, M.L.C., during his absence from the State.

BOB CARR,
Premier

The Cabinet Office, Sydney.
12 December 2001.

CONSTITUTION ACT 1902

Ministerial Arrangements During the Absence from the State of the Minister for Information Technology, Minister for Energy, Minister for Forestry and Minister for Western Sydney

PURSUANT to section 36 of the Constitution Act 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable F. LO PO', M.P., Minister for Community Services, Minister for Ageing, Minister for Disability Services and Minister for Women, to act for and on behalf of the Minister for Information Technology, Minister for Energy, Minister for Forestry and Minister for Western Sydney, as on and from 24 December 2001, with a view to her performing the duties of the Honourable K. M. YEADON, M.P., during his absence from the State.

BOB CARR,
Premier

The Cabinet Office, Sydney.
12 December 2001.

CONSTITUTION ACT 1902

Ministerial Arrangements During the Absence from the State of the Minister for Small Business and Minister for Tourism

PURSUANT to section 36 of the Constitution Act 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable J. A. WATKINS, Minister for Education and Training, to act for and on behalf of the Minister for Small Business and Minister for Tourism from 26 January 2002, with a view to him performing the duties of the Honourable S. C. NORI, M.P., during her absence from the State.

BOB CARR,
Premier

The Cabinet Office, Sydney.
28 November 2001.

CONSTITUTION ACT 1902

Ministerial Arrangements During the Absence from the State of the Minister for Small Business and Minister for Tourism

PURSUANT to section 36 of the Constitution Act 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable M. IEMMA, Minister for Public Works and Services, Minister for Sport and Recreation and Minister Assisting the Premier on Citizenship, to act for and on behalf of the Minister for Small Business and Minister for Tourism from 7 January 2002 to 25 January 2002 inclusive, with a view to him performing the duties of the Honourable S. C. NORI, M.P., during her absence from the State.

Bob Carr,
Premier

The Cabinet Office, Sydney.
28 November 2001.

CONSTITUTION ACT 1902

Ministerial Arrangements During the Absence from the State of the Minister for Fair Trading and Minister for Sport and Recreation

PURSUANT to section 36 of the Constitution Act 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable C. M. TEBBUTT, M.L.C., Minister for Juvenile Justice, Minister Assisting the Premier on Youth and Minister Assisting the Minister for the Environment, to act for and on behalf of the Minister for Education and Training, as on and from 7 January 2002, with a view to her performing the duties of the Honourable J. A. WATKINS, M.P., during his absence from the State.

BOB CARR,
Premier

The Cabinet Office, Sydney.
19 December 2001.

CONSTITUTION ACT 1902

Ministerial Arrangements During the Absence from the State of the Deputy Premier, Minister for Planning, Minister for Aboriginal Affairs and Minister for Housing

PURSUANT to section 36 of the Constitution Act 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable R. S. AMERY, M.P., Minister for Agriculture and Minister for Corrective Services, to act for and on behalf of the Minister for Planning, Minister for Aboriginal Affairs and Minister for Housing, as on and from 8 January 2002, with a view to him performing the duties of the Honourable A. J. REFSHAUGE, M.P., during his absence from the State.

BOB CARR,
Premier

The Cabinet Office, Sydney.
19 December 2001.

FILM AND TELEVISION OFFICE ACT 1988

Appointment of Members

Board of the New South Wales Film and Television Office

HER Excellency the Governor, with the advice of the Executive Council, has approved, pursuant to section 6A of the Film and Television Office Act 1988, of the following persons being appointed as members of the Board of the New South Wales Film and Television Office, from 1 January 2002 to 31 December 2004:

- (i) Robert CONNOLLY (new appointment)
- (ii) Megan MCMURCHY (reappointment)

BOB CARR, M.P.,
Premier
and Minister for the Arts

GEOGRAPHICAL NAMES ACT 1966

Appointment of Members

Geographical Names Board of New South Wales

HER Excellency the Governor, with the advice of the Executive Council, pursuant to the provisions of the Geographical Names Act 1966, has appointed the following persons as members of the Geographical Names Board of New South Wales for the term indicated hereunder.

Member	Term
Les TRINDALL	15 October 2000 to 15 October 2005.
Jack DEVERY	12 December 2001 to 12 December 2006.
Peter WOODS, OAM	12 December 2001 to 12 December 2006.
Alan VENTRESS	12 December 2001 to 12 December 2006.

KIM YEADON, M.P.,
Minister for Information Technology

CONSTITUTION ACT 1902

Ministerial Arrangements During the Absence from the State of the Minister for Transport and Minister for Roads

PURSUANT to section 36 of the Constitution Act 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable E. M. OBEID, M.L.C., Minister for Mineral Resources and Minister for Fisheries, to act for and on behalf of the Minister for Transport and Minister for Roads from 3 January 2002, with a view to him performing the duties of the Honourable P. C. SCULLY, M.P., during his absence from the State.

Bob Carr,
Premier

The Cabinet Office, Sydney.
19 December 2001.

GREYHOUND RACING AUTHORITY ACT 1985

Appointment of Members to the (interim) Board of the Greyhound Racing Authority

HER Excellency the Governor, with the advice of the Executive Council and in pursuance of the provisions of the Greyhound Racing Authority Act 1985, has appointed the undermentioned as members of the (interim) Board of the Greyhound Racing Authority for a term expiring on 31 December 2004.

Mr B. MAGIN — Chairperson

Mr G. W. CANDRICK — Deputy Chairperson

Mr J. MORRIS

Mr N. W. BRODIE

Mr J. L. TRACEY

Mrs J. ALAMANGO

J. RICHARD FACE, M.P.,
Minister for Gaming and Racing

HARNESS RACING NEW SOUTH WALES ACT 1977

Appointment of Members to the (interim) Board of Harness Racing New South Wales

HER Excellency the Governor, with the advice of the Executive Council and in pursuance of the provisions of the Harness Racing New South Wales Act 1977, has appointed the undermentioned as members of the (interim) Board of Harness Racing New South Wales, for a term expiring 31 December 2004.

Mr B. T. ROSS — Chairperson

Dr D. P. RYAN — Deputy Chairperson

Mr R. J. MARSHALL

Mr A. J. McGRATH

Mr R. G. MITCHELL

Mr R. W. CORRIE

Mr B. T. BOLAND

J. RICHARD FACE, M.P.,
Minister for Gaming and Racing

HISTORIC HOUSES ACT 1980

Appointment of Trustees
Historic Houses Trust of New South Wales

HER Excellency the Governor, with the advice of the Executive Council, has approved, pursuant to section 6 of the Historic Houses Act 1980, of the following persons being appointed as members of the Historic Houses Trust of New South Wales, from 1 January 2002 to 31 December 2004:

- (i) Paul BERKEMEIER (re-appointment)
- (ii) Dr Janis WILTON (re-appointment)
- (iii) Penelope PIKE (new appointment)

BOB CARR, M.P.,
Premier
and Minister for the Arts

INDUSTRIAL RELATIONS ACT 1996

Appointment of Commissioner of Industrial Relations Commission

HER Excellency the Governor, with the advice of the Executive Council, and in pursuance of section 148 of the Industrial Relations Act 1996, has approved the appointment of Alastair William MacDONALD as a Commissioner of the Industrial Relations Commission of New South Wales, with effect on and from 4 February 2002.

JOHN DELLA BOSCA, M.L.C.,
Minister for Industrial Relations

LIBRARY ACT 1939

Appointment of Members
Library Council of New South Wales

HER Excellency the Governor, with the advice of the Executive Council, has approved, pursuant to section 4 of the Library Act 1939, of the following persons being appointed as members of the Library Council of New South Wales, from 1 January 2002 to 31 December 2004:

- (i) Hon. Justice Mahla PEARLMAN, AM, pursuant to section 8 (1) (reappointment)
- (ii) Dr David BARCLAY, pursuant to Schedule 1, Clause 1 (a) (new appointment)
- (iii) Jennifer LINDSAY (new appointment)

BOB CARR, M.P.,
Premier
and Minister for the Arts

MARKETING OF PRIMARY PRODUCTS ACT 1983

Appointment of Members of the Rice Marketing Board for the State of New South Wales

HER Excellency the Governor, with the advice of the Executive Council and in pursuance of the provisions of the Marketing of Primary Products Act 1983, has been pleased to appoint Gerard LAWSON, Brian VIAL and Noel GRAHAM as elected members and Geoffrey FILE and Derrick DOCHERTY as nominated members of the Rice Marketing Board for a term commencing on the date of the Governor's approval and expiring on 8 November 2005.

Dated this 12th day of December 2001.

RICHARD AMERY, M.P.,
Minister for Agriculture

MARKETING OF PRIMARY PRODUCTS ACT 1983

Appointment of Members of the Rice Marketing Board for the State of New South Wales

HER Excellency the Governor, with the advice of the Executive Council and in pursuance of the provisions of the Marketing of Primary Products Act 1983, has been pleased to appoint Gerard LAWSON, Brian VIAL and Noel GRAHAM as elected members and Geoffrey FILE and

Derrick DOCHERTY as nominated members of the Rice Marketing Board for a term commencing 9 November 2001 and expiring on the day of the Governor's approval.

Dated this 12th day of December 2001.

RICHARD AMERY, M.P.,
Minister for Agriculture

MUSEUM OF APPLIED ARTS AND SCIENCES ACT 1945

Appointment of Trustees
Museum of Applied Arts and Sciences

HER Excellency the Governor, with the advice of the Executive Council, has approved, pursuant to section 4 of the Museum of Applied Arts and Sciences Act 1945, of the following persons being appointed as Trustees of the Museum of Applied Arts and Sciences, from 1 January 2002 to 31 December 2004:

- (i) Professor Ron JOHNSTON (re-appointment)
- (ii) Nicholas PAPPAS (re-appointment)
- (iii) Anthony SUKARI (re-appointment)

BOB CARR, M.P.,
Premier
and Minister for the Arts

PUBLIC HEALTH ACT 1991

ORDER

MARIE BASHIR, Governor

I, Professor MARIE BASHIR, AC, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 63 (1) of the Public Health Act 1991, with effect on and from 21 December 2001, do hereby nominate Dr Anthony Maitland BROWN, a medical practitioner, as the medical officer for health for that medical district named in Column 1 of the attached Schedule and described in Column 2 of the attached Schedule, in place of any medical officer of health previously nominated for that medical district.

Signed at Sydney this 19th day of December 2001.

By Her Excellency's Command,

CRAIG KNOWLES, M.P.,
Minister for Health

SCHEDULE

COLUMN 1

Macquarie Area Health Service.

COLUMN 2

Comprising the City of Dubbo; Local Government Areas of Bogan, Cobar, Coolah, Coonabarabran, Coonamble, Gilgandra, Mudgee, Narromine, Warren, Wellington.

PUBLIC SECTOR MANAGEMENT ACT 1988

Appointment of Acting General Manager
Office of the Board of Studies

HER Excellency the Governor, with the advice of the Executive Council, pursuant to section 10B of the Public Sector Management Act 1988, has appointed John BENNETT to act as General Manager, Office of the Board of Studies, for the period on and from 31 December 2001 until and including 9 January 2002.

JOHN WATKINS, M.P.,
Minister for Education and Training

PUBLIC SECTOR MANAGEMENT ACT 1988

Appointment to Senior Executive Service Positions
Environment Protection Authority

HER Excellency the Governor, with the advice of the Executive Council, has appointed Colin Joseph WOODWARD as acting Director General of the Environment Protection Authority from 22 December 2001 to 6 January 2002, inclusive.

CARMEL MARY TEBBUTT, M.L.C.,
Minister for the Environment

PUBLIC SECTOR MANAGEMENT ACT 1988

Acting Appointment

HER Excellency the Governor, with advice from the Executive Council, pursuant to section 10B of the Public Sector Management Act 1988, has appointed Ms Lisbet DEAN to act in the position of Director-General, NSW Department of Sport and Recreation, for the period 5 January 2002 to 27 January 2002.

STATE RECORDS ACT 1998

Appointment of Members
Board of the State Records Authority of New South
Wales

HER Excellency the Governor, with the advice of the Executive Council, has approved, pursuant to section 69 of the State Records Act 1998, of the following persons being appointed as members of the Board of the State Records Authority of New South Wales, from 1 January 2002 to 31 December 2004:

- (i) Hon. Justice Paul STEIN, QC, AM, pursuant to section 69 (2) (e) (new appointment)
- (ii) Sue SINCLAIR, pursuant to section 69 (2) (b) and (4) (b) (reappointment)
- (iii) Colin PLOWMAN, pursuant to section 69 (2) (a) and (3) (a) (new appointment)

BOB CARR, M.P.,
Premier
and Minister for the Arts

SURVEYORS ACT 1929Appointment as Members of the Board of Surveyors of
New South Wales

HER Excellency, the Governor of New South Wales, with the advice of the Executive Council, has approved that the undermentioned persons be appointed as Members of the Board of Surveyors of New South Wales, for the terms shown, pursuant to the provisions of section 5 of the Surveyors Act 1929.

Name	Term of Appointment
Anna Krystyna ALLEN, Surveyor in Private Practice, Mudgee.	28 November 2001 to 31 December 2003.
Andrew Hugh CAMPBELL, Surveyor in Private Practice, Port Macquarie.	1 January 2002 to 31 December 2003.
Mark Thomas GORDON, Survey Services Manager, Roads and Traffic Authority, Sydney.	1 January 2002 to 31 December 2003.
Bruce Raymond HARVEY, Senior Lecturer, School of Surveying and Spatial Information Systems, University of New South Wales.	1 January 2002 to 31 December 2003.
Phillip Marten ORR, Surveyor in Private Practice, Mudgee.	28 November 2001 to 31 December 2003.
Colin James WEATHERBY, Surveyor in Private Practice, Sydney.	1 January 2002 to 31 December 2003.

W. A. WATKINS,
President.

G. K. A. LEATHERLAND,
Registrar.

SYDNEY OPERA HOUSE TRUST ACT 1961Appointment of Trustees
Sydney Opera House Trust

HER Excellency the Governor, with the advice of the Executive Council, has approved, pursuant to section 6 of the Sydney Opera House Trust Act 1961, of the following persons being appointed as trustees of the Sydney Opera House Trust, from 1 January 2002 to 31 December 2004:

- (i) Joseph SKRZYNSKI, AM, pursuant to section 6 (2) and section 10 (1) (re-appointment)
- (ii) Diane GRADY (re-appointment)
- (iii) Dennis WATKINS (re-appointment)

BOB CARR, M.P.,
Premier
and Minister for the Arts

NSW Agriculture

STOCK DISEASES ACT 1923

PROCLAMATION No. 542-OJD

PROCLAMATION to restrict the importation and introduction into the State of sheep on account of Johne's disease.

HER EXCELLENCY PROFESSOR MARIE BASHIR AC, Governor

I, Professor MARIE BASHIR AC, Governor of the State of New South Wales, with the advice of the Executive Council,

- I. in pursuance of sections 3(2)(a) and 11B of the Stock Diseases Act 1923 ("the Act"), revoke the Stock Diseases Proclamation published in *Government Gazette* No 75 of 30 June 1999 at pages 4603-4604, restricting the importation of certain stock into the State on account of Johne's disease, and any Proclamation revived as a result of that revocation; and
- II. in pursuance of section 11B of the Act, and being of the opinion that any sheep originating from or which have moved through a residual area might be infected with Johne's disease (specifically ovine strains of *Mycobacterium paratuberculosis* - commonly known as ovine Johne's disease) or might carry or spread Johne's disease, restrict the importation and introduction into the State of any sheep from a residual area, as set out in the Schedule.

SCHEDULE

Movement from or through a residual zone outside the State into the Protected (Control) Area of the State

- A. A person must not bring sheep originating from or which have moved through a residual zone outside of the State, or cause or permit such sheep to be brought, into the Protected (Control) Area of the State, unless:
 - (a) the sheep are transported in a vehicle directly, or via an approved facility, to:
 - an abattoir, where the sheep are slaughtered, or
 - a slaughter-only sale, or
 - an approved feedlot, or
 - a residual area; or
 - (b) the sheep:
 - originate from a monitored negative flock, and
 - have not subsequently lost their status of monitored negative, and
 - are transported in a vehicle, directly or via an approved facility, into the Protected (Control) Area, and
 - are accompanied by a completed Declaration form, indicating details of their status of monitored negative, which is given to the person to whom the sheep are delivered; or

- (c) the sheep:
- originate from a nil assurance flock which has been subjected to an approved test with negative results, and
 - are transported in a vehicle, directly or via an approved facility, into the Protected (Control) Area, and
 - are accompanied by a completed Declaration form, indicating those results, which is given to the person to whom the sheep are delivered; or
- (d) the sheep are moved in accordance with a written permit issued by an inspector in circumstances that are of a kind approved from time to time by the Chief, Division of Animal Industries.

General conditions relating to sheep infected or suspected to be infected with ovine Johne's disease

- B. A person must not bring, or cause or permit to be brought, into New South Wales, or transport, or cause or permit to be transported, within New South Wales, sheep from an ovine Johne's disease infected or suspect flock, unless those sheep are brought into New South Wales and transported within New South Wales directly by vehicle for slaughter, directly or via an approved feedlot or a slaughter-only sale, or otherwise in accordance with a written permit issued by an inspector in circumstances that are of a kind approved from time to time by the Chief, Division of Animal Industries.

Definitions

In this Proclamation:

approved facility means a facility that is approved from time to time by a District Veterinarian;

approved feedlot means a feedlot that transports all its stock directly to slaughter, and is authorised from time to time in writing by the Chief, Division of Animal Industries as a feedlot to which stock from any part of the residual area may be moved;

approved test means a test that is approved from time to time by the Chief, Division of Animal Industries;

Declaration form means a Declaration of Johne's disease status form as approved from time to time by the Chief, Division of Animal Industries;

directly means without off-loading stock from a vehicle en route;

flock means a group of animals maintained as a discrete unit;

monitored negative has the same meaning as in the Australian Johne's Disease Market Assurance Program for Sheep published from time to time by Animal Health Australia, 26-28 Napier Close, Deakin ACT 2600;

nil assurance in relation to a flock, means a flock that is not infected or suspected of being infected with Johne's disease, that is not in quarantine on account of Johne's disease, and that is not monitored negative;

Protected (Control) Area means a Protected (Control) Area, as regards Johne's disease in sheep, as declared by the Minister for Agriculture pursuant to section 11A of the Act.

Note. A protected (control) area is an area with a moderate prevalence of a disease (section 11A(1A) of the Act). This is different from a protected area, where there is a lower prevalence of a disease (section 11A(1B) of the Act).

Residual area means the area of New South Wales which does not form part of the Protected (Control) Area, as regards Johne's disease in sheep, as declared by the Minister for Agriculture pursuant to section 11A of the Act;

residual zone means the Flinders Municipality, Tasmania; and

slaughter-only sale means a sale that is held in accordance with the written approval of a Senior Field Veterinary Officer.

Note.

- It is an offence under section 20 of the Act to contravene a provision of this Proclamation. Maximum penalty for such an offence is \$11,000 and \$22,00 if the sheep are diseased.
- There are restrictions on the movement of sheep from the residual area of the State into the Protected (Control) Area of the State. These restrictions are contained in a Notification in which the Minister for Agriculture, pursuant to Section 11A of the Act, has declared the Protected (Control) Areas and restricted area as regards Johne's disease in sheep.
- A person who receives a completed Declaration form is advised to retain it as evidence of compliance with this Proclamation.
- A map of the Protected (Control) Area and residual area as regards Johne's disease in goats is published on the NSW Department of Agriculture internet web site at <http://www.agric.nsw.gov.au/jd/>
- P542-OJD is the NSW Department of Agriculture's reference.
- For further information, contact the New South Wales Department of Agriculture on (02) 6391 3691.

Signed and sealed at Sydney this 12th day of December 2001

By Her Excellency's Command,

**RICHARD AMERY MP
MINISTER FOR AGRICULTURE**

GOD SAVE THE QUEEN!

FERTILISERS ACT 1985**Order No 2001/01
Order pursuant to Section 3A****Substances Excluded from the Definition of Fertiliser**

I, RICHARD AMERY MP, Minister for Agriculture, make this Order pursuant to Section 3A(2) of the *Fertilisers Act 1985* and hereby declare that the following substances are not fertilisers for the purposes of the Act:

- a) unprocessed animal manure including composted manure;
- b) septic tank sludge and crude night-soil;
- c) crude offal;
- d) compost;
- e) seaweed;
- f) un-manufactured refuse; and
- g) biosolids and biosolid products, including: liquid biosolids, dewatered biosolids, chemically stabilised biosolids, dried biosolids (including sun-dried and pelletised), composted biosolid products and products which contain any component of biosolids.

Signed this 12th day of December 2001.

**RICHARD AMERY MP
MINISTER FOR AGRICULTURE**

FERTILISERS ACT 1985**Order No 2001/02
Order pursuant to Section 18****Composition standards for soil improving agents: Cadmium, Lead and Mercury**

I, RICHARD AMERY MP, Minister for Agriculture, make this Order pursuant to Section 18(1) of the *Fertilisers Act 1985* and hereby declare that a soil improving agent must not contain more than the specified maximum concentration of a component set out below:

a) Cadmium

Soil improving agent	Composition standard: Cadmium
Phosphatic fertiliser	300mg/kg of phosphorus
Non-phosphatic fertiliser	10mg/kg of non-phosphatic fertiliser
Liming material	10mg/kg of liming material

b) Lead

Soil improving agent	Composition standard: Lead
Fertiliser	100mg/kg of fertiliser
Liming material	100mg/kg of liming material

b) Mercury

Soil improving agent	Composition standard: Mercury
Fertiliser	5mg/kg of fertiliser
Liming material	5mg/kg of liming material

Dictionary

In this Order:

“**non-phosphatic fertiliser**” means all fertilisers other than a phosphatic fertiliser.

“**phosphatic fertiliser**” means a fertiliser that in a dry or solid form contains not less than 3 per cent phosphorus or in a liquid form contains not less than 2 per cent phosphorus.

Signed this 12th day of December 2001.

**RICHARD AMERY MP
MINISTER FOR AGRICULTURE**

FERTILISERS ACT 1985**Order No 2001/03
Order pursuant to Section 16****Particulars to be marked on parcels of soil improving agents that are fertilisers**

I, RICHARD AMERY MP, Minister for Agriculture, make this Order pursuant to Section 16(1) of the *Fertilisers Act 1985* and hereby declare that the particulars specified in this Order must be marked on a parcel that contains a soil improving agent that is a fertiliser:

- (a) the quantity of fertiliser contained in the parcel;
- (b) the proportion (expressed as w/w or w/v) in which nitrogen occurs in the fertiliser, including:
 - (i) the proportion of total nitrogen;
 - (ii) the proportion of nitrogen as a nitrate compound;
 - (ii) the proportion of nitrogen as an ammonium compound;
 - (iii) the proportion of nitrogen as urea;
 - (iv) the proportion of nitrogen as an organic compound;
 - (v) the proportion of any other nitrogen.
- (c) the proportion (expressed as w/w or w/v) in which phosphorus occurs in the fertiliser, including:
 - (i) the proportion of total phosphorus;
 - (ii) the proportion of phosphorus as water soluble;
 - (ii) the proportion of phosphorus as ammonium citrate soluble;
 - (iii) the proportion phosphorus as ammonium citrate insoluble;
 - (iv) the proportion of any other phosphorus.
- (d) the proportion (expressed as w/w or w/v) in which potassium occurs in the fertiliser, including:
 - (i) the proportion of total potassium;
 - (ii) the proportion of potassium chloride;
 - (ii) the proportion of potassium nitrate;
 - (iii) the proportion of potassium phosphate;
 - (iv) the proportion of potassium sulphate;
 - (v) the proportion of any other potassium.
- (e) the proportion (expressed as w/w or w/v) in which sulphur occurs in the fertiliser, including;

- (i) the proportion of total sulphur;
 - (ii) the proportion of sulphate;
 - (ii) the proportion of elemental sulphur.
- (f) the proportion in which cadmium, lead and mercury occur in the fertiliser (expressed as the number of milligrams of cadmium, lead or mercury per kilogram of fertiliser or expressed as parts per million);
- (g) for a fertiliser that contains nitrogen and biuret, the proportion in which biuret occurs in the fertiliser (expressed as the number of milligrams of nitrogen or biuret per kilogram of fertiliser or expressed as parts per million);
- (h) the proportion in which trace elements occur in the fertiliser (expressed either as the number of milligrams of each trace element per kilogram of fertiliser or as parts of each trace element per million);
- (i) the following warning for the corresponding soil improving agent:

Soil improving agent	Warning
Fertiliser containing more than 10 grams but not more than 20 grams of biuret per kilogram of total nitrogen.	WARNING Repeated foliar applications of this fertiliser may cause damage to citrus.
Fertiliser containing more than 20 grams but not more than 30 grams of biuret per kilogram of total nitrogen.	WARNING This product is not recommended for repeated foliar application on annual or perennial horticultural crops.
Fertiliser containing more than 30 grams biuret per kilogram of total nitrogen.	WARNING This product is not recommended for foliar application.
Fertiliser containing more than 1 milligram per kilogram of cadmium.	WARNING Use of this product may result in cadmium residues in excess of the Maximum Permissible Concentration (MPC) in plant and animal products and may result in accumulation of these residues in soils.
Fertiliser containing more than 20 milligrams per kilogram of lead.	WARNING Continued use of this product may result in accumulation of lead residues in soils.
Fertiliser containing more than 0.2 milligrams per kilogram of mercury.	WARNING Continued use of this product may result in accumulation of mercury residues in soils.

Fertiliser sold in bulk or in packages containing more than 25 kilograms.	WARNING The dust from this product may irritate the eyes and skin. Avoid contact with eyes and skin. Avoid inhaling dust.
Fertiliser containing more than 0.001 per cent of molybdenum.	WARNING Excessive use of molybdenum can be harmful to stock. Plant levels of molybdenum can be high for up to four weeks after application. It is advisable to keep stock off treated areas for this period. Check rate and frequency of molybdenum use with appropriate authorities.
Fertiliser containing more than 0.001 per cent of selenium.	WARNING This fertiliser should only be used in areas where selenium deficiency of stock exists. Do not allow stock access to spills of fertiliser. Seek advice on application rates from appropriate authorities.

Dictionary

In this Order:

“w/w” means the percentage weight in total weight for products sold by weight.

“w/v” means the percentage weight in total volume for products sold by volume.

Signed this 12th day of December 2001.

RICHARD AMERY MP
MINISTER FOR AGRICULTURE

FERTILISERS ACT 1985**Order No 2001/04
Order pursuant to Section 16****Particulars to be marked on parcels of soil improving agents that are liming materials**

I, RICHARD AMERY MP, Minister for Agriculture, make this Order pursuant to Section 16(1) of the *Fertilisers Act 1985* and hereby declare that the particulars specified in this Order must be marked on a parcel that contains a soil improving agent that is a 'liming material other than gypsum':

- (a) the quantity of liming material contained in the parcel;
- (b) the proportion (expressed as w/w or w/v) in which any calcium in the following forms, if the proportion is greater than one percent of the total product, occurs in the liming material;
 - (i) the proportion of total calcium;
 - (ii) the proportion of calcium carbonate;
 - (iii) the proportion of calcium hydroxide;
 - (iii) the proportion of calcium oxide;
 - (iv) the proportion of calcium silicate.
- (c) the proportion (expressed as w/w or w/v) in which any magnesium in the following forms, if the proportion is greater than one percent of the total product, occurs in the liming material;
 - (i) the proportion of total magnesium;
 - (ii) the proportion of magnesium carbonate;
 - (iii) the proportion of magnesium hydroxide;
 - (iv) the proportion of magnesium oxide;
 - (v) the proportion of magnesium silicate.
- (d) Particle size distribution expressed as per cent of weight passing the following sieves:
 - (i) 1,000 microns;
 - (ii) 500 microns;
 - (iii) 250 microns;
 - (iv) 150 microns; and
 - (v) 75 microns.

- (e) Neutralising Value (relative to pure calcium carbonate) for the following particle size ranges:
- (i) passing 75 microns;
 - (ii) between 75 and 250 microns; and
 - (iii) between 250 and 1000 microns.
- (f) the following warning for the corresponding soil improving agent:

Soil improving agent	Warning
Liming material containing calcium oxide	WARNING Do not swallow product. Product may irritate the eyes and skin. Avoid contact with eyes and skin.

Dictionary

In this Order:

“w/w” means the percentage weight in total weight for products sold by weight.

“w/v” means the percentage weight in total volume for products sold by volume.

Signed this 12th day of December 2001.

RICHARD AMERY MP
MINISTER FOR AGRICULTURE

FERTILISERS ACT 1985**Order No 2001/05
Order pursuant to Section 16****Particulars to be marked on parcels of gypsum**

I, RICHARD AMERY MP, Minister for Agriculture, make this Order pursuant to Section 16(1) of the *Fertilisers Act 1985* and hereby declare that the particulars specified in this Order must be marked on a parcel that contains a soil improving agent of the class ‘gypsum’:

- (a) the quantity of gypsum contained in the parcel;
- (b) the proportion (expressed as w/w or w/v) in which any calcium, magnesium or sulphur occurs in the gypsum;
- (c) the proportion in which any sulphur in an elemental form or as a sulphate compound occurs in the liming material; and
- (d) the following warning for the corresponding soil improving agent:

Soil improving agent	Warning
A gypsum material that contains more than 0.8 per cent of sodium.	WARNING This product is not suitable for the reclamation of saline sodic soils.

Dictionary

In this Order:

“w/w” means the percentage weight in total weight for products sold by weight.

“w/v” means the percentage weight in total volume for products sold by volume.

Signed this 12th day of December 2001.

**RICHARD AMERY MP
MINISTER FOR AGRICULTURE**

FERTILISERS ACT 1985**Order No 2001/06
Order pursuant to Section 21****Particulars to be marked on parcels of trace element products**

I, RICHARD AMERY MP, Minister for Agriculture, make this Order pursuant to Section 21(1) of the *Fertilisers Act 1985* and hereby declare that the particulars specified in this Order must be marked on a parcel that contains any trace element product:

- (a) the quantity of trace element product contained in the parcel;
- (b) the respective forms in which each trace element occurs in the trace element product;
- (c) the respective proportions in which each such form of trace element occurs in the trace element product; and
- (d) the proportions in which cadmium, lead and mercury are present in the trace element product (expressed as the number of milligrams of cadmium, lead or mercury, per kilogram of trace element product).

Signed this 12th day of December 2001.

**RICHARD AMERY MP
MINISTER FOR AGRICULTURE**

FERTILISERS ACT 1985**Order No 2001/07
Order pursuant to Section 22B(1)****Particulars to be marked on parcels of trace element products**

I, RICHARD AMERY MP, Minister for Agriculture, make this Order pursuant to Section 22B(1) of the *Fertilisers Act 1985* and hereby declare that a trace element product must not contain more than the specified maximum concentration of a component set out below:

a) Cadmium

Trace element product	Composition standard: Cadmium
Trace element product	50mg/kg of trace element product

b) Lead

Trace element product	Composition standard: Lead
Trace element product (that is represented as being suitable only for direct application to soil)	2000mg/kg of trace element product
Any other trace element product	500mg/kg of trace element product

c) Mercury

Trace element product	Composition standard: Mercury
Trace element product	5mg/kg of trace element product.

Signed this 12th day of December 2001.

**RICHARD AMERY MP
MINISTER FOR AGRICULTURE**

EXOTIC DISEASES OF ANIMALS ACT 1991**ORDER****Declaration of exotic diseases for the purposes of the Exotic Diseases of Animals Act 1991**

I, RICHARD AMERY MP, Minister for Agriculture, pursuant to section 6A of the Exotic Diseases of Animals Act 1991:

- (a) revoke the Order entitled “Declaration of exotic diseases for the purposes of the Exotic Diseases of Animals Act 1991” published in the *Government Gazette* No. 4 of 8 January 1999, and any Order revived as a result of that revocation; and
- (b) declare any animal disease mentioned in the Schedule to be an exotic disease for the purposes of the Act.

SCHEDULE

African horse sickness
African swine fever
Asian mite (*Tropilaelaps clareae*)
Aujeszky’s disease
Avian influenza
Bat paramyxovirus infection
Bat lyssavirus infection
Bluetongue
Bovine spongiform encephalopathy
Brucella melitensis infection
Chagas disease
Classical swine fever
Contagious bovine pleuropneumonia
Contagious caprine pleuropneumonia
Contagious equine metritis
Dourine
East Coast fever (theileriosis)
Encephalitides (tick borne)
Enterovirus encephalomyelitis (porcine polioencephalomyelitis, Teschen disease)
Equine encephalosis
Equine viral encephalomyelitis
Equine influenza
Fowl typhoid (*Salmonella gallinarum*)
Glanders
Goat pox
Haemorrhagic septicaemia
Heartwater
Hendra virus (*Equine morbillivirus*)
Japanese encephalitis

Lumpy skin disease
Maedi-visna
Menangle virus (*Paramyxoviridae* infection of pigs)
Newcastle disease
Nipah virus
Peste des petits ruminants
Porcine epidemic diarrhoea
Porcine reproductive and respiratory syndrome
Pulmonary adenomatosis
Rift Valley fever
Rinderpest
Salmonella abortus ovis infection in sheep
Salmonella abortus equi infection in horses
Scrapie
Screw worm fly
Sheep pox
Sheep scab
Surra
Swine influenza
Swine vesicular disease
Transmissible gastroenteritis
Transmissible spongiform encephalopathies
Trichinellosis
Varroa mite (*Varroa species*)
Vesicular exanthema
Vesicular stomatitis
Warble fly
Wesselsbron disease

Note: Foot and mouth disease and rabies are also exotic diseases for the purposes of the Act. They are specified as being such in the Act itself.

Dated this 11th day of December 2001.

RICHARD AMERY MP
MINISTER FOR AGRICULTURE

NSW Fisheries

FISHERIES MANAGEMENT ACT 1994

Section 8 Notification — Fishing Closure

Narrawallee Creek — County of St Vincent

I, Edward OBEID, prohibit the taking of fish by the methods of fishing described in Column 1 of Schedule A, in the waters described in Column 2 of Schedule A, for the periods described in Column 3 of Schedule A. The exceptions to this closure are described in Schedule B. This notification will be effective for a period of five (5) years from the date of publication of this notification.

References to “the Regulations” in Schedules A and B are to the Fisheries Management (General) Regulation 1995.

In the event of an inconsistency between this closure notification and the closure notification relating to the termination of certain commercial fishing practices in Narrawallee Inlet (together with all its tributaries, creeks, and bays), published in *Government Gazette* No. 150 of 5 October 2001, the closure notification published in *Government Gazette* No. 150 of 5 October 2001 will apply.

The Hon. EDWARD OBEID, O.A.M., M.L.C.,
Minister for Mineral Resources
and Minister for Fisheries

SCHEDULE A

Column 1 <i>Method</i>	Column 2 <i>Waters</i>	Column 3 <i>Period</i>
Nets of every description.	The whole of the waters of that part of Narrawallee Creek commencing from a line drawn across the creek in a southerly direction from the junction of Narrawallee Creek and the eastern bank of “The Swamp”, and extending downstream to its confluence with the South Pacific Ocean, including all the creeks, tributaries, inlets and lagoons lying within such part.	For a period of 5 years from the date of publication.
Nets of every description.	The whole of the waters of that part of Narrawallee Creek commencing from a line drawn across the creek in a southerly direction from the junction of Narrawallee Creek and the eastern bank of “The Swamp”, and extending upwards to its source, including all the creeks, tributaries, inlets and lagoons lying within such part.	From 1 December in each year to 1 March in the succeeding year.
Nets of every description.	The whole of the waters of that part of Narrawallee Creek commencing from a line drawn across the creek in a southerly direction from the junction of Narrawallee Creek and the eastern bank of “The Swamp”, and extending upwards to its source, including all the creeks, tributaries, inlets and lagoons lying within such part.	From 6 pm Friday to 6 am Monday each week in the period from 1 March to 30 November.

SCHEDULE B

(fishing permitted as exceptions to the closures in Schedule A)

Column 1 <i>Method</i>	Column 2 <i>Waters</i>	Column 3 <i>Period</i>
By means of a dip or scoop net for the taking of prawns, only as prescribed by clause 50 of the Regulations.	The whole of the waters of Narrawallee Creek.	For a period of 5 years from the date of publication.
By means of meshing nets not exceeding 375 metres in length of a mesh not less than 80 mm throughout when used by the method known as splashing (as defined in clause 37 of the Regulations). The net is not to be left set at any time.	The whole of the waters of that part of Narrawallee Creek commencing from a line drawn across the creek in a southerly direction from the junction of Narrawallee Creek and the eastern bank of "The Swamp", and extending upwards to its source, including all the creeks, tributaries, inlets and lagoons lying within such part.	From 6 am Monday to 6 pm Friday each week in the period from 1 March to 30 November.

Department of Land and Water Conservation

Land Conservation

FAR WEST REGIONAL OFFICE
Department of Land and Water Conservation
45 Wingewarra Street (PO Box 1840), Dubbo, NSW 2830
Phone: (02) 6883 3000 Fax: (02) 6883 3099

ASSIGNMENT OF NAME TO A RESERVE TRUST

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

JOHN AQUILINA, M.P.,
 Minister for Land and Water Conservation

ERRATUM

THE notice appearing in *Government Gazette* of 14 October 1966 Folio 2235 relating "Reserves from Sale" "For Municipal Purposes" for Reserve 85997 should have read "allotment 3, Section 19, Town of Willyama" and not "allotment 2" as stated.

JOHN AQUILINA, M.P.,
 Minister for Land and Water Conservation

SCHEDULE 1

<i>COLUMN 1</i>	<i>COLUMN 2</i>
Tara Public Recreation Reserve Trust	Reserve No. 84577 Public Purpose: Public Recreation Notified: 11 October 1963 File Reference: WL87R82

SCHEDULE 2

<i>COLUMN 1</i>	<i>COLUMN 2</i>
Sturt Park Trust	Reserve No. 89794 Public Purpose: Public Baths Notified: 7 May 1976 File Reference: WL88R113 Reserve No. 85997 Public Purpose: Municipal Purposes Notified: 14 Oct 1966 File Reference: WL87R47 Dedication No. 1003026 Public Purpose: Public Recreation Notified: 22 March 1895 File Reference: WL00R16

GOULBURN OFFICE
Department of Land and Water Conservation
159 Auburn Street (PO Box 748), Goulburn, NSW 2580
Phone: (02) 4828 6725 Fax: (02) 4828 6730

NOTIFICATION OF CLOSING OF A ROAD

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

JOHN AQUILINA, M.P.,
 Minister for Land and Water Conservation

Descriptions

Parish – Clyde; County – Wallace
Land District – Cooma
L.G.A. – Snowy River Shire Council

Lot 1, DP 1032184 (not being land under the Real Property Act). File No.: GB00 H 372.TC.

Note: On closing, the title for the land in Lot 1 remains vested in Snowy River Shire Council as operational land.

Parish – Wallgrove; County – Wallace
Land District Cooma; Council – Snowy River

Lot 1, DP 1033943 (not being land under Real Property Act). File No.: GB01 H 176.MB.

Note: On closing the land in Lot 1, DP 1033943, remains land vested in the Crown as Crown Land.

ROADS ACT 1993

Order

Transfer of Crown Road to a Council

IN pursuance of the provisions of Section 151 of the Act, the Crown Road specified in Schedule 1 is transferred to the roads authority specified in Schedule 2 hereunder as from the date of publication of this notice and as from that date the road specified in Schedule 1 ceases to be a Crown road.

JOHN AQUILINA M.P.,
 Minister for Land and Water Conservation

SCHEDULE 1

Parish – Norrong; County – Argyle
Land District – Goulburn; Shire – Mulwaree

DESCRIPTION

Crown road through Lot 127, DP 750040, Lot 1, DP 124565 and part Lot 125, DP 750040 and known as Carter Close. (Diagram below)

SCHEDULE 2

Roads Authority: The Council of the Shire of Mulwaree (Council's Ref: DA 001/369). Reference: GB 01 H 414



GRAFTON OFFICE
Department of Land and Water Conservation
76 Victoria Street (Locked Bag 10), Grafton, NSW 2460
Phone: (02) 6640 2000 Fax: (02) 6640 2035

ROADS ACT 1993

Order

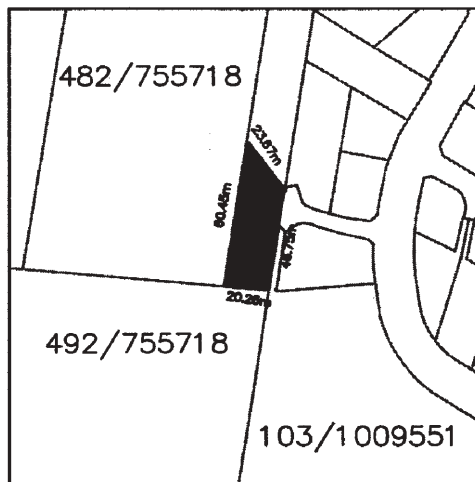
Transfer of a Crown Road to a Council

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

JOHN AQUILINA, M.P.,
 Minister for Fair Trading
 and Minister for Land and Water Conservation

SCHEDULE 1

The Crown public road shown by black colour on the diagram hereunder at Lismore, Parish Lismore, County Rous.



Not to scale

Diagrammatic representation only

SCHEDULE 2

Roads Authority: Lismore City Council. Papers: GF01
 H 442. Councils Ref: LW:TMI

SCHEDULE 1

The Crown public road of variable width (known as Broughams Road) separating Lot 613, DP 597535 from Lots 151 and 152, DP 862812 and Lot 16, DP 249080 at Valla, Parish Valley Valley, County Raleigh.

SCHEDULE 2

Roads Authority: Nambucca Shire Council. Papers:
 GF01 H 424. Councils Ref: DA2002/131

MOREE OFFICE
Department of Land and Water Conservation
Frome Street (PO Box 388), Moree, NSW 2400
Phone: (02) 6752 5055 Fax: (02) 6752 1707

**REVOCATION OF RESERVATION OF CROWN
 LAND**

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

JOHN AQUILINA, M.P.,
 Minister for Land and Water Conservation

SCHEDULE 1

<i>COLUMN 1</i>	<i>COLUMN 2</i>
Land District: Warialda	The whole being Lot 27 DP 751117
Local Government Area: Yallaro	Parish Monsoon County Burnett of an area of 489.9 hectares.
Parish: Monsoon	
County: Burnett	
Reserve No: 74845	
Purpose: From Sale Generally	
Notified: 28 March 1952	
File Reference: ME93 H 228	

NOWRA OFFICE
Department of Land and Water Conservation
64 North Street (PO Box 309), Nowra, NSW 2541
Phone: (02) 4423 0122 Fax: (02) 4423 3011

NOTIFICATION OF CLOSING OF ROAD

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

JOHN AQUILINA, M.P.,
 Minister for Land and Water Conservation
 and Minister for Fair Trading

Description

Land District – Bega; L.G.A. – Bega Valley.

Lot 1, DP 1035496 at Tathra, Parish Wallagoot and County Auckland (not being land under the Real Property Act). File No.: NA00 H 169.

Note: On closing, the land remains vested in the Crown as Crown Land.

ORANGE OFFICE
Department of Land and Water Conservation
92 Kite Street (PO Box 2146), Orange, NSW 2800
Phone: (02) 6393 4300 Fax: (02) 6362 3896

**NOTIFICATION OF PROPOSED OPENING AND
 CLOSING OF A ROAD(S)**

IN pursuance of the provisions of the Roads Act 1993, I propose to consider the opening and closing of certain road(s) as hereunder described.

All persons interested are hereby called upon to set forth in writing and forward to the officer specified in the notice for the purpose, within one month from the date of the publication of this notice, any objections/submissions which may appear to them to exist to this proposal.

Any person who wishes to make a claim for compensation in respect of the acquisition of their interest in the land required for road purposes, must lodge a claim with the District Office mentioned within twenty-eight (28) days of the publication of this notice or within such other period as the compensating authority allows.

JOHN AQUILINA, M.P.,
 Minister for Land and Water Conservation

—————
 Descriptions

Land District – Lithgow; Shire – Oberon

Oberon Quarries Pty Limited. Firstly, proposed opening of a Crown public road 20.115 metres wide through Lot 402 in DP 1004011, through and part south of Lot 1 in DP 845776; secondly, the closing of the parts of the Crown public roads 20.115 metres wide through Lot 1 in DP 845776 and separating part Lot 1 in DP 845776 from part Lot 402 in DP 1004011, Parish of Norway, County of Westmoreland.

Objections/submissions should be forwarded to the Manager, Resource Access and Compliance, Department of Land and Water Conservation, PO Box 2146, Orange, NSW 2800. File No.: OE96 H 8/2.

—————
Land District – Orange; Shire – Cabonne

Hans and Herma Mechthild HUEBNER. Firstly, proposed opening of a Crown public road 20 metres wide (in 2 parts), separating Lot 1 in DP 336056 from Lot 464 in DP 703946 and separating Lot 464 in DP 703946 from Lot 45 in DP 756912 and Lot 1 in DP 400262 (southwest of public road through Lot 464 in DP 703946). Secondly, proposed closing of the Council public road 20.115 metres wide (in 2 parts), through Lot 464 in DP 703946 and separating Lot 464 in DP 703946 from Lot 106 in DP 756874. Thirdly, proposed closure of the Crown public roads 20.115 metres wide through Lot 464 in DP 703946 and separating Lot 464 in DP 703946 from Lot 106 in DP 756874 and Lot 465 in DP 703946, Parish of Trudgett, County of Wellington.

Objections/submissions should be forwarded to the Manager, Resource Access and Compliance, Department of Land and Water Conservation, PO Box 2146, Orange, NSW 2800. File No.: OE01 H 343.

**NOTIFICATION UNDER THE ROADS ACT 1993
 DEDICATING UNOCCUPIED CROWN LAND TO BE
 A PUBLIC ROAD**

IN pursuant to section 12 of the Roads Act 1993, the lands hereunder described, are declared to be a public road and such parts specified are opened as road under the control of the Council of the Local Government Area (except where otherwise stated).

JOHN AQUILINA, M.P.,
 Minister for Land and Water Conservation

—————
 Description

*Parish – Cox; County – Cook
 Land District and L.G.A. – Lithgow*

Land Dedicated for Public Road: Lot 359 in DP 44086.
 File No.: OE80 H 2388/3.

Title and Area Affected: Folio Identifier 359/44086, area affected (the whole) being 1652 square metres.

Note: The whole the land within Lot 359, DP 44086, is vested as Crown public road.

NOTIFICATION OF CLOSING OF A ROAD

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

JOHN AQUILINA, M.P.,
 Minister for Land and Water Conservation

—————
 Description

Land District – Rylstone; Council – Rylstone

Road Closed: Lot 1, DP 1035050, Parish Rylstone, County Roxburgh, being land not under the Real Property Act. File No.: OE01 H 118.

Note: On closing the land remains vested in the Crown as Crown Land.

SYDNEY METROPOLITAN OFFICE
Department of Land and Water Conservation
2-10 Wentworth Street (PO Box 3935), Parramatta, NSW 2124
Phone: (02) 9895 7503 Fax: (02) 9895 6227

NOTIFICATION OF CLOSING OF ROADS

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

JOHN AQUILINA, M.P.,
 Minister for Land and Water Conservation.

—————
 Descriptions

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

Lot 1, DP 1032637 at Merrylands, Parish St John (Sheet 2), County Cumberland, (not being land under the Real Property Act). MN99 H 2

- Notes: (1) On closing, title for the land in lot 1 remains vested in Holroyd City Council as operational land.
- (2) The road is closed subject to the easement for underground cables, easement for telecommunications services and easement for gas mains as shown on D.P. 1032637.

ERRATUM

IN the Notification appearing in the Government Gazette of 7 December 2001 Folio 9629 "APPOINTMENT OF NAME TO A RESERVE TRUST" delete the word "APPOINTMENT" and replace it with the word "ASSIGNMENT". MN83 R 132

JOHN AQUILINA, M.P.,
 Minister for Land and Water Conservation.

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

NOTIFICATION OF CLOSING OF ROADS

IN pursuance of the provisions of the Roads Act 1993, the roads hereunder described are closed and the land comprised therein ceases to be public road and the rights of passage and access that previously existed in relation to this road are extinguished.

JOHN AQUILINA, M.P.,
 Minister for Land and Water Conservation
 and Minister for Fair Trading.

—————
 Description

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

Roads to be closed: Lots 2 and 3 in DP 1018347 and Lots 3 and 4 in D.P. 1034512, Parish of Brentry, County of Nandewar. (Not under the Real Property Act). File No: TH 00 H 74

Note: On closing, the land within Lots 2 & 3 in D.P. 1018347 and Lots 3 & 4 in D.P. 1034512 will remain vested in Gunnedah Shire Council as operational land.

Council's Reference: E 345031

TAREE OFFICE
Department of Land and Water Conservation
102-112 Victoria Street (PO Box 440), Taree, NSW 2430
Phone: (02) 6552 2788 Fax: (02) 6552 2816

**DRAFT ASSESSMENT OF LAND UNDER PART 3
OF THE CROWN LANDS ACT 1989 AND CROWN
LANDS REGULATION 1995**

The Minister for Land and Water Conservation has prepared a draft land assessment for the Crown land described hereunder.

Inspection of this draft assessment can be made at the Department of Land and Water Conservation, 102-112 Victoria Street, Taree and at the Offices of Kempsey Shire Council during normal business hours.

Representations are invited from the public on the draft assessment. These may be made in writing for a period commencing from 7 December 2001 to 7 January 2002 and should be sent to the Manager, Resource Knowledge, Department of Land and Water Conservation, P.O. Box 440, Taree, 2430. Telephone enquiries should be directed to Mr Bob Birse on 02 6552 2788.

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation
and Minister for Fair Trading

Description: Part bed of Macleay River being part R56146 from Sale or Lease Generally (not'd 11 May 1923) fronting Entrance Rd, immediately north of boat ramp and "Merv's Boatshed".

Reason: To determine appropriate future land use and management options of the Crown land described above. An application for licence by the Royal Volunteer Coastal Patrol for a pontoon within study area has been lodged.

Contact Officer: Mr Bob Birse
(File No. TE01 H 106).

NOTIFICATION OF CLOSING OF A ROAD

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

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation
and Minister for Fair Trading

Description

Land District – Port Macquarie; L.G.A. – Hastings

Lot 1 DP 1010873 Parish Cowangara, County Macquarie (not being land under the Real Property Act).

Note: The land remains vested in the Crown as Crown land. TE00 H 81

Description

*Parish – Kullatine; County – Dudley
Land District – Kempsey; L.G.A. – Kempsey*

Road Closed: Lot 3 DP 1016039 (not being Land under the Real Property Act)

File Reference: TE96H222 Council Ref: LA8587

Note: On closing, the land within Lot 3 DP1016039 will remain vested in the Kempsey Council as operational land.

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

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

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation
and Minister for Fair Trading

SCHEDULE

<i>COLUMN 1</i>	<i>COLUMN 2</i>
Farquhar Park Charleys Island Reserve (R45183 & R89356) Trust	Reserve No. 89356 Public Purpose: Public Recreation Notified: 31 January 1975 Parish: Oxley County: Macquarie Lot D.P. No 251 754440 252 754440 253 754440 File Reference: TE82 R 11

**APPOINTMENT OF CORPORATION TO MANAGE
RESERVE TRUST**

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

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation
and Minister for Fair Trading

SCHEDULE 1

<i>COLUMN 1</i>	<i>COLUMN 2</i>	<i>COLUMN 3</i>
Legacy Club of Hastings Limited	Laurieton Legacy Homes For the Aged Reserve Trust	Reserve No: 89597 Public Purpose: Homes for the Aged Notified: 26 September 5 7 9 1 File Ref: TE80 R 226

Commencing 11 December 2001

ASSIGNMENT OF NAME TO A RESERVE TRUST

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

JOHN AQUILINA, M.P.,
Minister for Land and Water Conservation
and Minister for Fair Trading

SCHEDULE*COLUMN 1*

Findlay Park Recreation
Reserve (R81854) Trust

COLUMN 2

Reserve No: 81854
Public Purpose: Public Recreation
Notified: 14 August 1959
Parish: Macquarie
County: Macquarie
Lot DP No
7017 96367 #
7018 96367#
File Reference: TE87R23

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

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

PURSUANT to section 117, Crown Lands Act 1989, the person specified in Column 1 of the Schedule hereunder is appointed as administrator for the term also specified in Column 1, of the reserve trust specified opposite thereto in Column 2, which is trustee of the reserve referred to in Column 3 of the Schedule.

JOHN AQUILINA, M.P.
Minister for Land and Water Conservation
and Minister for Fair Trading

SCHEDULE 1*COLUMN 1*

Laura Kathryn
DWYER

COLUMN 2

Yarrahapinni
Wetlands Reserve
Trust

COLUMN 3

Reserve No 210109
Public Purpose:
Environmental Protection
Notified 13 September
1996
File Reference: TE96 R 15

For a term commencing 20 December 2001
and expiring 19 March 2002.

TIMBER PLANTATIONS (HARVEST GUARANTEE) ACT 1995

Notice of Accreditation of a Timber Plantation

THE Group General Manager of the Natural Resource Products Group, Department of Land And Water Conservation, hereby notifies that the Timber Plantation on the land described in the schedule is an accredited Timber Plantation pursuant to sections 13 and 18 of the *Timber Plantations (Harvest Guarantee) Act 1995*.

Dated at Sydney this 10th day of December 2001.

LEANNE WALLACE
Group General Manager
Natural Resource Products
Department of Land and Water Conservation

SCHEDULE

All that land in the COFFS HARBOUR CITY COUNCIL area, County of FITZROY known as Lot 54 and Deposited Plan 806137 shown on the map accompanying the application for accreditation No 01/115 held by the Department of Planning, Plan Catalogue No. 010 45 90 619.

TIMBER PLANTATIONS (HARVEST GUARANTEE) ACT 1995

Notice of Accreditation of a Timber Plantation

THE Group General Manager of the Natural Resource Products Group, Department of Land And Water Conservation, hereby notifies that the Timber Plantation on the land described in the schedule is an accredited Timber Plantation pursuant to sections 13 and 18 of the *Timber Plantations (Harvest Guarantee) Act 1995*.

Dated at Sydney this 10th day of December 2001.

LEANNE WALLACE
Group General Manager
Natural Resource Products
Department of Land and Water Conservation

SCHEDULE

All that land in the TENTERFIELD SHIRE COUNCIL area, County of BULLER known as Lot 39 and Deposited Plan 751065 shown on the map accompanying the application for accreditation No 01/051 held by the Department of Planning, Plan Catalogue No. 010 179 90 557.

TIMBER PLANTATIONS (HARVEST GUARANTEE) ACT 1995

Notice of Accreditation of a Timber Plantation

THE Group General Manager of the Natural Resource Products Group, Department of Land And Water Conservation, hereby notifies that the Timber Plantation on the land described in the schedule is an accredited Timber Plantation pursuant to sections 13 and 18 of the *Timber Plantations (Harvest Guarantee) Act 1995*.

Dated at Sydney this 10th day of December 2001.

LEANNE WALLACE
Group General Manager
Natural Resource Products
Department of Land and Water Conservation

SCHEDULE

All that land in the Lismore City Council area, County of Rous known as Lot 22 and Deposited Plan 702605 shown on the map accompanying the application for accreditation No 01/145 held by the Department of Planning, Plan Catalogue No. 010 110 90 653.

Water Conservation

WATER ACT 1912

APPLICATIONS under Part 2 within proclaimed (declared) local areas under section 5 (4) of the Water Act 1912.

Applications for licences under section 10 for works within a proclaimed (declared) local area as generally described hereunder have been received from:

Warrego River Valley

William Donald RIDGE for 1 pump and 1 bywash dam on the Warrego River, Lot 5780, DP 768681, Parish of Bibiloolie, County of Gunderbooka and Lot 5726, DP 768626, Parish of Boomery, County of Irrara, for water supply and water conservation for stock and domestic purposes and irrigation of 50 hectares (sorghum and lucerne) (replacement licence ó the subject application seeks to licence existing works previously authorised by an authority for a Joint Water Supply Scheme (80SA1625), no increase of irrigation area) (Reference: 80SL95787).

Barwon-Darling River Valley

Henry Michael O'SHANNESY and Joyce Noreen O'SHANNESY for a pump on the Darling River, Lot 3, DP 753570, Parish of North Bourke, County of Gunderbooka, for irrigation of 27 hectares (summer and winter grain, cereal, cotton and horticulture) (replacement licence transfer (80SL47093) and amalgamation of existing licence (80SL22347)) (Reference: 80SL95844).

Written objections to the applications specifying grounds thereof, may be made to any statutory authority or local occupier within the proclaimed local (declared) area and must be lodged with the Departments Office at Bourke, within twenty-eight (28) days as prescribed by the Act.

AN application under Part 8, being within a proclaimed (declared) local areas under section 5 (4) of the Water Act 1912.

An application for an approval of a controlled work under section 167, within the proclaimed (declared) local areas described hereunder, has been received from:

Barwon-Darling River Valley

BREWARRINA SHIRE COUNCIL for a levee on the Barwon River Floodplain, Lot 22, DP 558119; Lot 3, DP 221738; Lot 4, section 4, DP 3350; Lots 15, 16 and 17, DP 3207; Lots 1 and 2, DP 1548; Lot 4, DP 232688, Reserve Numbers 8507, 3593, 6/7 and 8503; Lot 2, section 3, DP 758161; Lot 10, section 3, DP 758161; Lot 9, section 3, DP 758161; Lot 4, DP 751553; Lot 6, DP 751553; Lot 10, DP 751553; Lot 2, section 3, DP 2927; Lot 4, section 2, DP 2927; Lot 5, section 2, DP 2927; Lot 1, section 1, DP 2927; Lot 2, section 1, DP 2927; Lot 20, section 1, DP 2927 and Lot 4, DP 751533, Parish of Brewarrina, County of Clyde, for the prevention of inundation of the township of Brewarrina (for the upgrading and realigning existing levees approved by 80CW800634) (Reference: 80CW809647).

Written objections to the applications specifying grounds thereof, may be made to any statutory authority or local occupier within the proclaimed local (declared) area and must be lodged with the Departments Office at Bourke, within twenty-eight (28) days as prescribed by the Act.

Formal objections with grounds stating how your interests may be affected must be lodged by the 21 January 2002, as prescribed by the Act.

Any enquires regarding the above should be directed to the undersigned (telephone 6872 2144).

GA2:494454.

ALLAN AMOS,
Natural Resource Project Officer
(Resource Access).

Department of Land and Water Conservation,
PO Box 342, Bourke, NSW 2840.

WATER ACT 1912

APPLICATIONS under Part 2 of the Water Act 1912, being within a proclaimed (declared) local area under section 5 (4) of the Water Act 1912.

Applications for licences under section 10 of Part 2 of the Water Act 1912, have been received as follows:

Barwon/Darling River Valley

TARCOOLA ASPARAGUS PTY LTD for 3 pumps on the Darling River, Lot 11/740361, Parish of Avoca, County of Wentworth, water supply for stock and domestic purposes and irrigation of 1.5 hectares (replacement licence ó due to additional diversion works ó no increase in commitment to Murray River storageís) (Reference: 60SL085314).

Robert HILL for 1 pump on the Darling River, Lot 2/23001, Parish of Avoca, County of Wentworth, for irrigation of 15 hectares (replacement licence ó due to the amalgamation of two existing licences ó no increase in commitment to Murray River storageís) (Reference: 60SL085340).

Ormond Murdoch McLEOD and Roderick Murray McLEOD for 1 pump on the Darling River, Lot 6/773189, Parish of Tiltao, County of Wentworth, for irrigation of 203 hectares (replacement licence ó due to the amalgamation of three existing licences by way of permanent transfer of water entitlement ó no increase in commitment to Murray River storageís) (Reference: 60SL085337).

Murray River Valley

Roderick Campbell BAIRD and Alice Anne BAIRD for 1 pump on an unnamed watercourse, Lot WL2675, Parish of Moorna, County of Tara, water supply for stock and domestic purposes (replacement licence ó due to an increase in stock entitlement and inclusion of additional lands) (Reference: 60SL085307).

AN application for an authority under section 20 of Part 2 of the Water Act 1912, has been received as follows:

Murray River Valley

Glynn Barry FURLONG, Narelle Gai FURLONG, Steven John POLLESEL and Michelle Arlene POLLESEL for 1 pump on Gol Gol North Creek, Crown Land fronting Lot 142/756946, Parish of Gol Gol, County of Wentworth, water supply for domestic purposes and irrigation of 4.86 hectares

(replacement authority ó replacing a licence due to additional occupiers of authorised land ó no increase in commitment to Murray River storage(s)) (Reference: 60SA008549) (GA2:499498).

Written objections to the applications specifying the grounds thereof may be made by any statutory authority or local occupier within the proclaimed local area and must be lodged with the Department's Natural Resource Project Officer at Buronga within twenty-eight (28) days as provided by the Act.

P. WINTON,
Natural Resource Project Officer,
Murray Region.

Department of Land and Water Conservation,
32 Enterprise Way (PO Box 363), Buronga, NSW 2739,
tel.: (03) 5021 9400.

WATER ACT 1912

AN application under Part 2 of the Water Act 1912, being within a proclaimed (declared) local area under section 5 (4) of the Water Act 1912.

An application for an authority under section 20 of Part 2 of the Water Act 1912, has been received as follows:

Murray River Valley

Graeme Leslie SPINKS and G SPINKS NOMINEES PTY LTD for two pumps on the Edward River, in Kyalite State Forest No. 380, Parish of Kyalite, County of Wakool, for water supply for stock and domestic purposes and irrigation of 372.5 hectares (replacement authority due to permanent transfer) (Reference: 50SA6593) (GA2:504531).

Any enquiries regarding the above should be directed to the undersigned (tel.: [03] 5881 9200).

Written objections to the application specifying the grounds thereof may be made by any statutory authority or a local occupier within the proclaimed area and must be lodged at the Department's Office at Deniliquin within twenty-eight (28) days of the date of this publication.

K. J. FALAHEY,
Senior Natural Resource Officer,
Murray Region.

Department of Land and Water Conservation,
PO Box 205, Deniliquin, NSW 2710.

WATER ACT 1912

APPLICATIONS under Part 2 within proclaimed (declared) local areas under section 5 (4) of the Water Act 1912.

Applications for an amended authority for a joint water supply under section 20E (2) have been received from:

Macquarie River Valley

NEVERTIRE IRRIGATION SCHEME for 7 pumps on the Macquarie River, Part Lot 1, DP 755287 and Lot 102, DP 532171, Parish of Egelabra, County of Oxley, for water supply for stock and domestic purposes and irrigation of 5446.93 hectares (cotton, cereals, cash crops and improved pastures) (replacement authority due to permanent transfer ó no increase in area or allocation) (Reference: 80SA010591).

Donald John LEWER and OTHERS for a pump on the Talbragar River, Crown Land North of Lot 108, DP 754322, Parish of Murrungundie, County of Lincoln, for water supply for stock and domestic purposes (replacement authority) (Reference: 80SA10590).

AN application for a licence under section 10 for works within a proclaimed (declared) local area as generally described hereunder has been received from:

BELLARA GRAZING PTY LTD for a pump on the Macquarie River, Crown Road South of Lot 8, DP 752600, Parish of Wirrigai, County of Ewenmar, for water supply for stock and domestic purposes (new licence) (Reference: 80SL95963).

Written objections to the applications specifying grounds thereof, may be made by any statutory authority or local occupier within the proclaimed local (declared) area and must be lodged with the Departments Regional Office at Dubbo, within twenty-eight (28) days as prescribed by the Act.

Any inquiries regarding the above should be directed to the undersigned (tel.: 6884 2560).

GA2:306555.

FRED HUNDY,
Water Access Manager,
Macquarie.

Department of Land and Water Conservation,
PO Box 717, Dubbo, NSW 2830.

WATER ACT 1912

AN application for a licence under Part 2 of the Water Act 1912, being within a proclaimed (declared) local area under section 5 (4) of the Water Act 1912.

An application for a licence under section 10 of Part 2 of the Water Act 1912, has been received as follows:

Lachlan River Valley

ROBSAR PTY LIMITED for 3 pumps and 2 overshot dams on the Lachlan River on Lot 1/531659, Parish of South Borambil, County of Gipps and Parish of Wologong, County of Cunningham, for stock purposes and irrigation of 325.50 hectares (replacement licence ó amalgamation of existing entitlements) (Reference: 70SL090771) (GA2:494384).

AN application for an authority under Part 2 of the Water Act 1912, being within a proclaimed (declared) local area under section 5 (4) of the Act.

An application for an authority under section 20 of Part 2 of the Water Act 1912, has been received as follows:

Lachlan River Valley

GREEN PARTNERSHIP PTY LTD and OTHERS for a pump on Lachlan River on TSR6647, Parish of Wongajong, County of Forbes, for water supply for stock, domestic purposes and for irrigation of 205.00 hectares (amended authority ó increase in pumping capacity, increase in allocation,

obtained by way of permanent transfer scheme and amalgamation of existing entitlement) (Reference: 70SA009580) (GA2:494385) (in lieu of advertising in *Government Gazette* No. 161, dated 26 October, 2001 and *Forbes Advocate*, dated 25 October 2001).

Written Objections specifying grounds thereof, may be made by any statutory authority or local occupier within the proclaimed local area whose interests may be effected must be lodged with the Department within twenty-eight (28) days of the date of this publication as prescribed by the Act.

D. THOMAS,
A/Senior Natural Resource Officer,
Central West Region.

Department of Land and Water Conservation,
PO Box 136, Forbes, NSW 2871, tel.: (02) 6852 1222.

WATER ACT 1912

Notice under Section 22B of Pumping Restrictions

Findon Creek, Terrace Creek, Long Creek,
Roseberry Creek, Upper Richmond River and their
Tributaries

Coopers Creek and its Tributaries

THE Department of Land and Water Conservation pursuant to section 22B of the Water Act 1912, being satisfied that the quantity of water available or likely to be available in Findon Creek, Terrace Creek, Long Creek, Roseberry Creek, Upper Richmond River, Coopers Creek and their tributaries is insufficient to meet all requirements with respect to the taking of water therefrom, hereby gives notice to all holders of permits, authorities and licenses under Part 2 of the Act for any water supply purpose other than the supply of water for domestic, stock and farming (dairy washing) purposes that from Saturday, 15 December 2001 and until further notice, the right to pump water from the abovementioned streams and their tributaries is restricted to a maximum of six hours in any twenty four hour period.

Any person who contravenes the restrictions imposed by this notice is guilty of an offence and is liable on conviction to a penalty not exceeding:

- where the offence was committed by a Corporation of 200 penalty units.
- where the offence was committed by any other person of 100 penalty units.

One penalty unit = \$110.00.

GA2:343280.

Dated this 15th day of December 2001.

G. LOLLBACK,
Resource Access Manager.

Department of Land and Water Conservation,
North Coast Region, Grafton.

WATER ACT 1912

AN application under Part 2 within a proclaimed (declared) local area under section 5 (4) of the Water Act 1912.

An application for a licence under section 20 for works within a proclaimed (declared) local area as generally described hereunder have been received from:

Murrumbidgee Valley

Martin Jowitt MAYNARD for two pumps on the Murrumbidgee River, Lot 6, DP 756805, Parish of West Waradgery, County of Waradgery, for a water supply for stock and domestic purposes and irrigation of 923.51 hectares (replacement authority of increase in allocation by way of permanent water transfer of 700 megalitres) (Reference: 40SA5589).

Any enquiries regarding the above should be directed to the undersigned (tel.: [02] 6953 0700).

Formal objections to the application specifying the grounds thereof, may be made by any statutory authority or a local occupier within the proclaimed area and must be lodged with the Department's Regional Director at Leeton within the twenty-eight (28) days as fixed by the Act.

S. F. WEBB,
Water Access Manager,
Murrumbidgee Region.

Department of Land and Water Conservation,
PO Box 156, Leeton, NSW 2705.

WATER ACT 1912

APPLICATIONS for licences under section 10 of Part 2 of the Water Act 1912, as amended, has been received as follows:

Edward WARCABA and Philomena Theresa O'TOOLE for a pump on Nepean River, being on part unreserved Crown Land fronting 22/829001, Parish of Wilton, County of Camden, for industrial purposes (nursery) and the irrigation of 3 hectares (grapevines) (new licence of not subject to the Hawkesbury Nepean Embargo of lodged under the 1998 Water Amnesty) (Reference: 10SL56199) (GA2:493354).

John Joseph IZZARD and Marjorie Veronica IZZARD for a pump on Wollondilly River, being 2/712775, Parish of Nattery, County of Argyle, for water supply for stock and domestic purposes and the irrigation of 32 hectares (olives, grapes and lavender) (new licence of not subject to the Hawkesbury Nepean Embargo of lodged under the 1998 NSW Water Amnesty) (Reference: 10SL56169) (GA2:493355).

Robert McINNES for a diversion pipe on an unnamed watercourse, being 269/751292, Parish of Wallaya, County of Camden, for the irrigation of 6 hectares (flowers) (new licence of lodged under the 1998 NSW Water Amnesty) (Reference: 10SL56332) (GA2:493356).

CEDAR CREEK ORCHARDS PTY LTD for 2 weirs and 2 pumps on Cedar Creek and 2 earthen bywash dams on unnamed watercourse, being Lots 311/657643, 1/604692 and 2/510152, Parish of Couridjah, County of Camden, for water supply for domestic and farming purposes (fruit spraying) and the conservation of water for the irrigation of 40.5 hectares (orchards) (replacement licence of increase in area of existing structures of no alterations to works of not subject to the Hawkesbury Nepean Embargo of lodged under the 1998 Water Amnesty) (Reference: 10SL56198) (GA2:493354).

Wayne Phillip MEANI and Genevieve Mary MEANI for a pump on Stonequarry Creek, being 218/751270, Parish of Couridjah, County of Camden, for water supply for stock and domestic purposes and the irrigation of 5 hectares (lucerne and pasture) (new licence ó not subject to the Hawkesbury Nepean Embargo ó lodged under the 1998 NSW Water Amnesty) (Reference: 10SL56170) (GA2:493354).

HAWKESBURY CITY COUNCIL for a pump on Hawkesbury River, being 2/1004949, Parish of Wonga, County of Hunter, for the water supply for industrial purposes (toilets) (new licence ó not subject to the Hawkesbury Nepean Embargo ó lodged under the 1998 NSW Water Amnesty) (Reference: 10SL56165) (GA2:493353).

HAWKESBURY CITY COUNCIL for a pump on Hawkesbury River, being 12/540634, Parish of Spencer, County of Northumberland, for the water supply for industrial purposes (toilets) (new licence ó not subject to the Hawkesbury Nepean Embargo ó lodged under the 1998 NSW Water Amnesty) (Reference: 10SL56167) (GA2:493353).

HAWKESBURY CITY COUNCIL for a pump on Colo River, being part road reserve fronting 1/586231, Parish of Meehan, County of Cook, for the water supply for industrial purposes (toilets) (new licence ó not subject to the Hawkesbury Nepean Embargo ó lodged under the 1998 NSW Water Amnesty) (Reference: 10SL56166) (GA2:493353).

Grazio XERRI for a pump on Hawkesbury River, being 2/212263 and a dam on an unnamed watercourse, being 71/716511, Parish of Currency, County of Cook, for the conservation of water and the irrigation of 8 hectares (vegetables) (new licence ó not subject to the Hawkesbury Nepean Embargo ó lodged under the 1998 NSW Water Amnesty) (Reference: 10SL56168) (GA2:493353).

William Raymond JACKETT for a pump on Grose River, being 2/553507, Parish of Kurrajong, County of Cook, for the water supply for industrial purposes (nursery) (new licence ó not subject to the Hawkesbury Nepean Embargo ó lodged under the 1998 NSW Water Amnesty) (Reference: 10SL56196) (GA2:493353).

HAWKESBURY RETREAT for a pump on Hawkesbury River, being 1/862897, Parish of Hawkesbury, County of Hunter, for the water supply for industrial purposes (sand mining) and the conservation of water for wetland management purposes (new licence ó not subject to the Hawkesbury Nepean Embargo ó lodged under the 1998 NSW Water Amnesty) (Reference: 10SL56171) (GA2:493353).

Written objections specifying grounds thereof must be lodged with the Department within twenty-eight (28) days of the date of this publication as prescribed by the Act.

Natural Resource Project Officer,
Sydney/South Coast Region.

Department of Land and Water Conservation,
PO Box 3935, Parramatta, NSW 2124.

WATER ACT 1912

AN application under Part 2 being within a proclaimed (declared) local area under section 10 of the Water Act 1912, as amended.

An application for a licence within the proclaimed local area as generally described hereunder has been received as follows:

Macintyre-Dumaresq River Valley

RMI PTY LTD for ten (10) pumps and a diversion pipe on the Macintyre River on Lot 3/755987 and 33/755987, Parish of Canary and Lot 6/756017, Parish of Palaranga, both County of Stapylton, for irrigation of 5,155.5 hectares (cotton). This application proposes to transfer 3.5 hectares (21 megalitres) from the Severn River to existing development on ìPalarangî (LO Papers: 90SL100581).

Written objections to the application specifying the grounds thereof may be made by any statutory authority or local occupier within the proclaimed (declared) area, whose interest may be affected and must be lodged with the Department's Manager, Resource Access, Tamworth within twenty-eight (28) days as specified in the Act

GEOFF CAMERON,
Manager,
Resource Access.

Department of Land and Water Conservation,
PO Box 550, Tamworth, NSW 2340.

WATER ACT 1912

AN application under Part 8, being within a proclaimed (declared) local area under section 5 (4) of the Water Act 1912.

An application for approval of controlled works under section 167 within the proclaimed (declared) local area described hereunder has been received as follows:

Lower Gwydir River Valley

Phillip John CHRISTIE for controlled works (earthworks, embankments or levees), to include or in association with irrigation supply channels, drains, recirculation/storage, off-creek/river storage, floodway/waterways, access road, on the Lower Gwydir Valley Floodplain on Lot 18/753923, 19/753923, 20/753923, 21/753923, Pt Lot 17/753923, Pt Lot 46/753923, Pt Lot 100/753923 and Pt Lot 114/753923 and closed roads, Parish of Dangar, County of Jamison, on the property known as ìLower Watersî for prevention of inundation of land, irrigation and conservation of water (Reference: 90CW810831) (GA2:493687).

Written objections to the application specifying the grounds thereof may be made by any statutory authority or local occupier within the proclaimed (declared) area, whose interest may be affected and must be lodged with the Department's Resource Access Manager at Tamworth by 17 January 2002.

Plans showing the location of the works referred to in the above application may be viewed at the Moree Office of the Department of Land and Water Conservation.

GEOFF CAMERON,
Manager,
Resource Access.

Department of Land and Water Conservation,
PO Box 550, Tamworth, NSW 2340.

WATER ACT 1912

Order Under Section 22C

THE Water Administration Ministerial Corporation in pursuance of the provisions of section 22C of the Water Act 1912, as amended, alters amends and modifies the Proclamation published in *Government Gazette* No. 63 of 24 June 1966, in the manner appearing in the Schedule hereto.

DON MARTIN,
Regional Director,
Central West Region

(for Water Administration Ministerial Corporation).

Department of Land and Water Conservation,
By Delegation.

SCHEDULE*Lachlan River System*

By deleting 'Booberoi Creek' from the Schedule attached to the said Proclamation.

Department of Mineral Resources

NOTICE is given that the following applications have been received:

EXPLORATION LICENCE APPLICATIONS

(T01-0222)

No. 1837, YARDARINO LTD (ACN 009 256 535), area of 36 units, for Group 1, dated 12 December, 2001. (Coffs Harbour Mining Division).

(T01-0223)

No. 1838, YARDARINO LTD (ACN 009 256 535), area of 26 units, for Group 1, dated 12 December, 2001. (Orange Mining Division).

(T01-0224)

No. 1839, YARDARINO LTD (ACN 009 256 535), area of 39 units, for Group 1, dated 12 December, 2001. (Inverell Mining Division).

(T01-0225)

No. 1840, MOUNT ISA MINES LIMITED (ACN 009 661 447), area of 8 units, for Group 1, dated 14 December, 2001. (Orange Mining Division).

MINING LEASE APPLICATIONS

(C01-0367)

No. 197, LIMERICK VIEW PTY LIMITED (ACN 097 075 351), area of about .568 square kilometres, to mine for coal, dated 6 December, 2001. (Orange Mining Division).

(C01-0670)

No. 198, CIM RESOURCES LTD (ACN 008 881 712) and CIM STRATFORD PTY LTD (ACN 070 387 914), area of about 4.5 hectares, to mine for coal, dated 13 December, 2001. (Singleton Mining Division).

EDWARD OBEID, M.L.C.,
Minister for Mineral Resources

NOTICE is given that the following applications have been granted:

EXPLORATION LICENCE APPLICATIONS

(T01-0132)

No. 1770, now Exploration Licence No. 5909, RONALD NORMAN LEES and SUSAN NICOLA BORDER, Counties of Forbes and Monteagle, Map Sheet (8530, 8630), area of 5 units, for Group 1, dated 27 November, 2001, for a term until 26 November, 2003.

(T01-0134)

No. 1772, now Exploration Licence No. 5911, GREENSHIRE PTY LIMITED (ACN 006 790 325), County of Yancowinna, Map Sheet (7134), area of 18 units, for Group 1, dated 10 December, 2001, for a term until 9 December, 2003.

EDWARD OBEID, M.L.C.,
Minister for Mineral Resources

NOTICE is given that the following applications have been refused:

EXPLORATION LICENCE APPLICATION

(T01-0190)

No. 1809, PYRMONT RAW MATERIALS PTY LTD (ACN 054 267 846), County of Cook, County of Cumberland, County of Hunter and County of Northumberland, Map Sheet (9030, 9031, 9131). Refusal took effect on 11 December, 2001.

EDWARD OBEID, M.L.C.,
Minister for Mineral Resources

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

(M86-1111)

Authorisation No. 394, LIDDELL TENEMENTS PTY LIMITED (ACN 051 529 876), area of 172 hectares. Application for renewal received 12 December, 2001.

(T83-0858)

Exploration Licence No. 2151, GOLDFIELDS EXPLORATION PTY LIMITED (ACN 067 813 932), area of 38 units. Application for renewal received 12 December, 2001.

(T97-1269)

Exploration Licence No. 5400, ZEOLITE AUSTRALIA LIMITED (ACN 010 550 357), area of 3 units. Application for renewal received 10 December, 2001.

(C00-1093)

Coal Lease No. 584 (Act 1973), NOVACOAL AUSTRALIA PTY LIMITED (ACN 000 013 990), area of 101 hectares. Application for renewal received 11 December, 2001.

(T99-0794)

Mining Lease No. 905 (Act 1973), GIBSONVALE ALLUVIALS N.L. (ACN 004 632 526), area of 41.4 hectares. Application for renewal received 14 December, 2001.

EDWARD OBEID, M.L.C.,
Minister for Mineral Resources

RENEWAL OF CERTAIN AUTHORITIES

NOTICE is given that the following authorities have been renewed:

(T90-0021)

Exploration Licence No. 4510, HOMESTAKE AUSTRALIA LIMITED (ACN 007 857 598), County of Gipps, Map Sheet (8330), area of 6 units, for a further term until 25 May, 2003. Renewal effective on and from 12 December, 2001.

(T93-1008)

Exploration Licence No. 4846, PETER DAVID TIMMS, County of Yancowinna, Map Sheet (7234), area of 1 units, for a further term until 29 May, 2003. Renewal effective on and from 11 December, 2001.

(T94-0519)

Exploration Licence No. 4874, GOLDFIELDS EXPLORATION PTY LIMITED (ACN 067 813 932), County of Narromine, Map Sheet (8433, 8533), area of 46 units, for a further term until 1 August, 2003. Renewal effective on and from 11 December, 2001.

(T97-1266)

Exploration Licence No. 5479, PLATSEARCH N.L. (ACN 003 254 395), EAGLEHAWK GEOLOGICAL CONSULTING PTY LTD (ACN 061 324 454) and TRIAKO RESOURCES LIMITED (ACN 008 498 119), County of Yancowinna, Map Sheet (7134), area of 30 units, for a further term until 13 May, 2003. Renewal effective on and from 11 December, 2001.

(T98-1137)

Exploration Licence No. 5581, RIMFIRE PACIFIC MINING N.L. (ACN 006 911 744), Counties of Bland, Forbes and Gipps, Map Sheet (8430), area of 38 units, for a further term until 16 June, 2003. Renewal effective on and from 30 November, 2001.

(T99-0108)

Exploration Licence No. 5615, ILUKA MIDWEST LIMITED (ACN 008 763 666), County of Taila, Map Sheet (7428), area of 35 units, for a further term until 26 August, 2003. Renewal effective on and from 8 November, 2001.

(T99-0044)

Exploration Licence No. 5632, PLATSEARCH N.L. (ACN 003 254 395), County of Yancowinna, Map Sheet (7134), area of 4 units, for a further term until 12 October, 2003. Renewal effective on and from 11 December, 2001.

(T93-0564)

Private Lands Lease No. 1149 (Act 1924), UNIMIN AUSTRALIA LIMITED (ACN 000 971 844), Parish of Bouvierier, County of Westmoreland, Map Sheet (8829-2-N), area of 13.86 hectares, for a further term until 28 June, 2007. Renewal effective on and from the date of this notice.

(T93-0564)

Private Lands Lease No. 1152 (Act 1924), UNIMIN AUSTRALIA LIMITED (ACN 000 971 844), Parish of Bouvierier, County of Westmoreland, Map Sheet (8829-2-N), area of 6.272 hectares, for a further term until 28 June 2007. Renewal effective on and from the date of this notice.

(T93-0564)

Mineral Lease No. 6092 (Act 1906), UNIMIN AUSTRALIA LIMITED (ACN 000 971 844), Parish of Bouvierier, County of Westmoreland, Map Sheet (8829-2-N), area of 6576 square metres, for a further term until 17 May 2009. Renewal effective on and from the date of this notice.

(T93-0564)

Mining Purposes Lease No. 1295 (Act 1906), UNIMIN AUSTRALIA LIMITED (ACN 000 971 844), Parish of Bouvierier, County of Westmoreland, Map Sheet (8829-2-N), area of 1.3456 hectares, for a further term until 18 July 2008. Renewal effective on and from the date of this notice.

EDWARD OBEID, M.L.C.,
Minister for Mineral Resources

REFUSAL OF APPLICATIONS FOR RENEWAL

NOTICE is given that the applications for renewal in respect of the following authorities have been refused:

(T90-0617)

Exploration Licence No. 3938, LFB RESOURCES N.L. (ACN 073 478 574), County of Ashburnham, Map Sheet (8631), area of 10 units. The authority ceased to have effect on 11 December, 2001.

(T00-0446)

Private Lands Lease No. 517 (Act 1924), TREVOR BRUCE HENRY, GRAHAM ROBERT HENRY and HILTON BARRY HENRY, Parish of Kempfield, County of Georgiana, Map Sheet (8730-2-N), area of 8094 square metres. The title continues to have effect until 27 February, 2002.

(T00-0448)

Private Lands Lease No. 727 (Act 1924), TREVOR BRUCE HENRY, GRAHAM ROBERT HENRY and HILTON BARRY HENRY, Parish of Kempfield, County of Georgiana, Map Sheet (8730-2-N), area of 6880 square metres. The title continues to have effect until 27 February, 2002.

(T00-0449)

Private Lands Lease No. 728 (Act 1924), TREVOR BRUCE HENRY, GRAHAM ROBERT HENRY and HILTON BARRY HENRY, Parish of Kempfield, County of Georgiana, Map Sheet (8730-2-N), area of 2428 square metres. The title continues to have effect until 27 February, 2002.

EDWARD OBEID, M.L.C.,
Minister for Mineral Resources

**CANCELLATION OF AUTHORITIES
AT REQUEST OF HOLDERS**

NOTICE is given that the following authorities have been cancelled:

(T98-1046)

Exploration Licence No. 5529, AUSTMINEX N.L. (ACN 005 470 799), County of Gordon, Map Sheet (8632), area of 16 units. Cancellation took effect on 5 December, 2001.

(T98-1197)

Exploration Licence No. 5585, AUSTMINEX N.L. (ACN 005 470 799), County of Gordon, Map Sheet (8632), area of 4 units. Cancellation took effect on 5 December, 2001.

(T99-0165)

Exploration Licence No. 5691, KINGS MINERALS N.L. (ACN 006 381 684), County of Courallie and County of Murchison, Map Sheet (8937), area of 44 units. Cancellation took effect on 11 December, 2001.

(T97-0581)

Mining Lease No. 1070 (Act 1973), RUTILE & ZIRCON MINES (NEWCASTLE) LIMITED (ACN 000 393 135), Parish of Stowell, County of Gloucester, Map Sheet (9232-2-N), area of 20.55 hectares. Cancellation took effect on 7 December, 2001.

(T99-0446)

Mining Lease No. 1338 (Act 1992), RZMPTY LTD (ACN 001 242 397), Parish of Tuncurry, County of Gloucester, Map Sheet (9333-1-N), area of 61.41 hectares. Cancellation took effect on 7 December, 2001.

(T93-0717)

Mining Purposes Lease No. 260 (Act 1973), FLORENCE BARBARA GERMAINE, Parish of Wallangulla, County of Finch, Map Sheet (8439-2-S), area of 1.491 hectares. Cancellation took effect on 23 November, 2001.

EDWARD OBEID, M.L.C.,
Minister for Mineral Resources

**CANCELLATION OF A MINING LEASE FOR FAILURE
TO COMPLY WITH CONDITIONS OF THE LEASE OR
MINING ACT**

NOTICE is given that the following lease has been cancelled:

(T78-2913)

Mineral Lease No. 5555 (Act 1906), JOHN CUMMING, Parish of Mooney Mooney, County of Harden; Map Sheet (8528-3-N, 8528-3-N), area of 9.97 hectares. Cancellation took effect on 13 December, 2001.

EDWARD OBEID, M.L.C.,
Minister for Mineral Resources

TRANSFER

(T98-0078)

Mining Purposes Lease No. 264 (Act 1973), formerly held by BERNARD KNIGHT has been transferred to GRANT RAOUL KELLY. The transfer was registered on 29 November, 2001.

EDWARD OBEID, M.L.C.,
Minister for Mineral Resources

Department of Planning

Auburn Local Environmental Plan 2000 (Amendment No 1)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (P01/00004/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Urban Affairs and Planning

Clause 1 Auburn Local Environmental Plan 2000 (Amendment No 1)

Auburn Local Environmental Plan 2000 (Amendment No 1)

1 Name of plan

This plan is *Auburn Local Environmental Plan 2000 (Amendment No 1)*.

2 Aims of plan

- (1) This plan aims:
 - (a) to rezone part of the land to which this plan applies so as to correct zoning anomalies under *Auburn Local Environmental Plan 2000*, and
 - (b) to rezone the remainder of the land from Public Recreation to other zoning under that plan so as to give effect to Auburn Council's intentions at the time of the making of that plan as to what land should be set aside for open space purposes.
- (2) This plan also corrects part of the boundary of the local government area of Auburn shown on the zoning map supporting *Auburn Local Environmental Plan 2000*.

3 Land to which plan applies

This plan applies to land situated in the local government area of Auburn, as shown distinctively coloured, edged or lettered on Sheets 1–8 of the map marked "Auburn Local Environmental Plan 2000 (Amendment No 1)" deposited in the office of Auburn Council.

4 Amendment of Auburn Local Environmental Plan 2000

Auburn Local Environmental Plan 2000 is amended by inserting in appropriate order in the definition of *The map* in Schedule 1 the following words:

Auburn Local Environmental Plan 2000 (Amendment No 1)

Baulkham Hills Local Environmental Plan 1991 (Amendment No 88)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (P00/00290/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Urban Affairs and Planning

Clause 1 Baulkham Hills Local Environmental Plan 1991 (Amendment No 88)

Baulkham Hills Local Environmental Plan 1991 (Amendment No 88)

1 Name of plan

This plan is *Baulkham Hills Local Environmental Plan 1991 (Amendment No 88)*.

2 Aims of plan

This plan aims to rationalise land uses within the Norwest Business Park, Bella Vista, for residential, special uses (local drainage), existing and proposed public recreation, and employment area (business park) purposes.

3 Land to which plan applies

This plan applies to the land situated within the Baulkham Hills local government area, being Lot 7074 DP 1015434, Lot 301 DP 881331, and part of Norwest Boulevard, as shown edged heavy black on the map marked "Baulkham Hills Local Environmental Plan 1991 (Amendment No 88)" deposited in the office of Baulkham Hills Shire Council.

4 Amendment of Baulkham Hills Local Environmental Plan 1991

Baulkham Hills Local Environmental Plan 1991 is amended by inserting, in appropriate order, in the definition of *the map* in clause 5 (1) the following words:

Baulkham Hills Local Environmental Plan 1991 (Amendment No 88)

Blacktown Local Environmental Plan 1988 (Amendment No 163)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (P01/00280/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Urban Affairs and Planning

Clause 1 Blacktown Local Environmental Plan 1988 (Amendment No 163)

Blacktown Local Environmental Plan 1988 (Amendment No 163)

1 Name of plan

This plan is *Blacktown Local Environmental Plan 1988 (Amendment No 163)*.

2 Aims of plan

This plan aims to rezone the land to which this plan applies from the Residential "A" Zone to Special Uses (Hotel/Motel) under *Blacktown Local Environmental Plan 1988* so as to allow the land to be used for the purposes of a hotel/motel.

3 Land to which plan applies

This plan applies to Lot 12, DP 1028921, Bungarribee Road, Blacktown, as shown edged heavy black on the map marked "Blacktown Local Environmental Plan 1988 (Amendment No 163)" deposited in the office of the Council of the City of Blacktown.

4 Amendment of Blacktown Local Environmental Plan 1988

Blacktown Local Environmental Plan 1988 is amended by inserting in appropriate order in the definition of *the map* in clause 6 (1) the following words:

Blacktown Local Environmental Plan 1988 (Amendment No 163)

Botany Local Environmental Plan 1995 (Amendment No 14)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (R96/00239/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Urban Affairs and Planning

Clause 1 Botany Local Environmental Plan 1995 (Amendment No 14)

Botany Local Environmental Plan 1995 (Amendment No 14)

1 Name of plan

This plan is *Botany Local Environmental Plan 1995 (Amendment No 14)*.

2 Aims of plan

This plan aims:

- (a) to encourage the development of higher residential densities and a greater housing mix on selected sites in line with metropolitan planning and local urban design objectives, and
- (b) to ensure that future development on selected sites has regard to principles of ecologically sustainable development, and
- (c) to replace a provision in *Botany Local Environmental Plan 1995* (the 1995 plan) relating to the remediation of contaminated land.

3 Objectives of this plan

The objectives of this plan are as follows:

Policy framework

- (a) to rezone land to the Residential “B” Zone under the 1995 plan,
- (b) to facilitate innovative and site responsive design solutions through the inclusion of detailed provisions and objectives in a development control plan,

Urban design

- (c) to promote housing forms of a scale and character that are in keeping with the locality,
- (d) to ensure that development preserves or enhances the special qualities of individual sites,
- (e) to ensure a variety of facades and roof forms within development,
- (f) to ensure the provision of varied and attractive streetscapes,

Botany Local Environmental Plan 1995 (Amendment No 14)

Clause 3

-
- (g) to enhance the appearance, amenity and energy efficiency of housing through integrated landscape design,
 - (h) to ensure that site facilities, such as clotheslines and garbage receptacles, are integrated into development and are unobtrusive,

Lifestyle opportunities

- (i) to create attractive and varied street environments that serve as places for social interaction,
- (j) to encourage alternative modes of transport, particularly walking and cycling, through the provision of safe, attractive and convenient street networks,
- (k) to ensure adequate acoustic and visual privacy in housing design,
- (l) to ensure that public and private residential environments enjoy adequate access to sunlight,
- (m) to ensure the adequate provision of accessible public and private open space,
- (n) to ensure access to a diverse range of recreational opportunities,
- (o) to ensure that increased population densities are well served by public transport and local services and facilities,

Safety and security

- (p) to ensure a safe urban environment by promoting crime prevention through design,
- (q) to ensure streets are safe for pedestrians and motorists,

Housing choice

- (r) to encourage a variety of housing types and forms to accommodate a diverse and changing population,

Resource conservation

- (s) to promote energy efficient development,
- (t) to ensure the preservation of biodiversity,
- (u) to ensure development has regard to the principles of solar passive design,
- (v) to encourage the use of reusable, recyclable and renewable resources in construction,

Clause 3 Botany Local Environmental Plan 1995 (Amendment No 14)

- (w) to minimise fuel use through the encouragement of efficient street networks and ensuring access to public transport and encouraging pedestrian activity,
- (x) to control stormwater and minimise discharge impacts on adjoining properties,
- (y) to encourage reduced water consumption.

4 Land to which plan applies

- (1) To the extent that this plan rezones land, it applies:
 - (a) to the area of land generally bounded by Sandgate Street, Chelmsford Avenue, The Esplanade and Folkestone Parade, Botany, as shown edged heavy black on Sheet B of the map marked "Botany Local Environmental Plan 1995 (Amendment No 14)", and
 - (b) to the area of land generally bounded by Myrtle Street, Bay Street and Jasmine Street, Botany, as shown edged heavy black on Sheet C of the map marked "Botany Local Environmental Plan 1995 (Amendment No 14)",
deposited in the office of the Council of the City of Botany Bay.
- (2) To the extent that this plan provides for the remediation of contaminated land, it applies to all land within the City of Botany Bay under *Botany Local Environmental Plan 1995*.
- (3) The land shown edged heavy black on Sheet A of the map marked "Botany Local Environmental Plan 1995 (Amendment No 14)" has been excluded from the operation of this plan.

5 Amendment of Botany Local Environmental Plan 1995

Botany Local Environmental Plan 1995 is amended as set out in Schedule 1.

Botany Local Environmental Plan 1995 (Amendment No 14)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 5)

[1] Clause 29

Omit the clause. Insert instead:

29 Contaminated land

- (1) All land within the City of Botany Bay has the potential to be contaminated. It is a requirement that, on submission of a site specific rezoning application or development application (or both applications), an initial evaluation be carried out (in accordance with the guidelines set out in the document entitled *Managing Land Contamination: Planning Guidelines*, published in 1998 by the Department of Urban Affairs and Planning and the Environment Protection Authority) to establish whether there is a risk to health or the environment caused by the proposed use of the land.
- (2) Where contamination does exist and poses a risk to health or the environment, the Council must only grant consent to development if it is satisfied that the land can be made suitable through remediation for the proposed development.
- (3) A site audit is to be undertaken on completion of any investigation or remediation work carried out in respect of the actual or possible contamination of land and a site audit statement submitted to the Council.
- (4) In subclause (3), *site audit statement* has the same meaning as in section 47 (1) of the *Contaminated Land Management Act 1997*.

[2] Schedule 1 Definitions

Insert in appropriate order in the definition of *the map*:

Botany Local Environmental Plan 1995 (Amendment No 14)—
Sheets B and C

Canterbury Local Environmental Plan No 196

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (S99/00539/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Urban Affairs and Planning

Clause 1 Canterbury Local Environmental Plan No 196

Canterbury Local Environmental Plan No 196

1 Name of plan

This plan is *Canterbury Local Environmental Plan No 196*.

2 Aims of plan

- (1) This plan aims to change in certain environmental planning instruments the adoption date for Canterbury City Council's *Development Control Plan No 31—Exempt and Complying Development Code* from 14 October 1999 to 10 May 2001 (following a review by the Council).
- (2) This plan also aims to provide for exempt and complying development to apply to the land to which *Canterbury Local Environmental Plan No 171* applies.

3 Land to which plan applies

This plan applies to all land within the City of Canterbury.

4 Amendment of other environmental planning instruments

The following instruments are amended as set out in Schedule 1:

Canterbury Planning Scheme Ordinance,
Canterbury Local Environmental Plan No 138—Canterbury Precinct,
Canterbury Local Environmental Plan No 148—Campsie Precinct,
Canterbury Local Environmental Plan No 171,
Canterbury Local Environmental Plan No 178—Belmore—Lakemba Precinct.

Canterbury Local Environmental Plan No 196

Amendment of other environmental planning instruments

Schedule 1

Schedule 1 Amendment of other environmental planning instruments

(Clause 4)

1.1 Canterbury Planning Scheme Ordinance

Clause 22A What is exempt and complying development?

Omit “14 October 1999” wherever occurring. Insert instead “10 May 2001”.

1.2 Canterbury Local Environmental Plan No 138—Canterbury Precinct

Clause 10A What is exempt and complying development?

Omit “14 October 1999” wherever occurring. Insert instead “10 May 2001”.

1.3 Canterbury Local Environmental Plan No 148—Campsie Precinct

Clause 10A What is exempt and complying development?

Omit “14 October 1999” wherever occurring. Insert instead “10 May 2001”.

1.4 Canterbury Local Environmental Plan No 171

Clause 12

Insert after clause 11:

12 What is exempt and complying development?

- (1) Development of minimal environmental impact listed in Schedule 1 to *Development Control Plan No 31—Exempt and*

Canterbury Local Environmental Plan No 196

Schedule 1 Amendment of other environmental planning instruments

Complying Development Code as adopted by the Council on 10 May 2001 is **exempt development**, despite any other provision of this plan.

- (2) Development listed in Schedule 2 to *Development Control Plan No 31—Exempt and Complying Development Code* as adopted by the Council on 10 May 2001 is **complying development** if:
 - (a) it is local development of a kind that can be carried out with consent on the land on which it is proposed, and
 - (b) it is not an existing use, as defined in section 106 of the Act.
- (3) Development is exempt or complying development only if it complies with the development standards and other requirements applied to the development by *Development Control Plan No 31—Exempt and Complying Development Code* as adopted by the Council on 10 May 2001.
- (4) A complying development certificate issued for any complying development is to be subject to the conditions for the development specified in Schedule 3 to *Development Control Plan No 31—Exempt and Complying Development Code* adopted by the Council, as in force when the certificate is issued.

1.5 Canterbury Local Environmental Plan No 178—Belmore—Lakemba Precinct

Clause 10A What is exempt and complying development?

Omit “14 October 1999” wherever occurring. Insert instead “10 May 2001”.

Cessnock Local Environmental Plan 1989 (Amendment No 75)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (N01/00082/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Urban Affairs and Planning

Clause 1 Cessnock Local Environmental Plan 1989 (Amendment No 75)

Cessnock Local Environmental Plan 1989 (Amendment No 75)

1 Name of plan

This plan is *Cessnock Local Environmental Plan 1989 (Amendment No 75)*.

2 Aims of plan

This plan aims to amend *Cessnock Local Environmental Plan 1989* so as:

- (a) to rectify operational problems, and
- (b) to rezone certain land.

3 Land to which plan applies

This plan applies:

- (a) to land at Cessnock and Sweetmans Creek, as shown edged heavy black on the maps marked “Cessnock Local Environmental Plan 1989 (Amendment No 75)” deposited in the office of Cessnock City Council, to the extent that it rezones land, and
- (b) otherwise to land to which *Cessnock Local Environmental Plan 1989* applies.

4 Amendment of Cessnock Local Environmental Plan 1989

Cessnock Local Environmental Plan 1989 is amended as set out in Schedule 1.

Cessnock Local Environmental Plan 1989 (Amendment No 75)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 Definitions

Insert in alphabetical order in clause 5 (1):

accommodation means a dwelling, room or the like in which a person may live.

permanent or long-term accommodation means accommodation that is, or is to be, occupied by a person as the person's principal place of residence for more than 42 consecutive days (or, in aggregate, more than 150 days in any 12 month period), whether or not occupation of the accommodation involves the payment of money.

temporary accommodation means accommodation that is, or is to be, occupied by a person for no more than 42 consecutive days (or, in aggregate, no more than 150 days in any 12 month period), whether or not occupation of the accommodation involves the payment of money.

[2] Clause 5 (1), definition of "holiday cabin"

Omit "holiday accommodation".

Insert instead "temporary accommodation for holiday purposes".

[3] Clause 5 (1), definition of "the map"

Insert at the end of the definition:

Cessnock Local Environmental Plan 1989 (Amendment No 75)

[4] Clause 5 (1), definition of "tourist recreation facilities"

Omit "holiday accommodation".

Insert instead "temporary accommodation for holiday purposes".

[5] Clause 11 Subdivision of land—general

Omit "in circumstances other than those set out" from clause 11 (2) (c).

Insert instead "otherwise than as specified".

Page 3

Cessnock Local Environmental Plan 1989 (Amendment No 75)

Schedule 1 Amendments

[6] Clause 11 (2) (d)

Omit the paragraph. Insert instead:

- (d) to enlarge the area of an allotment of land within Zone No 1 (a) or 1 (v) by amalgamating the allotment with another allotment,

[7] Clause 11 (4)

Insert after clause 11 (3):

- (4) Despite the other provisions of this plan, the Council may consent to the subdivision of a parcel of land that is within more than one zone if the proposed subdivision (except for any residue allotment) meets the minimum lot size requirements for the zone in which the greater part of the land concerned is situated.

[8] Clause 12 Subdivision of land within Zone No 1 (a)

Insert after clause 12 (1):

- (1A) The Council may consent to a subdivision for the purpose of adjusting boundaries of allotments of land within Zone No 1 (a) that results in the creation of one or more allotments of less than 40 hectares in area, but only if the subdivision will not:
 - (a) create any additional allotments of land, or
 - (b) give rise to any additional right to erect a dwelling-house, or
 - (c) prejudice the agricultural capability of the land.

[9] Clause 12 (3)

Omit “intended to be”.

[10] Clause 13 Dwelling-houses—Zone No 1 (a)

Insert after clause 13 (1):

- (1A) If a residue allotment of land within Zone No 1 (a) having an area of less than 40 hectares is created by an amalgamation referred to in clause 11 (2) (d), a dwelling-house may be erected on the residue allotment only if:

Cessnock Local Environmental Plan 1989 (Amendment No 75)

Amendments

Schedule 1

-
- (a) a dwelling-house could have been erected, pursuant to subclause (1), on the allotment existing prior to the amalgamation, or
 - (b) the amalgamation creates an allotment that meets the criteria set out in subclause (1),
- and the allotment is not an allotment originally created under clause 12 (4) whose area, as a result of the amalgamation, exceeds 2 hectares.

[11] Clause 13 (5)

Insert after clause 13 (4):

- (5) If an allotment of land within Zone No 1 (a) is lawfully created pursuant to an objection under *State Environmental Planning Policy No 1—Development Standards* to a provision of this plan, the Council may consent to the erection of a dwelling-house on the allotment concerned despite any other provision of this plan that could also be the subject of an objection under that Policy.

[12] Clause 16 Dwelling houses—Zone No 1 (v)

Insert after clause 16 (1):

- (1A) If a residue allotment of land within Zone No 1 (v) having an area of less than 40 hectares is created by an amalgamation referred to in clause 11 (2) (d), a dwelling-house may be erected on the residue allotment only if:
 - (a) a dwelling-house could have been erected, pursuant to subclause (1), on the allotment existing prior to the amalgamation, or
 - (b) the amalgamation creates an allotment that meets the criteria set out in subclause (1),and the allotment is not an allotment originally created under clause 12 (4) whose area, as a result of the amalgamation, exceeds 2 hectares.

Cessnock Local Environmental Plan 1989 (Amendment No 75)

Schedule 1 Amendments

[13] Clause 26

Omit clause 26. Insert instead:

26 Advertisements

- (1) A commercial sign may be erected or displayed without the consent of the Council on any land other than land within Zone No 1 (v).
- (2) An advertising structure larger than a commercial sign may be erected:
 - (a) only on land within Zone No 3 (a), 3 (b), 3 (c), 4 (a), 4 (b) or 5 (a), and
 - (b) only if it is to be the sole such structure on the land, and
 - (c) only for the purpose of displaying a notice relating to the purpose for which the land is being lawfully used, and
 - (d) only with the consent of the Council.
- (3) An advertising structure may be erected and an advertisement displayed on it without the consent of the Council for a period not exceeding two months in any twelve months on any land other than land within Zone No 1 (v). The Council may take such steps as it considers appropriate or necessary to require the removal of the advertisement and the advertising structure at the expiry of the two-month period.

Kiama Local Environmental Plan 1996 (Amendment No 43)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (W00/00084/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Urban Affairs and Planning

Clause 1 Kiama Local Environmental Plan 1996 (Amendment No 43)

Kiama Local Environmental Plan 1996 (Amendment No 43)

1 Name of plan

This plan is *Kiama Local Environmental Plan 1996 (Amendment No 43)*.

2 Aims of plan

This plan aims to allow on land to which this plan applies, with the consent of the Council of the Municipality of Kiama, the erection of a dwelling-house on each allotment, being land previously zoned Rural "C" (Semi-Rural Residential) under *Kiama Local Environmental Plan No 5*.

3 Land to which plan applies

This plan applies to land situated in the local government area of Kiama, being:

- (a) proposed Lots 2–5 in a subdivision of Lot 115 and Lots 132–139, DP 751254, Tomlins Road, Broughton, as shown edged heavy black on Sheet 1 of the map marked "Kiama Local Environmental Plan 1996 (Amendment No 43)" deposited in the office of the Council of the Municipality of Kiama, and
- (b) Lot 13, DP 654855 and Lot 88, DP 784352, Foxground Road, Foxground, as shown edged heavy black on Sheets 2 and 3, respectively, of that map.

4 Amendment of Kiama Local Environmental Plan 1996

Kiama Local Environmental Plan 1996 is amended by inserting at the end of Schedule 4 the following matter:

- Proposed Lots 2–5 in a subdivision of Lot 115 and Lots 132–139, DP 751254, Tomlins Road, Broughton and Lot 13, DP 654855 and Lot 88, DP 784352, Foxground Road, Foxground, as shown edged heavy black on Sheets 1–3, respectively, of the map marked "Kiama Local Environmental Plan 1996 (Amendment No 43)"—the erection of a single dwelling-house on each lot.

Rockdale Local Environmental Plan 2000 (Amendment No 12)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (S01/00889/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Urban Affairs and Planning

Clause 1 Rockdale Local Environmental Plan 2000 (Amendment No 12)

Rockdale Local Environmental Plan 2000 (Amendment No 12)

1 Name of plan

This plan is *Rockdale Local Environmental Plan 2000 (Amendment No 12)*.

2 Aims of plan

This plan aims to rezone the land to which this plan applies to Zone 2 (c) (the Residential Flat Building Residential zone) under *Rockdale Local Environmental Plan 2000* in order to permit the carrying out of development of the land for the purpose of a residential flat building.

3 Land to which plan applies

This plan applies to land at 13 Mill Street, Carlton, being Lots 5, 6 and 7, Section 6, DP 2122, as shown coloured pink with red edging and lettered "2 (c)" on the map marked "Rockdale Local Environmental Plan 2000 (Amendment No 12)" held by Rockdale City Council.

4 Amendment of Rockdale Local Environmental Plan 2000

Rockdale Local Environmental Plan 2000 is amended by inserting in appropriate order in the definition of *the map* in clause 8 (1) the following words:

Rockdale Local Environmental Plan 2000 (Amendment No 12)

Sutherland Shire Local Environmental Plan 2000 (Amendment No 11)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (S01/01414/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Urban Affairs and Planning

Clause 1 Sutherland Shire Local Environmental Plan 2000 (Amendment No 11)

Sutherland Shire Local Environmental Plan 2000 (Amendment No 11)

1 Name of plan

This plan is *Sutherland Shire Local Environmental Plan 2000 (Amendment No 11)*.

2 Aims of plan

This plan aims:

- (a) to rezone part of the land to which this plan applies from various residential and special uses zones to partly Zone 6 (a) Public Recreation and partly Zone 6 (a) Public Recreation–Foreshore Scenic Protection Area under *Sutherland Shire Local Environmental Plan 2000*, and
- (b) to rezone the remainder of the land from Zone 6 (a) Public Recreation to Zone 2 (a1) Residential–Foreshore Scenic Protection Area under the 2000 plan.

3 Land to which plan applies

This plan applies to the following land situated within the local government area of Sutherland:

- (a) Lot 13, DP 9018 (No 12 Denman Avenue, Woolooware) and Lot 1, DP 440601 (No 12R Wills Road, Woolooware), as shown edged heavy black on the map marked “Map 14: 12 Denman Avenue 12R Wills Road,”
- (b) Lots 20–22, Section 2, DP 8670 (Nos 94, 95 and 96 The Esplanade, Cronulla), as shown edged heavy black on the map marked “Map 15: 94, 95, 96 The Esplanade,”
- (c) Lots 145–148, DP 8505 (Nos 6, 8, 10 and 12 Castelnau Street, Caringbah), as shown edged heavy black on the map marked “Map 16: 6, 8, 10, 12 Castelnau Street,”
- (d) Lots A and B, DP 360826 (No 38 Canberra Road, Sylvania and No 5 Melrose Avenue, Sylvania) and Lot 1, DP 417212 (No 3 Melrose Avenue, Sylvania), as shown edged heavy black on the map marked “Map 17: 38 Canberra Road, 3, 5 Melrose Avenue,”

Sutherland Shire Local Environmental Plan 2000 (Amendment No 11)

Clause 3

-
- (e) Lots 19, 18 and 17, DP 808727 (Nos 68, 70 and 72 Landor Road, Barden Ridge) and Lot 20, DP 808727 (No 11 Parsons Place, Barden Ridge), as shown edged heavy black on the map marked "Map 18: 68, 70, 72 Landor Road, 11 Parsons Place",
 - (f) Lot 1, DP 219900 (No 66 Karimbla Road, Miranda) and Lot 2, DP 570622 (Nos 68–74 Karimbla Road, Miranda), as shown edged heavy black on the map marked "Map 19: 66–74 Karimbla Road",
 - (g) Lot 131, DP 739409 (No 9 Bassia Place, Alfords Point), as shown edged heavy black on the map marked "Map 20: 9 Bassia Place",
 - (h) Lot 75, DP 739409 (No 12 Burrawang Place, Alfords Point), as shown edged heavy black on the map marked "Map 21:12 Burrawang Place",

deposited in the office of Sutherland Shire Council.

4 Amendment of Sutherland Shire Local Environmental Plan 2000

Sutherland Shire Local Environmental Plan 2000 is amended as set out in Schedule 1.

Sutherland Shire Local Environmental Plan 2000 (Amendment No 11)

Schedule 1 Amendment

Schedule 1 Amendment

(Clause 4)


Schedule 7 Maps

Insert after Map 13:



**Map 14: 12 Denman Avenue
12R Wills Road,**

LOCATION WOOLLOOWARE

 6(a) Public Recreation

Sutherland Shire Local Environmental Plan 2000 (Amendment No 11)


Amendment

Schedule 1



Map 15: 94,95,96 The Esplanade

LOCATION CRONULLA

 6 (a) Public Recreation - Foreshore Scenic Protection Area


Sutherland Shire Local Environmental Plan 2000 (Amendment No 11)

Schedule 1 Amendment



Map 16: 6,8,10,12 Castelnau Street

LOCATION CARINGBAH

 6(a) Public Recreation

Sutherland Shire Local Environmental Plan 2000 (Amendment No 11)


Amendment

Schedule 1



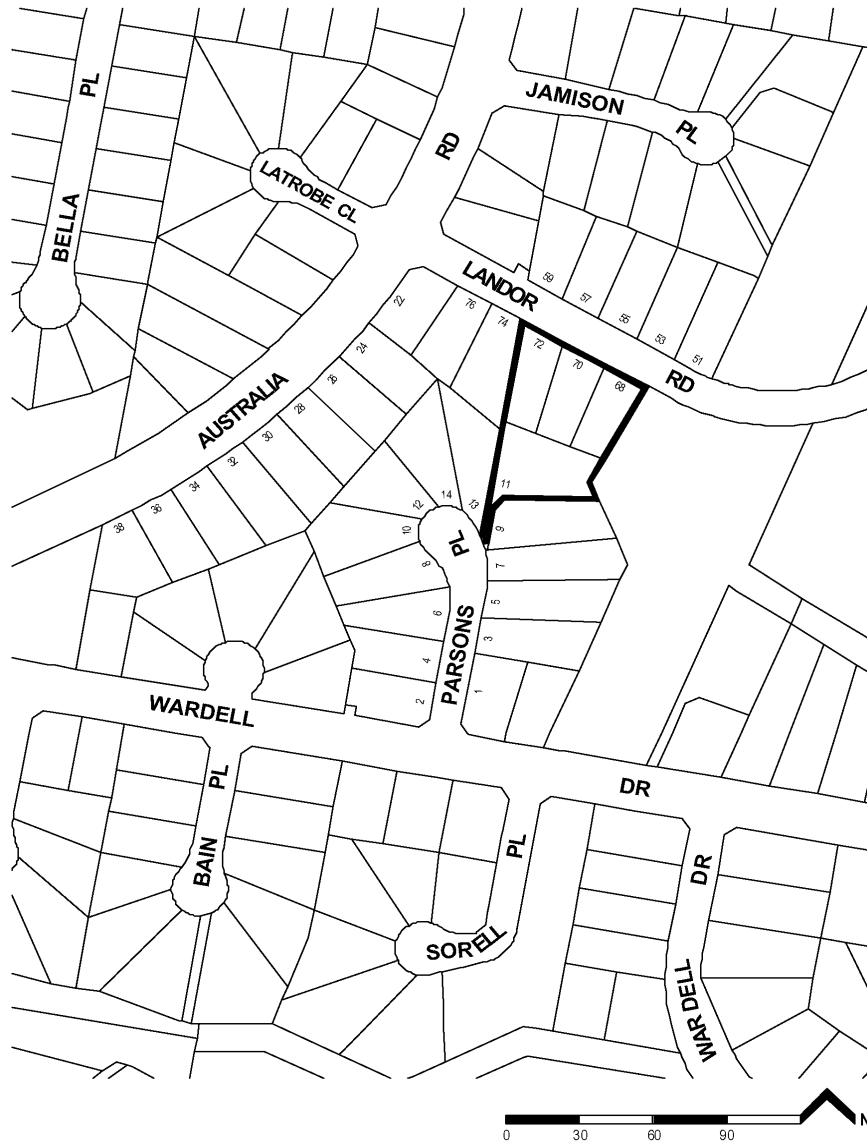
**Map 17: 38 Canberra Road,
3,5 Melrose Avenue**

LOCATION SYLVANIA

 6(a) Public Recreation


Sutherland Shire Local Environmental Plan 2000 (Amendment No 11)

Schedule 1 Amendment



**Map 18: 68,70,72 Landor Road,
11 Parsons Place**

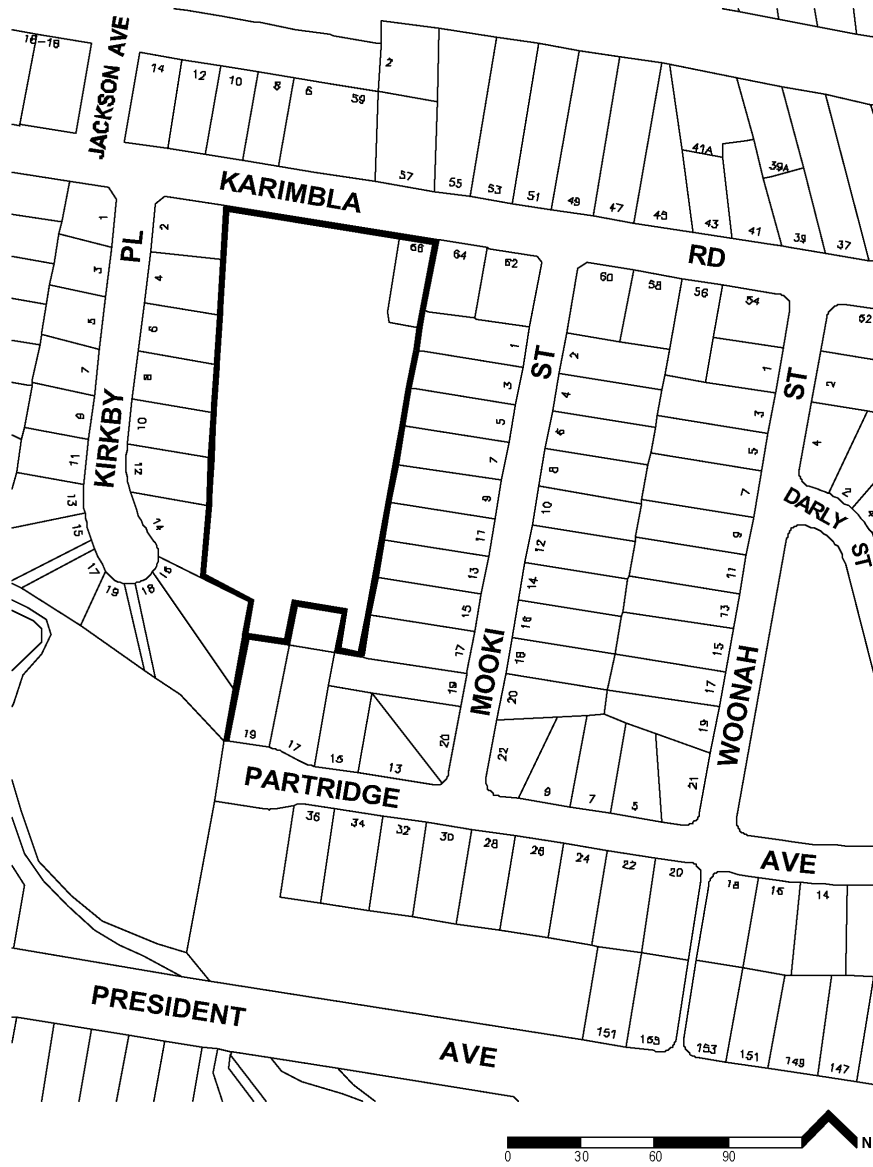
LOCATION BARDEN RIDGE

 6(a) Public Recreation

Sutherland Shire Local Environmental Plan 2000 (Amendment No 11)


Amendment

Schedule 1



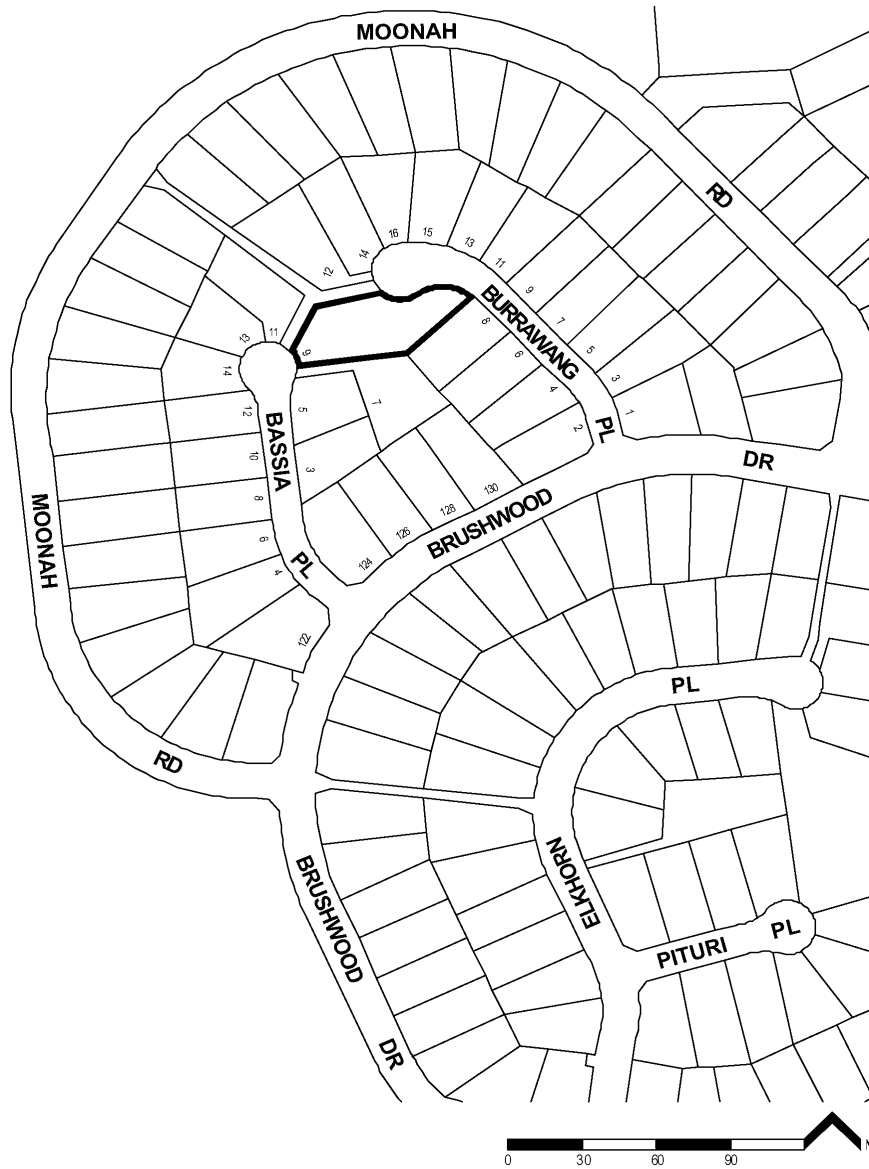
Map 19: 66-74 Karimbla Road

LOCATION MIRANDA

 6(a) Public Recreation

Sutherland Shire Local Environmental Plan 2000 (Amendment No 11)

Schedule 1 Amendment



Map 20: 9 Bassia Place

LOCATION ALFORDS POINT

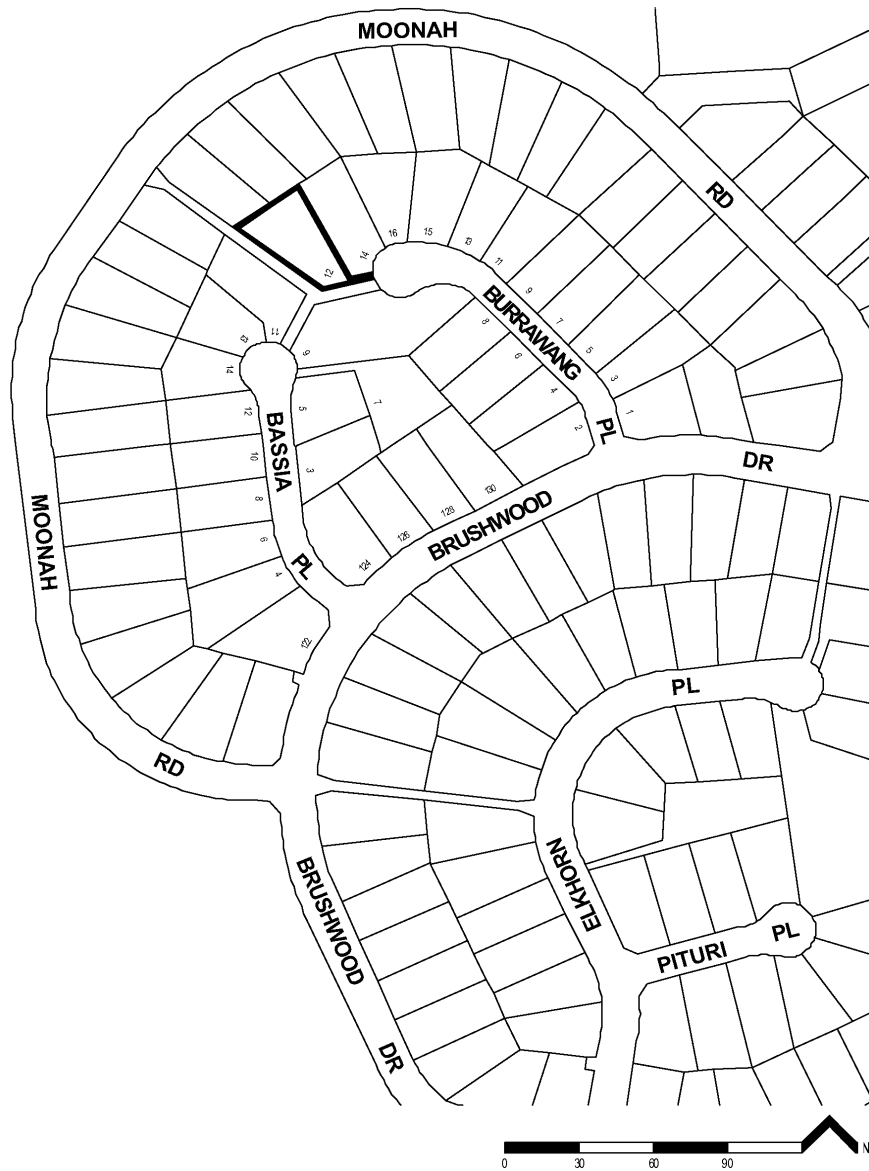


6(a) Public Recreation - Foreshore Scenic Protection Area

Sutherland Shire Local Environmental Plan 2000 (Amendment No 11)

Amendment

Schedule 1



Map 21: 12 Burrawang Place

LOCATION ALFORDS POINT



2 (a1) Residential - Foreshore Scenic Protection Area

Warringah Local Environmental Plan 2000 (Amendment No 4)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (S01/01113/S69)

ANDREW REFSHAUGE, M.P.,
Minister for Urban Affairs and Planning

Clause 1 Warringah Local Environmental Plan 2000 (Amendment No 4)

Warringah Local Environmental Plan 2000 (Amendment No 4)

1 Name of plan

This plan is *Warringah Local Environmental Plan 2000 (Amendment No 4)*.

2 Aims of plan

This plan aims:

- (a) to include certain land in Locality F2 Brookvale Service Centre under *Warringah Local Environmental Plan 2000*, and
- (b) to make minor miscellaneous amendments to that plan concerning subdivision, exempt development, complying development and other development controls.

3 Land to which plan applies

This plan applies to all land within the local government area of Warringah.

4 Amendment of Warringah Local Environmental Plan 2000

Warringah Local Environmental Plan 2000 is amended as set out in Schedule 1.

Warringah Local Environmental Plan 2000 (Amendment No 4)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 21 Can land be subdivided?

Omit “will have regard to those matters outlined in” from clause 21 (3).
Insert instead “must be satisfied that the proposed development is consistent with the provisions of”.

[2] Clause 21 (3)

Omit “in assessing”. Insert instead “before approving”.

[3] Schedule 1 Exempt development

Omit “or the Roads and Traffic Authority” from the matter relating to identification, interpretive, directional and advance warning signs under the heading “**SIGNS**” in the Table to the Schedule.
Insert instead “, the Roads and Traffic Authority or any other government department or public authority”.

[4] Schedule 7 Matters for consideration in a subdivision of land

Omit “clause 21 (3)” from the matter under the heading “**Lot dimensions**”.
Insert instead “clause 21 (1) (b)”.

[5] Schedule 7, matter under heading “Lot dimensions”

Omit “minimum density” from paragraph (a).
Insert instead “maximum density”.

[6] Schedule 7, matter under heading “Lot dimensions”

Insert “(including any right-of-carriageway, access handle, accessway or that provides for vehicular access)” after “the area of any access corridor” in paragraph (c).

Warringah Local Environmental Plan 2000 (Amendment No 4)

Schedule 1 Amendments

[7] Dictionary

Insert at the end of the definition of *the map*:

Warringah Local Environmental Plan 2000 (Amendment No 4)—Sheets 1 and 2

[8] Appendices A–H

Insert “(which does not include the area of any access corridor, whether such access corridor is to be created or is in existence at the time of application for development consent)” after the words “the site area” where firstly occurring under the heading “**Housing density**” in relation to the following localities:

A2 Booralie Road
A3 Terrey Hills Village
A4 Myoora Road
A5 McCarrs Creek Road
A7 Mona Vale Road North
B1 Frenchs Forest East
B2 Oxford Falls Valley
B3 Oxford Heights/Carnarvon Drive
B5 Narrabeen Lakeside
B7 Narrabeen Lake Suburbs
B8 Red Hill
B9 Mona Vale Road East
B11 Forest Way Village
B12 Perentie and Dawes Roads
C1 Middle Harbour Suburbs
C8 Belrose North
C10 Mona Vale Road West
D1 Collaroy/Narrabeen
D3 Collaroy Footslopes
D4 Collaroy Plateau
D5 Long Reef
E1 Dee Why North
E2 Dee Why Lagoon Suburbs
E15 Wingala Hill
F4 Brookvale Valley
F5 Curl Curl
G2 Riverview Parade
G3 Manly Lagoon Suburbs

Warringah Local Environmental Plan 2000 (Amendment No 4)

Amendments

Schedule 1

G7 Innes Road
G8 Queenscliff
H1 Freshwater Beach

[9] Appendices A, B and D–H

Insert “Unless exemptions are made to the housing density standard in this locality statement, any subdivision of land is to be consistent with the predominant pattern, size and configuration of existing allotments in the locality.” at the end of the second paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in relation to each of the following localities:

A3 Terrey Hills Village
B1 Frenchs Forest East
B3 Oxford Heights/Carnarvon Drive
B5 Narrabeen Lakeside
B7 Narrabeen Lake Suburbs
B8 Red Hill
D1 Collaroy/Narrabeen
D3 Collaroy Footslopes
D4 Collaroy Plateau
D5 Long Reef
E1 Dee Why North
E2 Dee Why Lagoon Suburbs
E15 Wingala Hill
F4 Brookvale Valley
F5 Curl Curl
G2 Riverview Parade
G3 Manly Lagoon Suburbs
G7 Innes Road
G8 Queenscliff
H1 Freshwater Beach

Warringah Local Environmental Plan 2000 (Amendment No 4)

Schedule 1 Amendments

[10] Appendix C Middle Harbour Suburbs Locality Statements

Insert “Unless exemptions are made to the density standard in this locality statement, any subdivision of land is to be consistent with the predominant pattern, size and configuration of existing allotments in the locality.” at the end of the third paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in relation to Locality C1 Middle Harbour Suburbs.

[11] Appendix E Dee Why Locality Statements

Insert after the fifth paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in relation to Locality E6 Oaks Avenue:

Site amalgamation will be encouraged to facilitate new development and enable all carparking to be provided below ground or behind buildings using shared driveways where possible.

[12] Appendix F Curl Curl Lagoon Catchment Locality Statements

Omit “in its central section” from the first paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**” in relation to Locality F1 Brookvale Centre.

[13] Appendix F, in relation to “Locality F1 Brookvale Centre”

Insert at the end of the table under the heading “**COMPLYING DEVELOPMENT**”:

- | | |
|--|---|
| <p>Industrial uses, being:</p> <ul style="list-style-type: none"> • a different use resulting from a change of use from one type of approved industry or warehouse to another type of industry or warehouse. • alterations to approved industrial and warehouse buildings. | <p>As described in Schedule 12—Part C</p> |
|--|---|

Warringah Local Environmental Plan 2000 (Amendment No 4)

Amendments

Schedule 1

[14] Appendix G Manly Lagoon Catchment Locality Statements

Omit the matter relating to business uses, offices and shops from the Table under the heading “**COMPLYING DEVELOPMENT**” in relation to Locality G4 Rodborough Road.

Insert instead:

Development for the purpose of business uses, offices and shops, being internal alterations to approved business premises, offices or shops.	As described in Schedule 12—Part D
--	------------------------------------

[15] Appendix G, in relation to “Locality G5 Manly Vale Centre”

Omit “incorporating” from the first paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**”.

Insert instead “that may incorporate”.

[16] Appendix G, in relation to “Locality G5 Manly Vale Centre”

Insert in alphabetical order in the matter under the heading “**PROHIBITED DEVELOPMENT**”:

- brothels

[17] Appendix G, in relation to “Locality G6 Manly Vale Business”

Omit “incorporating” from the first paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**”.

Insert instead “that may incorporate”.

[18] Appendix G, in relation to “Locality G6 Manly Vale Business”

Omit “provided” from the second paragraph of the matter under the heading “**DESIRED FUTURE CHARACTER**”.

Insert instead “encouraged”.

Warringah Local Environmental Plan 2000 (Amendment No 4)

Schedule 1 Amendments

[19] Appendix G, in relation to “Locality G6 Manly Vale Business”

Omit the matter from under the heading “**Category One**”.

Insert instead:

- business premises
- hire establishments
- offices
- restaurants
- shops

**ENVIRONMENTAL PLANNING AND
ASSESSMENT ACT 1979**

**REVOCATION OF NOTIFICATION PLACING
LAND UNDER CARE, CONTROL AND
MANAGEMENT OF THE COUNCIL OF
STRATHFIELD**

PURSUANT to Section 11 of the Environmental Planning and Assessment Act 1979, the notification made by the Department of Urban Affairs and Planning published in *Government Gazette* of 9 January, 1987 folio 130 placing land under the care, control and management of the Council of Strathfield is revoked only as regards to the land described in the Schedule below

Dated at Sydney this 19th December, 2001.

D. Patenall,
Executive Director
Corporate & Business Management
Department of Planning

SCHEDULE

All that piece or parcel of land situated in the Strathfield Local Government area, Parish of Bankstown and County of Cumberland land in Certificate of Title Folio Identifier 3/1034484 and that part of 6/1034484 formerly in 7/599650.

Roads and Traffic Authority

Roads Act 1993

Notice under Clause 17 of the Road Transport (Mass, Loading and Access) Regulation 1996

I, Paul Forward, Chief Executive of the Roads and Traffic Authority, in pursuance of Division 2 of Part 3 of the Road Transport (Mass, Loading and Access) Regulation 1996, by this Notice, specify the routes and areas on or in which B-Doubles may be used subject to any requirements or conditions set out in the Schedule.

Paul Forward
Chief Executive
Roads and Traffic Authority

Schedule

Citation

This Notice may be cited as the Roads and Traffic Authority *25 Metre B-Doubles Notice No.1/2001*.

Commencement

This Notice takes effect from the date of gazettal.

Effect

This Notice remains in force until 1 January 2005 unless it is amended or repealed earlier.

Application

This Notice applies to those 25 metre B-Doubles which comply with Schedule 1 to the Road Transport (Mass, Loading and Access) Regulation 1996 and Schedule 4 to the Road Transport (Vehicle Registration) Regulation 1998.

Routes

25 Metre B-Double Routes within the Sydney Region

Type	Road No	Road Name	Starting Point	Finishing Point	Conditions
25		M5 East Motorway	King Georges Road, Beverly Hills, including full interchange	General Holmes Drive, Mascot	

Roads Act 1993

Notice under Division 2 of Part 3 of the Road Transport (Mass, Loading and Access) Regulation 1996

I, Paul Forward, Chief Executive of the Roads and Traffic Authority, in pursuance to the Road Transport (Mass, Loading and Access) Regulation 1996, make the Notice set forth hereunder.

Paul Forward
Chief Executive
Roads and Traffic Authority

Amendments

1. The 4.6 Metre High Vehicle Route Notice 1999 published in Government Gazette No. 22 of 19 February 1999 at pages 870 to 891 and amended in Government Gazette No. 104 of 10 September 1999 at pages 8766 to 8767, Government Gazette No. 32 of 3 March 2000 at page 1709, Government Gazette No. 55 of 5 May 2000 at pages 3755 to 3758, Government Gazette No. 68 of 9 June 2000 at page 4901, Government Gazette No. 152 of 24 November 2000 at pages 12034 to 12035 and Government Gazette No. 28 of 25 January 2001 at pages 362 to 363 and Government Gazette No. 175 of 16 November 2001 at page 9274 is further amended:

by inserting the following routes in *Part 1 - 4.6 metre high vehicle routes in the Sydney Region* of Appendix 2

4.6 metre high vehicle routes within the Sydney Region

State Routes	Starting point	Finishing point
M5 East Motorway	King Georges Road, Beverly Hills including full interchange	Marsh Street, Arncliffe

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

Notice of Compulsory Acquisition of Land at Ardglen and Murrurundi in the Murrurundi Shire Council area

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

D J Lorsch
Manager, Statutory Processes
Roads and Traffic Authority of New South Wales

SCHEDULE

ALL those pieces or parcels of Crown land situated in the Murrurundi Shire Council area, Parish of Temi and County of Buckland, shown as:

Lots 27, 29, 30, 32, 35, 37 and 42 Deposited Plan 831574;

Lots 12, 17, 18, 20, 21 and 23 Deposited Plan 831577;

Lots 4 and 5 Deposited Plan 836292; and

Lots 29, 33, 35 and 37 Deposited Plan 870732, excluding from the compulsory acquisition of the said Lots 33 and 35 the easements for access 20.115 metres wide shown in Deposited Plan 215866 and compulsorily acquired by The Commonwealth of Australia by notification in Commonwealth Gazette No 93 on 23 November 1961 on pages 4235 and 4236; and shown in Deposited Plan 565193 and appropriated by the State Rail Authority of New South Wales by notification in Government Gazette No 137 on 11 September 1981 on pages 4827 and 4828.

ALSO all those pieces or parcels of land situated in the Murrurundi Shire Council area, Parish of Temi and County of Buckland, shown as Lots 12, 14, 16 and 17 Deposited Plan 879954, being parts of Reserve No 23977 for Temporary Common notified in Government Gazette of 1 April 1896 on page 2387.

The land is said to be in the possession of the Crown and Ardglen Common Trust.

ALSO also all that piece or parcel of land situated in the Murrurundi Shire Council area, Parish of Temi and County of Buckland, shown as Lot 13 Deposited Plan 879954, being part of Reserve No 23977 for Temporary Common notified in Government Gazette of 1 April 1896 on page 2387 and part of Reserve No 70657 for Public Recreation notified in Government Gazette of 31 July 1942 on page 2295.

The land is said to be in the possession of the Crown, Ardglen Common Trust and Murrurundi Shire Council (trustee).

ALSO also all that piece or parcel of land situated in the Murrurundi Shire Council area, Parish of Temi and County of Buckland, shown as Lot 15 Deposited Plan 879954, being part of Reserve No 70657 for Public Recreation notified in Government Gazette of 31 July 1942 on page 2295.

The land is said to be in the possession of the Crown and Murrurundi Shire Council (trustee).

AND ALSO all that piece or parcel of land situated in the Murrurundi Shire Council area, Parish of Murrurundi and County of Brisbane, shown as Lot 2 Deposited Plan 1019316, being part of Permanent Common notified in Government Gazette of 17 June 1873 on page 1683, excluding from the compulsory acquisition of the said Lot 2 the easement for transmission line 60.96 metres wide resumed by notification in Government Gazette No 122 of 17 November 1972 on page 4587.

The land is said to be in the possession of the Crown and Murrurundi Common Board.

(RTA Papers FPP 9/303.1170)

ROADS ACT 1993**Section 10**

Notice of Dedication of Land as Public Road at Koolbury in the Muswellbrook Shire Council area

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

D J Lorsch
Manager, Statutory Processes
Roads and Traffic Authority of New South Wales

SCHEDULE

All those pieces or parcels of land situated in the Muswellbrook Shire Council area, Parish of Russell and County of Durham, shown as:

Lots 8 to 13 inclusive Deposited Plan 844651; and

Lots 19, 20 and 21 Deposited Plan 844652.

(RTA Papers 9/305.146)

ROADS ACT 1993

Section 10

Notice of Dedication of Land as Public Road at Montefiores
in the Wellington Council area

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

D J Lorsch
Manager, Statutory Processes,
Roads and Traffic Authority of New South Wales.

SCHEDULE

ALL those pieces or parcels of land situated in the Wellington Council area, Parish of Nanima and County of Bligh, shown as Lots 4 and 6 Deposited Plan 801907.

(RTA Papers: 484.1268)

ROADS ACT 1993

Section 10

Notice of Dedication of Land as Public Road at Wollindibby
Creek and Penderlea Gap in the Snowy River Shire
Council Area

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

D J Lorsch
Manager, Statutory Processes,
Roads and Traffic Authority of New South Wales.

SCHEDULE

ALL those pieces or parcels of land situated in the Snowy River Shire Council area, Parishes of Crackenback and Thredbo and County of Wallace, shown as:

Lots 10 to 13 inclusive, Deposited Plan 872777; and

Lot 2 Deposited Plan 870647.

(RTA Papers: FPP 96M1183; RO 119.1292)

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

Notice of Compulsory Acquisition of Land at Mays Hill in
the Holroyd City Council area.

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

D J Lorsch
Manager, Statutory Processes,
Roads and Traffic Authority of New South Wales

SCHEDULE

Lot 18 RTA Plan 8002 205 SS 0020, being part of the land in Certificate of Title 23/35979.

The land is said to be in the possession of the Department of Housing.

(RTA Papers FPP 1M3774)

Roads Act 1993

Notice under Clause 17 of the Road Transport (Mass, Loading and Access) Regulation, 1996

Kempsey Shire Council, in pursuance of Division 2 of Part 3 of the *Road Transport (Mass, Loading and Access) Regulation 1996*, by this Notice, specify the routes and areas on or in which B-Doubles may be used subject to any requirements or conditions set out in the Schedule.

.....
Mr A Burgess
General Manager
Kempsey Shire Council
(by delegation from the Minister for Roads)

Schedule

1. Citation

This Notice may be cited as the Kempsey Shire Council B-Doubles Notice No 2/2001.

2. Commencement

This Notice takes effect from date of gazettal.

3. Effect

This Notice remains in force until 1st January 2007 unless it is amended or repealed earlier.

4. Application

- 4.1** This Notice applies to B-Doubles, which comply with Schedule 1 to the Road Transport (Mass, Loading and Access) regulation 1996 and Schedule 4 to the Road Transport (Vehicle Registration) Regulation 1998.

5. Routes

B-Double routes within the Kempsey Shire Council

Type	Road No	Road Name	Starting point	Finishing point	Conditions
25m	0080	Second Lane, Kempsey	Pacific Highway (SH10)	Intersection of Kemp Street/Saleyards Road	- For travel to saleyards, right turn into Saleyards Rd is not permitted . B-Doubles must cross the intersection and use the B-Double turning loop. - For travel from saleyards, left turn is permitted from Saleyards Rd to Second Lane.
25m	2149	Kemp Street, Kempsey	Intersection of Kemp Street/Saleyards Road	Saleyards Road	Kemp St is approved only to access the B-Double turning loop at the Saleyards Rd intersection.
25m	0072	Saleyards Road, Kempsey	Intersection of Second Lane	Kempsey Saleyards	

ROADS AND TRAFFIC AUTHORITY

ROADS ACT 1993 - ORDER

I, PAUL JOHN FORWARD, Chief Executive of the Roads and Traffic Authority, in pursuance of section 215 of the *Roads Act 1993*, amend the *Roads (Sydney Harbour Bridge Toll) Order 2001* as set forth hereunder.

PAUL JOHN FORWARD
Chief Executive
Roads and Traffic Authority

Sydney, 19 December, 2001.

1. Amendment

The *Roads (Sydney Harbour Bridge Toll) Order 2001* published in Gazette No. 168 of 22 December, 2000 at pages 13849 to 13850 (inclusive) is amended as described in the Schedule hereunder.

2. Commencement

This Order takes effect on and from 1 January, 2002.

SCHEDULE

By omitting Schedules 2, 3, 4 and 5 and by inserting instead the following details:

SCHEDULE 2 - CHARGE FOR A MOTOR CYCLE PERIODIC TOLL PASS EXPIRING ON 31 MARCH 2002

Date pass may first be used	Charge for motor cycle
	\$
2 January 2002	88.00
7 January 2002	85.00
14 January 2002	79.00
21 January 2002	72.00
29 January 2002	64.00
4 February 2002	58.00
11 February 2002	51.00
18 February 2002	43.00
25 February 2002	36.00
4 March 2002	28.00
.....	

ROAD TRANSPORT (VEHICLE REGISTRATION) ACT 1997

Notice Fixing Fees

I, PAUL JOHN FORWARD, Chief Executive of the Roads and Traffic Authority, pursuant to section 8(1)(k) of the Road Transport (Vehicle Registration) Act 1997 and clause 79 of the Road Transport (Vehicle Registration) Regulation 1998, FIX the fees set out in Column 2 of the Schedule to this Notice in respect of the services shown opposite to them in Column 1 of that Schedule.

This Notice takes effect on 1 January 2002.

PAUL FORWARD
Chief Executive
Roads and Traffic Authority

NOTE: This Notice replaces the Notice published in NSW Government Gazette No. 103 of 29 June 2001 at pages 5110 to 5112.

SCHEDULE

COLUMN 1	COLUMN 2 - \$
1. Duplicate certificate of registration.....	15
2. Duplicate identification label for trader's plate.....	15
3. Duplicate registration label.....	15
4. Issue of a bicycle rack number-plate or issue of a bicycle rack number-plate in substitution for a surrendered bicycle rack number plate.....	28
5. Issue of 1 number-plate or 2 number-plates with the same number specially coated with vitreous enamel (being a number that comprises 1 to 6 numerals only) in substitution for 1 surrendered number-plate or 2 surrendered number-plates with the same number.....	118
6. Interchange of number-plates between vehicles.....	21
7. Number-plates held in reserve – for each period of 12 months or part of 12 months in excess of 21 day.....	21
8. Book of inspection reports for issue at authorised inspection station:	
a) book containing 25 reports.....	20
b) book containing 100 reports.....	71

9.	Copy of rules for authorised inspection station.....	48
10.	Certificate from records pursuant to Clause 15(6).....	20
11.	Information from records (other than a certificate pursuant to Clause 15(7)).....	15
12.	Custom made Number-Plates:	
	i) Annual fee.....	361
	ii) Quarterly fee.....	89
	iii) Deposit (paid on original application only and deducted from initial fee).....	30
	iv) Transfer of right to display plates.....	136
13.	Transfer of Numeral only plates – Vehicle Plates:	
	i) Category 1, 1 digit plate.....	6851
	ii) Category 2, 2 digit plate.....	2740
	iii) Category 3, 3 digit plate.....	1370
	iv) Category 4, 4 digit plate.....	685
	v) Category 5, 5 digit plate.....	273
	vi) Category 6, 6 digit plate.....	135
14.	Motorcycle Plates	
	i) Category 1, 1 digit plate.....	1370
	ii) Category 2, 2 digit plate.....	273
	iii) Category 3, 3 digit plate.....	135
	iv) Category 4, 4 digit plate.....	100
	v) Category 5, 5 digit plate.....	67
	vi) Category 6, 6 digit plate.....	33
15.	Issue of Personalised Plates.....	161
16.	Issue of Personalised Premium Plates.....	178
17.	Packing & Posting – Plates.....	17
18.	Packing & Posting – Inspection Report Books.....	15
19.	Fee for Cancellation of Registration.....	19
20.	Permit to use unregistered vehicle.....	15
21.	Issue of Centenary of Federation Plates.....	50
22.	Remade Plates – Centenary of Federation.....	60
23.	Issue of Personalised Centenary of Federation Plates.....	158
24.	Issue of Limited Edition Centenary of Federation Plates.....	500
25.	Remade Plates – Limited Edition Centenary of Federation Plates.....	75

Sydney Water

SEWER MAINS

SYDNEY WATER

Sewer Mains

NOTICE is hereby given that sewer mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connections.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for sewerage to be discharged.

CITY OF BLACKTOWN, AT GLENDENNING: Contract Number 969268SA, Project Number 3002480. Line 1, inclusive and its appurtenant junctions, sidelines and inlets serving WOODLEY CRESCENT and ARMITAGE DRIVE.

CITY OF PENRITH, AT PENRITH: Contract Number 969170S5, Project Number 3002402. Line 1, inclusive and its appurtenant junctions, sidelines and inlets serving BIRMINGHAM ROAD, NORTHEND AVENUE and WOMBERRA PLACE.

CITY OF PENRITH, AT CRANEBROOK: Contract Number 973560S0, Project Number 3002448. Line 1 to 8, inclusive and its appurtenant junctions, sidelines and inlets serving BOREC ROAD, LEMKO PLACE and JACK WILLIAMS PLACE.

CITY OF PENRITH, AT GLENMORE PARK: Contract Number 974651S2, Project Number 3002453. Line 1 to 4, inclusive and its appurtenant junctions, sidelines and inlets serving COCO DRIVE, GILI PLACE and TALARA AVENUE.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

ROBERT ROACH,
Developer Activity Officer,
Blacktown Commercial Centre.

Dated: 21 December 2001.

SYDNEY WATER

Sewer Mains

NOTICE is hereby given that sewer mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connections.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for sewerage to be discharged.

CITY OF FAIRFIELD, AT CABRAMATTA: Contract Number 973796S2, Project Number 3002433. Lines 1, 2 and 3 inclusive, and its appurtenant junctions, sidelines and inlets serving ALISON CLOSE.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

CLAUDIO FILIPPI,
Developer Activity Officer,
Liverpool Commercial Centre.

Dated: 21 December 2001.

SYDNEY WATER

Sewer Mains

NOTICE is hereby given that sewer mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connections.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for sewerage to be discharged.

CITY OF BLACKTOWN, AT QUAKERS HILL: Contract Number 974881SA, Project Number 3002462. Lines 1 to 6 inclusive and their appurtenant junctions, sidelines and inlets serving BONACCORDO STREET, HILLCREST ROAD and LEANNE PLACE.

SHIRE OF BAULKHAM HILLS, AT KELLYVILLE: Contract Number 974910S6, Project Number 3002380. Line 1 inclusive and its appurtenant junctions, sidelines and inlets serving POOLE ROAD.

SHIRE OF BAULKHAM HILLS, AT CASTLE HILL: Contract Number 975902SA, Project Number 3002528. Lines 1 to 2 and property connection sewer 1 inclusive and its appurtenant junctions, sidelines and inlets serving EXCELSIOR AVENUE.

SHIRE OF BAULKHAM HILLS, AT BAULKHAM HILLS: Contract Number 968427SB, Project Number 3002629. Line 1 inclusive and its appurtenant junctions, sidelines and inlets serving OLD NORTHERN ROAD.

CITY OF PARRAMATTA, AT OLD TOONGABBIE: Contract Number 966844S8, Project Number 361253. Line 1 to 24 and property connection sewer 1 to 3 inclusive and its appurtenant junctions, sidelines and inlets serving GREY GUM TERRACE, BLACK WATTLE CIRCUIT, BLUEGUM CIRCUIT and CENTENARY AVENUE.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

VICKI MAWBY,
Developer Activity Officer.

Dated: 21 December 2001.

SYDNEY WATER

Sewer Mains

NOTICE is hereby given that sewer mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connections.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for sewerage to be discharged.

CITY/MUNICIPALITY OF HORNSBY, AT MT COLAH: Contract Number 974143S7, Project Number 3002077. Line 1 to line 4, inclusive and their appurtenant junctions, sidelines and inlets serving SUE PLACE.

CITY/MUNICIPALITY OF HORNSBY, AT BEROWRA: Contract Number 965390SB, Project Number 3000761. Line 1, inclusive and its appurtenant junctions, sidelines and inlets serving BEROWRA WATERS ROAD.

CITY/MUNICIPALITY OF HORNSBY, AT HORNSBY: Contract Number 974127S3, Project Number 3002610. Line 1, inclusive and its appurtenant junctions, sidelines and inlets serving MANOR ROAD.

CITY/MUNICIPALITY OF PITTWATER, AT AVALON: Contract Number 975303S5, Project Number 3002440. Property connection sewer line 1, inclusive and its appurtenant junctions, sidelines and inlets serving CATALINA CRESCENT.

CITY/MUNICIPALITY OF KU-RING-GAI, AT WAHROONGA: Contract Number 975256S7, Project Number 3002373. Line 1, inclusive and its appurtenant junctions, sidelines and inlets serving BURNS ROAD.

CITY/MUNICIPALITY OF KU-RING-GAI, AT KILLARA: Contract Number 972491S8, Project Number 3001712. Line 1, inclusive and its appurtenant junctions, sidelines and inlets serving PACIFIC COUNTY ROAD.

CITY/MUNICIPALITY OF NORTH SYDNEY, AT NEUTRAL BAY: Contract Number 974283S2, Project Number 3002593. Sideline 1, inclusive and its appurtenant junctions, sidelines and inlets serving BURROWAY STREET.

CITY/MUNICIPALITY OF RYDE, AT RYDE: Contract Number 975343S5, Project Number 3002753. Line 1, inclusive and its appurtenant junctions, sidelines and inlets serving BUFFALO ROAD.

CITY/MUNICIPALITY OF SYDNEY, AT CROWS NEST: Contract Number 969949S4, Project Number 3001504. Line 1, inclusive and its appurtenant junctions, sidelines and inlets serving BURLINGTON STREET.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

MARTHA AMADOR,
Developer Activity Officer,
Chatswood.

Dated: 21 December 2001.

SYDNEY WATER

Sewer Mains

NOTICE is hereby given that sewer mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connections.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for sewerage to be discharged.

CITY OF LIVERPOOL, AT LIVERPOOL: Contract Number 971931SB, Project Number 3002044. Sewer line 1, inclusive and its appurtenant junctions, serving COXS AVENUE.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

VALDIS VIKSNE,
Developer Activity Officer,
Liverpool Commercial Centre.

Dated: 21 December 2001.

WATER MAINS

SYDNEY WATER

Water Mains

NOTICE is hereby given that water mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connections.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for water to be supplied.

CITY OF BLACKTOWN, AT PLUMPTON: Contract Number 967750WB, Project Number 1000444. Water mains are now laid and capable of serving identified properties in DRYSDALE CRESCENT, BUTTIGIEG PLACE and LAMBERT AVENUE.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

ROBERT ROACH,
Developer Activity Officer,
Blacktown Commercial Centre.

Dated: 21 December 2001.

SYDNEY WATER

Water Mains

NOTICE is hereby given that water mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connections.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for water to be supplied.

CITY OF FAIRFIELD AT CABRAMATTA: Contract Number 973796W6, Project Number 1001087. Water mains are now laid and capable of serving identified properties in ALISON CLOSE.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

CLAUDIO FILIPPI,
Developer Activity Officer,
Liverpool Commercial Centre.

Dated: 21 December 2001.

SYDNEY WATER

Water Mains

NOTICE is hereby given that water mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connections.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for water to be supplied.

SHIRE OF BAULKHAM HILLS, AT BELLA VISTA: Contract Number 974926WA, Project Number 1001083. Water mains are now laid and capable of serving identified properties at FLAGSTONE GROVE.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

VICKI MAWBY,
Developer Activity Officer.

Dated: 21 December 2001.

SYDNEY WATER

Water Mains

NOTICE is hereby given that water mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connections.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for water to be supplied.

CITY/MUNICIPALITY OF HORNSBY, AT WAITARA: Contract Number 965517W4, Project Number 1000858. Water mains are now laid and capable of serving identified properties in ROMSEY STREET.

CITY/MUNICIPALITY OF HORNSBY, AT HORNSBY: Contract Number 974154WA, Project Number 1001041. Water mains are now laid and capable of serving identified properties in WAITARA AVENUE.

CITY/MUNICIPALITY OF HORNSBY, AT MT COLAH: Contract Number 974143WA, Project Number 1000925. Water mains are now laid and capable of serving identified properties in SUE PLACE.

CITY/MUNICIPALITY OF PITTWATER, AT WARRIEWOOD: Contract Number 965688WA, Project Number 1000468. Water mains are now laid and capable of serving identified properties in DICKSON PLACE.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

MARTHA AMADOR,
Developer Activity Officer,
Chatswood.

Dated: 21 December 2001.

SYDNEY WATER

Water Mains

NOTICE is hereby given that water mains as described below and shown on plans which may be inspected at the Office shown below and at the Head Office of Sydney Water Corporation, have been laid and are available for connections.

Notice is also given that, in the opinion of Sydney Water, for the identified properties on the plans, it is reasonably practical for water to be supplied.

THE COUNCIL OF CAMDEN, AT CATHERINE FIELD: Contract Number 970873WA, Project Number 1000642. Water mains are now laid and capable of serving identified properties in CATHERINE FIELD RD, FEDERATION LN and CENTENARY DR.

Subject to the provisions of the Sydney Water Act 1994, the owners of all lands being identified properties on the plans will be liable for payment of sewerage service charges on and from the date of publication of this notice.

MITCHELL HOFFMANN,
Developer Activity Officer,
Urban Development,
Liverpool Regional Office.

Dated: 21 December 2001.

Other Notices

ABORIGINAL LAND RIGHTS ACT 1983

Exemption of Aboriginal Land from the Payment of Rates

I, the Honourable ANDREW JOHN REFSHAUGE, M.P., Minister for Aboriginal Affairs, being of the opinion that special circumstances exist which warrant my doing so, DECLARE in pursuance of the provisions of section 43 of the Aboriginal Land Rights Act 1983, that the lands described in the Schedule below and vested in the Mogo Local Aboriginal Land Council, be exempt from the payment of rates under the Local Government Act 1993.

A REFSHAUGE, M.P.,
Minister for Aboriginal Affairs

SCHEDULE

LGA ñ Eurobodalla Shire Council

Being

Lot Number	DP Number	Address
170	46850	Sydney Street, Mogo
169	46851	Short Street, Mogo
171, 173	47643	Short Street, Mogo
159	821422	Short Street, Mogo

ABORIGINAL LAND RIGHTS ACT 1983

Notification Of Constitution Of An Area As A Local Aboriginal Land Council Area

PURSUANT to the power vested in me by section 5(1) of the Aboriginal Land Rights Act 1983, I hereby constitute the area described in the text below as the Mudgee Local Aboriginal Land Council Area.

THE HON. ANDREW REFSHAUGE, M.P.,
Minister for Aboriginal Affairs

MUDGEE LOCAL ABORIGINAL LAND COUNCIL AREA

Commencing at the confluence of Krui River and Jemmys Creek; and bounded thence by that creek upwards to the generally southern boundary of the Parish of Nagora, County of Bligh; by that boundary and the southern boundaries of the Parishes of Bulga and Rotherwood generally westerly, and the generally western boundary of the Parish of Turee generally southerly to Talbragar River; by that river downwards to the generally eastern boundary of the Parish of Wargundy; by that boundary generally southerly, the generally southern boundary of that parish generally westerly, part of the generally eastern boundary of the County of Lincoln generally southerly, the generally northern boundary of the Parish of Wondaby generally easterly, the generally northern, the generally northeastern and the generally southern boundaries of the Parish of Rouse, County of Wellington generally easterly, generally south-easterly and generally westerly to Cudgegong River; by that river downwards and Macquarie River upwards to the southern boundary of the Parish of Walters; by that

boundary and part of the generally eastern boundary of that parish easterly and generally northerly, the southern and part of the generally eastern boundaries of the parish of Kerr easterly and generally northerly, the generally southern boundaries of the Parishes of Hargraves and Windeyer generally easterly part of the generally western and the generally southern boundaries of the Parish of Toolamanang generally southerly and generally easterly and part of the generally northwestern boundary of the County of Roxburgh generally north-easterly to the Cudgegong River, aforesaid; by that river upwards to the generally western boundary of the Parish of Tongbong, County of Phillip; by that boundary generally northerly, the generally northern boundaries of the last mentioned parish and the Parish of Dabee generally easterly, the eastern boundary of the Parish of Rumker northerly, the generally south-western, the generally north-western and part of the generally northern boundaries of the Parish of Growee generally north-westerly, generally north-easterly and generally easterly to Growee River; and by that river downwards and Goulburn and Krui Rivers upwards to the point of commencement.

ABORIGINAL LAND RIGHTS ACT 1983

Exemption of Aboriginal Land from the Payment of Rates

I, the Honourable ANDREW JOHN REFSHAUGE, M.P., Minister for Aboriginal Affairs, being of the opinion that special circumstances exist which warrant my doing so, DECLARE in pursuance of the provisions of section 43 of the Aboriginal Land Rights Act 1983, that the lands described in the Schedule below and vested in the Glen Innes Local Aboriginal Land Council, be exempt from the payment of rates under the Local Government Act 1993.

A REFSHAUGE, M.P.,
Minister for Aboriginal Affairs

SCHEDULE

LGA ñ Glen Innes Municipal Council

Being Lot 737 DP 726326 at Bradleys Lane.

ABORIGINAL LAND RIGHTS ACT 1983

Exemption of Aboriginal Land from the Payment of Rates

I, the Honourable ANDREW JOHN REFSHAUGE, M.P., Minister for Aboriginal Affairs, being of the opinion that special circumstances exist which warrant my doing so, DECLARE in pursuance of the provisions of section 43 of the Aboriginal Land Rights Act 1983, that the lands described in the Schedule below and vested in the New South Wales ALC Local Aboriginal Land Council, be exempt from the payment of rates under the Local Government Act 1993.

A. REFSHAUGE, M.P.,
Minister for Aboriginal Affairs

SCHEDULE

LGA n̄ Boorowa Council

Being Lot 323 DP 48623 at Rye Park. Lot 248 DP 754135 at Rye Park.

ABORIGINAL LAND RIGHTS ACT 1983Exemption of Aboriginal Land from the
Payment of Rates

I, the Honourable ANDREW JOHN REFSHAUGE, M.P., Minister for Aboriginal Affairs, being of the opinion that special circumstances exist which warrant my doing so, DECLARE in pursuance of the provisions of section 43 of the Aboriginal Land Rights Act 1983, that the lands described in the Schedule below and vested in the Wanaruah Local Aboriginal Land Council, be exempt from the payment of rates under the Local Government Act 1993.

A REFSHAUGE, M.P.,
Minister for Aboriginal Affairs

SCHEDULE

LGA n̄ Muswellbrook Shire Council

Being

Lot Number	DP Number	Address
237	48265	Rosemount Rd, Denman
89	750963	30 Greg Stairs Rd, Gungal Via Muswellbrook
239	750963	30 Greg Stairs Rd, Gungal Via Muswellbrook
240	750963	30 Greg Stairs Rd, Gungal Via Muswellbrook
82	752485	Rouchel Gap Rd, McCullys Gap Via Muswellbrook
86	752485	Rouchel Gap Rd, McCullys Gap Via Muswellbrook
116	752485	Rouchel Gap Rd, McCullys Gap Via Muswellbrook
117	752485	Rouchel Gap Rd, McCullys Gap Via Muswellbrook
254	822169	Coal Rd, Muswellbrook

**ART GALLERY OF NEW SOUTH WALES
ACT 1980**

Art Gallery of New South Wales: sale of property acquired
by bequest

Her Excellency the Governor, with the advice of the Executive Council has approved, pursuant to Sections 9 and 10 of the Art Gallery of New South Wales Act 1980, the sale of the property at 124 Jersey Road, Woollahra by the Art Gallery of New South Wales.

BOB CARR, M. P.,
Premier and Minister for the Arts

BANKS AND BANK HOLIDAYS ACT 1912

NOTICE

I, JOHN DELLA BOSCA, Minister for Industrial Relations, in pursuance of section 19(3) of the Banks and Bank Holidays Act 1912, appoint the special days and parts of special days specified in Column 1 of the Schedule to be observed as public holidays and public half-holidays (as the case may be) in those parts of New South Wales specified in Column 2 of that Schedule opposite each such special day or part of a special day.

Dated at Sydney, this 18th day of December, 2001.

JOHN DELLA BOSCA, M.L.C.,
Minister for Industrial Relations

SCHEDULE

Column 1	Column 2
After noon, Friday, 1 February 2002	Severn Shire and Glen Innes Council areas
After noon, Friday, 15 February 2002	Walcha Council area
Friday, 15 February 2002	That part of the County of Camden, comprising the Parish of Cambewarra and those portions of the Parishes of Burrawong, Yarrawa and Wallawa, situated within the City of Shoalhaven
Friday, 1 March 2002	Lake Macquarie City Council and Newcastle City Council areas and that part of Port Stephens east of the Williams River together with the township of Seaham west of the Williams River
After noon, Monday, 4 March 2002	Armidale Dumaresq Council area
After noon, Wednesday, 10 April 2002	Kempsey Shire Council area
After noon, Wednesday, 17 April 2002	Maclean Shire Council area
Tuesday, 23 April 2002	That portion of the township of Yeoval which is within the Cabonne Council area
After noon, Monday, 29 April 2002	Bogan Shire Council area
After noon, Wednesday, 1 May 2002	Kempsey Shire Council area
Wednesday, 1 May 2002	Gilgandra Shire Council area
Wednesday, 8 May 2002	Coonamble Shire Council area
After noon, Friday, 17 May 2002	Scone Shire Council area
Saturday, 13 July 2002	Boggabri Police District within the Narrabri Shire Council area
After noon, Wednesday, 17 July 2002	Grafton City Council area
After noon, Thursday, 18 July 2002	
After noon, Thursday, 1 August 2002	Coffs Harbour City Council area
Wednesday, 14 August 2002	Town of Trundle within the Parkes Shire Council area
Wednesday, 21 August 2002	Town of Peak Hill within the Parkes Shire Council area

Column 1	Column 2
After noon, Tuesday, 27 August 2002	Town of Parkes within the Parkes Shire Council area
After noon, Wednesday, 4 September 2002	Town Improvement Districts of Wyalong and West Wyalong and the Police Patrol District of Tallimba within the Bland Shire Council area
After noon, Friday, 6 September 2002	Forbes Shire Council area
After noon, Thursday, 12 September 2002	Ballina Shire Council area
After noon, Thursday, 26 September 2002	Lismore City Council area
After noon, Tuesday, 1 October 2002	Young Shire Council area
After noon, Thursday, 31 October 2002	Grafton City Council area
After noon, Tuesday, 5 November 2002	Muswellbrook Shire Council area

CHARITABLE TRUSTS ACT 1993

ORDER UNDER SECTION 12

Cy-pres Scheme Relating To The Australian Society For The Needy And Poor

IN August 1999, a number of people undertook various fundraising events to raise money to meet the cost of open heart surgery for Krishant Sharma, a nine month old baby from Fiji. A total of \$17,262.85 was raised and the operation, performed by the Children's Hospital at Westmead, cost \$13,275.20, leaving a surplus of some \$3,605.08, currently held in an account in the name of the Society.

Medical reports have been received from the Fijian medical practitioners who manage Krishant Sharma's ongoing care confirming that he suffers ongoing health problems. A report from the Children's Hospital at Westmead also states that Krishant may suffer long term lung damage and other associated problems arising from the condition of Down's Syndrome which he also suffers.

The funds held by the Australian Society for the Needy and Poor can no longer be used for their original purpose and may therefore be applied cy-pres to another similar purpose under the Charitable Trusts Act 1993. As the funds were originally raised in order to pay for Krishant Sharma's operation costs, the use of the balance of the funds to pay for his ongoing medical expenses is consistent with the original charitable purpose. In March 2001 I formed the view that it was appropriate for a scheme to be ordered which applied the funds generally to Krishant Sharma's ongoing medical needs. A cy-pres scheme to this effect was published on 14 June 2001. However, it now appears that this scheme does not allow the funds raised by the Society to be applied in the most convenient manner possible.

I have formed the view that the funds raised by the Australian Society for the Needy and Poor were raised for charitable purposes and have approved a recommendation that the Attorney General establish a cy-pres scheme pursuant to section 12(1)(a) of the Charitable Trusts Act 1993 to allow the balance of the funds to be applied to the ongoing medical needs of Krishant Sharma.

Therefore, pursuant to section 12 of the Charitable Trusts Act, I hereby vary the scheme published on 14 June 2001, pursuant to section 17(2) of the Charitable Trusts Act 1993, and make an order that the surplus funds raised by the Australian Society for the Needy and Poor be applied, cy-pres, to Mr Som Dutt Sharma to be held by him on trust to be used towards the cost of any medical treatment undergone by his son Krishant Sharma, such order to take effect 21 days after its publication in the *Government Gazette*, in accordance with section 16(2) of the Charitable Trusts Act.

Date of Order: 18 December 2001.

(Signed)
MG SEXTON, SC,
Solicitor General
Under delegation from the Attorney General

THE CO-OPERATIVES ACT 1992

NOTICE UNDER SECTION 601AA OF THE CORPORATIONS LAW AS APPLIED BY SECTION 325 OF THE CO-OPERATIVES ACT 1992

NOTICE is hereby given that the Co-operative mentioned below will be deregistered when two months have passed since the publication of this notice.

Name of Co-operative

CAMPBELLTOWN & DISTRICT ABORIGINAL CO-
OPERATIVE LTD

Dated this Thirteenth day of December 2001.

C. GOWLAND,
Delegate Of The Registrar Of Co-operatives

ELECTRICITY SUPPLY ACT 1995

Notice of Making of Market Operations Rule (Retailer of Last Resort) No. 5 of 2001 under section 63C of the Electricity Supply Act 1995

I, KIM YEADON, Minister for Energy, pursuant to section 63C of the Electricity Supply Act 1995, give notice of the approval of the Market Operations Rule (Retailer of Last Resort) No. 5 of 2001. The Rule takes effect on 1 January 2002.

Copies of the Rule are available on the following Government Website: www.treasury.nsw.gov.au.

KIM YEADON, M.P.,
Minister for Energy

ELECTRICITY SUPPLY ACT 1995

MARKETING CODE OF CONDUCT

Approval under section 63G of the Electricity Supply Act 1995

I, KIM YEADON, Minister for Energy, pursuant to section 63G of the Electricity Supply Act 1995, have approved changes to the Marketing Code of Conduct published in *Government Gazette* No. 170 of 29 December 2000 at pages 14091 to 14106. The changes are set out in Schedule 1 to this notice.

The Marketing Code of Conduct published for the purposes of Part 5B of the Electricity Supply Act 1995 is set out in Schedule 2 to this notice.

The approved changes are to take effect from the date of publication in the *Government Gazette*.

KIM YEADON, M.P.,
Minister for Energy

SCHEDULE 1

- [1] **Section 1.1 Introduction**
Omit first paragraph. Insert instead:
The NSW Treasury, on behalf of the Minister for Energy has developed this document, the Marketing Code of Conduct (Code), to protect small customers in the light of full retail competition in electricity. Whilst the Code has been drafted with competition in the electricity market in New South Wales in mind, the Code may also be amended to apply on a national basis.
- [2] **Section 1.1 Introduction**
Omit at end of second paragraph:
or 1 terajoule or less of natural gas per annum.
- [3] **Section 1.2 Electricity**
Omit **1.2 Electricity** and replace with:
1.2 Requirements under the Electricity Supply Act 1995
- [4] **Section 1.3 Gas**
Omit section.
- [5] **Section 1.4 Legislation**
Omit **1.4 Legislation** and replace with:
1.3 Legislation
- [6] **2 DEFINITIONS**
Omit definition of **Customer**. Insert instead:
Customer means:
an actual or prospective small retail customer under the ES Act;
- [7] **2 DEFINITIONS**
Omit definition of **Electricity Marketer**
- [8] **2 DEFINITIONS**
Omit definition of **Energy**
- [9] **2 DEFINITIONS**
Omit **GS Act** means the Gas Supply Act 1996 (NSW)
- [10] **2 DEFINITIONS**
Omit definition of **Gas Marketer**
- [11] **2 DEFINITIONS**
Omit definition of **Marketer**. Insert instead:
Marketer has the same meaning as **Electricity Marketer** in the ES Act, which means any of the following persons:
 - a person who is a Retail Supplier;
 - a person who acts as agent of a Retail Supplier for the purposes of obtaining new Customers, or retaining existing Customers, for the Retail Supplier;
 - a person who acts as agent of one or more Customers in respect of the retail supply of electricity;
- a person who acts as an intermediary in any other capacity between one or more Customers and a Retail Supplier in respect of the retail supply of electricity;
- a person who engages in or carries on any other activity prescribed by the regulations for the purpose of this definition;
- [12] **2 DEFINITIONS**
Personal Information:
Omit historical energy consumption data. Insert instead:
historical Electricity consumption data
- [13] **2 DEFINITIONS**
Omit definition of **Retail Supplier**. Insert instead:
Retail Supplier means:
a person who holds a retail supplier's licence for the supply of electricity under the ES Act;
- [14] **2 DEFINITIONS**
Omit definition of **Standard Form Contract**. Insert instead:
Standard Form Contract means:
a standard form customer supply contract within the meaning given to that term in the ES Act;
- [15] **2 DEFINITIONS**
Supply Arrangement:
Omit **Energy**. Insert instead: **electricity**
- [16] **3 INTERPRETATION AND COMMENCEMENT**
Omit: **The Code takes effect on 1 January 2001.**
Insert instead:
The Code takes effect on date of gazettal.
- [17] **4 OBJECTIVES**
Omit: **Ensure that marketers act in accordance with standards necessary to promote and enhance consumer confidence in the retail energy market.**
Insert instead:
Ensure that marketers act in accordance with standards necessary to promote and enhance consumer confidence in the retail electricity market
- [18] **4 OBJECTIVES**
Omit: **Promote an environment of honesty and fairness within the retail energy market by defining standards of acceptable marketing behaviour.**
Insert instead:
Promote an environment of honesty and fairness within the retail electricity market by defining standards of acceptable marketing behaviour.
- [19] **4 OBJECTIVES**
Omit: **Protect the privacy of personal information collected by marketers**
Insert instead: **Protect the privacy of personal information collected by Marketers**
- [20] **Section 6.1 General**
Omit section 6.1.5. Insert instead:
All Supply Arrangements must be in writing and, except for Standard Form Contracts, must be signed by the relevant Customer to evidence the Customer's acceptance of the Supply Arrangement as a Customer Supply Contract.
- [21] **Section 6.7 Conduct in relation to Personal Information**
Omit section 6.7.1(b).

- [22] **Section 7.1.2(n)**
Omit iEnergyî. Insert instead: iElectricityî
- [23] **Section 7.1 Minimum requirement**
Insert at the end of section 7.1.2:
iSection 7.1.1 does not apply to Standard Form Contractsî.
- [24] **Section 7.2.1(d)**
Omit iand/or gas (if applicable)î
- [25] **APPENDIX 1**
Clause n) Omit iEnergyî. Insert instead iElectricityî
- [26] **APPENDIX 1**
Clause r) iv) Omit iand/or gas (if applicable)î

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SCHEDULE 2

Marketing Code of Conduct

Approved for the purposes of the Electricity Supply Act
1995 (NSW) by the NSW Minister for Energy

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1 FOREWORD

1.1 Introduction

The NSW Treasury, on behalf of the Minister for Energy has developed this document, the Marketing Code of Conduct (Code), to protect small customers in the light of full retail competition in electricity. Whilst the Code has been drafted with competition in the electricity market in New South Wales in mind, the Code may also be amended to apply on a national basis.

The Code specifies the minimum level and quality of information to be provided by marketers so those customers can make informed choices. The Code also aims to protect customers against any unethical and unscrupulous behavior by marketers. iMarketersî is taken to mean all retail suppliers and all persons who act as agents or intermediaries between small retail customers and retail suppliers. A iretail customerî is defined as a customer consuming 160 megawatt hours or less of electricity per annum.

The Code was developed in consultation with NSW and interstate market participants, the Electricity and Water Ombudsman of New South Wales (EWON), the New South Wales Department of Fair Trading (DFT), the New South Wales Ministry of Energy and Utilities (MEU) and the Independent Pricing and Regulatory Tribunal (IPART).

1.2 Requirements under the Electricity Supply Act 1995

1.2.1 Governance

The Code is approved under section 63G of the Electricity Supply Act 1995 (NSW) (ES Act), by the NSW Minister for Energy (Minister), as the Marketing Code of Conduct that applies to electricity marketers in NSW. The Minister is the initial Code administrator, meaning that the Minister will be responsible for monitoring compliance with the Code and for approving any changes to the Code. Eventually, a dedicated industry Code administrator may be established and take over the ongoing development and governance of the Code.

1.2.2 Enforcement

The Code is enforceable as a matter of law and imposes statutory obligations on all persons who engage in electricity marketing to comply with the Code (Section 63H, ES Act) in so far as it affects dealings with small retail customers. Additionally, for all retail suppliers, the ES Act requires compliance with the Code as a condition of licence (Section 63I(a), ES Act).

A small retail customer is able to refer (at no cost to the customer) a complaint in relation to the conduct of an electricity marketer to the Ombudsman. This right is supported by requirements in the ES Act for retail suppliers to be members of an approved Ombudsman scheme and to comply with any decision of the Ombudsman. A customer with a complaint in relation to the marketing activities of a retail supplier needs, in the first instance, to refer that complaint to the retail supplier for resolution. The Ombudsman may alert the Code Administrator and/or IPART to a marketer's alleged non-compliance with the Code.

Where electricity marketers are not licensed retail suppliers, the ES Act makes provision for non-licensed electricity marketers to be bound by any decision of the Ombudsman with respect to a complaint made by a small retail customer. A decision of the Ombudsman in these circumstances may also set out the Ombudsman's costs in dealing with the customer's complaint that will be required to be paid by the marketer.

Penalties apply under the ES Act for a breach of the Code. An electricity marketer that contravenes or fails to comply with a requirement of this Code is liable to pay a maximum penalty of \$22,000 in the case of a corporation and \$5,500 in all other cases.

1.2.3 Other obligations

Further obligations are imposed under the ES Act on retail suppliers who have customers referred to them by another electricity marketer. The ES Act requires that in these circumstances, before a retail supplier can enter into a negotiated customer supply contract, it must be satisfied that the marketer who has referred that customer has complied with the Code (Section 63I, ES Act).

Given the above requirement, the ES Act imposes a corresponding obligation on marketers that are not licensed retail suppliers to provide a retail supplier with a written statement to the effect that the marketer has complied with the Code where it introduces a small retail customer to a retailer or facilitates or arranges a customer supply contract (Section 63J, ES Act).

In addition to the Code, the ES Act provides for small retail customer protection through the application of minimum conditions in customer supply contracts for small retail customers. For example, retailers must agree to arrange provision of connection services if a new connection, reconnection or increase in capacity is requested by the small retail customer.

1.3 Legislation

The key sources of legislation affecting marketing practices in electricity are:

Electricity Supply Act 1995 (NSW)
Trade Practices Act 1974 (Cth)
Fair Trading Act 1987 (NSW)
Door to Door Sales Acts 1967 (NSW)
Contracts Review Act 1980 (NSW)

The Code supplements and does not limit any rights a person may have under any existing legislation or under common law.

2 DEFINITIONS

In this Code:

Code Administrator means the Minister for Energy in the State of New South Wales;

Customer Connection Services has the meaning given in the ES Act, which means a standard form customer connection contract or a negotiated customer connection contract;

Customer Supply Contract has the meaning given in the ES Act, which means a standard form customer supply contract or a negotiated customer supply contract;

Contact Number means the complaints and enquiries telephone number of a Marketer;

Customer means:

- an actual or prospective small retail customer under the ES Act;

ES Act means the Electricity Supply Act 1995 (NSW);

Marketer has the same meaning as **Electricity Marketer** in the ES Act, which means any of the following persons:

- a person who is a Retail Supplier;
- a person who acts as agent of a Retail Supplier for the purposes of obtaining new Customers, or retaining existing Customers, for the Retail Supplier;
- a person who acts as agent of one or more Customers in respect of the retail supply of electricity;
- a person who acts as an intermediary in any other capacity between one or more Customers and a Retail Supplier in respect of the retail supply of electricity;
- a person who engages in or carries on any other activity prescribed by the regulations for the purpose of this definition;

Marketing includes, but is not limited to, advertising, sales, promotion, market research, public relations and negotiations by any means, whether solicited or unsolicited, for the purposes of entering into a Supply Arrangement;

Ombudsman has the meaning given in the ES Act, which means, an electricity industry ombudsman appointed under an approved electricity industry ombudsman scheme;

Personal Information in relation to a Customer, means any one or more of the following:

- information relevant to credit assessment or billing;
- financial information relating to a customer;
- historical Electricity consumption data;
- information about age, sex, ethnicity;
- any other personal characteristics,

about an individual whose identity is apparent or can be reasonably ascertained from the information;

Premises includes the Customer's residential premises and the Customer's workplace premises;

Retail Supplier means: a person who holds a retail supplier's licence for the supply of electricity under the ES Act;

Standard Form Contract means:

- a standard form customer supply contract within the meaning given to that term in the ES Act;

Supply Arrangement includes, but is not limited to, an actual or potential agreement or contract between a Retail Supplier and a Customer for the supply of electricity to the Customer.

3 INTERPRETATION AND COMMENCEMENT

The Code takes effect on date of gazettal.

The Code supplements and does not limit any rights a person may have under any existing legislation or under common law.

4 OBJECTIVES

The Objectives of the Code are to:

- Protect small retail customers from unscrupulous marketing conduct.
- Ensure that marketers act in accordance with standards necessary to promote and enhance consumer confidence in the retail electricity market.
- Promote an environment of honesty and fairness within the retail electricity market by defining standards of acceptable marketing behavior.
- Promote effective relationships between customers, marketers, retail suppliers (to the extent they are not marketers), regulators and other industry participants.
- Ensure customers have access to the product and service information needed to make informed choices, thereby facilitating entry into retail supply contracts.
- Protect the privacy of personal information collected by Marketers.

5 MARKETER RESPONSIBILITIES

5.1 Compliance

5.1.1 A Marketer must comply with the Code.

5.1.2 A Marketer must ensure that any person who:

- a) is employed by or authorised by the Marketer to carry out Marketing activities on behalf of the Marketer, and
- b) could reasonably be considered by a Customer to represent the Marketer and is engaging in Marketing activity,

complies with the Code.

5.2 Obligations to the Code Administrator

5.2.1 A Marketer must:

- a) monitor and keep a record of complaints made by Customers in relation to the Marketing activities of the Marketer;
- b) conduct audits at least on an annual basis to verify that they are complying with the Code; and
- c) upon a request, or if directed to do so by the Code Administrator, provide to the Code Administrator any information relating to Code compliance, including information the Marketer is required to keep under the Code.

5.3 Obligations to the Ombudsman

5.3.1 A Marketer must, on request or if directed to do so by the Ombudsman in relation to a complaint by a Customer (Complaint):

- a) provide to the Ombudsman, any information, including information the Marketer is required to keep under the Code, relating to the Complaint;
- b) pay any relevant Ombudsman fees and other amounts in accordance with a decision made by the Ombudsman in relation to the Complaint; and
- c) agree to be bound by any relevant decision of the Ombudsman in relation to the Complaint.

5.4 Statement to Retail Suppliers

5.4.1 A Marketer that is not a Retail Supplier must provide a written statement of compliance with the Code to a Retail Supplier where the Marketer introduced a Customer to the Retail Supplier or where the Marketer arranged or facilitated a Supply Arrangement for that Retail Supplier.

5.4.2 A Marketer must not give to a Retail Supplier a statement in relation to a Supply Arrangement arranged or facilitated by the Marketer that is false, misleading or deceptive, knowing it to be false, misleading or deceptive.

6 STANDARDS OF CONDUCT

6.1 General

6.1.1 A Marketer must not, when carrying out Marketing, engage in misleading, deceptive or unconscionable conduct whether by act or omission.

6.1.2 Marketers must comply with all applicable laws.

6.1.3 A Marketer must ensure that any information that this Code requires a Marketer to provide to Customers is in plain language and designed to be readily understood by Customers.

6.1.4 Customers must be able to contact a Marketer on the Marketer's Contact Number during the normal business hours of the Marketer.

6.1.5 All Supply Arrangements must be in writing and, except for Standard Form Contracts, must be signed by the relevant Customer to evidence the Customer's acceptance of the Supply Arrangement as a Customer Supply Contract.

6.2 Marketing by telephone

6.2.1 In any telephone call made by or on behalf of a Marketer to a Customer for the purposes of Marketing, the caller must, as soon as practicable, clearly identify:

- a) his or her name and Contact Number; and
 - b) the name of the Marketer on whose behalf the call is being made; and
 - c) the purpose of the call.
- 6.2.2 If told by a Customer, at any time during a telephone conversation between the Customer and the Marketer that the Customer does not wish to continue, the Marketer must cease Marketing promptly and must not contact that Customer in any way for the purpose of Marketing for at least the next 30 days, unless requested to do so by the Customer or unless the Customer otherwise agrees.
- 6.2.3 Unless requested by a Customer, a Marketer must not make a telephone call to a Customer:
- a) on Christmas Eve after 5:00pm; or
 - b) on Christmas Day, Boxing Day, Good Friday or Easter Sunday; or
 - c) outside the following times:
 - i. 8am to 8:30pm on weekdays; and
 - ii. 9am to 7pm on Saturdays and 10am to 7pm on Sundays.
- 6.2.4 A Marketer must ensure that if a telephone call is commenced within the hours permitted by section 6.2.3, the call must not continue for more than 15 minutes beyond the permitted times without the Customer's agreement.
- 6.2.5 A Marketer must maintain the following records in relation to all telephone calls involving Marketing between the Marketer and Customers:
- a) the names and telephone numbers of Customers;
 - b) the name of the person that made and/or dealt with each call on behalf of the Marketer; and
 - c) the times and dates of telephone calls.
- 6.2.6 The records required to be kept under section 6.2.5 must be kept for at least one year after the last telephone call for the purpose of Marketing occurred.
- 6.3 Marketing at Customer's Premises**
- 6.3.1 If a Marketer engages in Marketing at a Customer's Premises, the Marketer must immediately, upon entering the Premises:
- a) and at all times after that on request by the Customer, produce an identity card that shows his or her full name and photograph and the name, business address and Contact Number of the Marketer; and
 - b) advise the Customer of the purpose of the visit and ask the Customer if the Customer wishes to progress further. If the Customer does not wish to proceed, then the Marketer must leave the Premises immediately and the Marketer must not contact that Customer in any way for the purpose of Marketing for at least the next 30 days, unless requested to do so by the Customer or unless the Customer otherwise agrees.
- 6.3.2 Unless requested by a Customer, a Marketer must not contact a Customer at the Customer's Premises:
- a) on Christmas Eve after 5:00pm; or
 - b) on Christmas Day, Boxing Day, Good Friday or Easter Sunday; or
 - c) outside the following times:
 - i. 8am to 8:30pm on weekdays; and
 - ii. 9am to 7pm on Saturdays and 10am to 7pm on Sundays.
- 6.3.3 A Marketer must maintain records of Marketing conducted at Customer's Premises. These records must include:
- a) the addresses of the Premises visited;
 - b) the name of Marketer's representative(s) visiting the Premises; and
 - c) the times and dates of visits.
- 6.3.4 The records required to be kept under section 6.3.3 must be kept for at least one year after the date of the last visit for the purpose of Marketing.
- 6.4 Marketing via internet or e-mail**
- 6.4.1 Where a Marketer engages in Marketing via internet or e-mail, the Marketer must provide the following information to Customers:
- a) the Marketer's business name, company name and Australian Business Number;
 - b) the Marketer's address;
 - c) the Marketer's e-mail address or other means of electronic contact; and
 - d) the Marketer's Contact Number.
- 6.4.2 If the Customer indicates that the Customer does not wish to proceed, then the Marketer must not contact that Customer in any way for the purpose of Marketing for at least the next 30 days, unless requested to do so by the Customer or unless the Customer otherwise agrees.
- 6.4.3 A Marketer must maintain the following records (where provided) of all contact with Customers for the purpose of Marketing made via internet or e-mail:

- a) the e-mail address of Customers contacted;
- b) the times and dates of such contacts; and
- c) all correspondence between the Marketer and Customers.

6.4.4 The records required to be kept under section 6.4.3 must be kept for at least one year after the date of the last contact with that Customer for the purpose of Marketing.

6.4.5 For the purposes of the Code, Marketing conducted by means of internet or e-mail is not to be taken as Marketing on the Customer's Premises.

6.5 Marketing by personal contact outside the Customer's Premises

6.5.1 Where a Marketer makes personal contact with a Customer and engages in Marketing at a place other than at the Customer's Premises, the Marketer must:

- a) display an identity card that shows his or her full name and photograph, and the name, business address and Contact Number of the Marketer; and
- b) maintain records of all personal contact made by that Marketer with the Customer for the purpose of Marketing. These records must include:
 - (i) where provided, the names and addresses of Customers contacted;
 - (ii) the addresses of the premises where Marketing was conducted; and
 - (iii) the times and dates on which Marketing was conducted.

6.5.2 The records required to be kept under section 6.5.1 must be kept for at least one year after the date of the last contact for the purpose of Marketing.

6.6 Conduct when Customers do not wish to be contacted

6.6.1 Where a Customer has indicated, in any way, to a Marketer that the Customer does not wish to be contacted again for the purpose of Marketing, the Marketer must take reasonable steps to ensure that the Marketer does not contact the Customer in any way for the purpose of Marketing.

6.6.2 A Marketer must keep a permanent record of all Customers who indicate that they do not wish to be contacted (not to be contacted list). The not to be contacted list must include the name and address of relevant Customers and must be provided to the Ombudsman on its request and to the Code Administrator on its request.

6.6.3 A Marketer must abide by iDo Not Mail, iNo Junk Mail, iDo Not Call and iNo Canvassing or similar notices placed on or near a Customer's Premises.

6.6.4 Nothing in sections 6.6.1, 6.6.2 and 6.6.3 preclude a Marketer from contacting a Customer on the not to be contacted list for purposes other than for the purpose of Marketing.

6.7 Conduct in relation to Personal Information

6.7.1 While engaged in Marketing, a Marketer may collect Personal Information only by lawful and fair means.

6.7.2 As far as possible, the Personal Information collected by a Marketer must be collected directly from the relevant Customer. Where this is not possible, a Marketer may collect information from a third party, but only after receiving the Customer's written consent to do so.

6.7.3 Unless required by law, a Marketer may only disclose Personal Information to any other person if the Marketer has obtained the Customer's written consent to do so.

6.7.4 A Marketer must take reasonable steps to protect Personal Information collected or held by a Marketer from misuse, loss, unauthorised access or modification.

6.7.5 Where a Marketer holds Personal Information about a Customer, the Marketer must provide that Customer with access to that information on request by the Customer unless providing access would be unlawful. Where a request for access is denied, the Marketer must give a written explanation to the Customer as to why the request was denied.

6.7.6 Marketers must keep a record of all written Customer consents required by section 6.7 for at least one year.

6.7.7 Where applicable, a Marketer must establish procedures in relation to Personal Information to comply with and in accordance with the iNational Principles for the Fair Handling of Personal Information issued by the Federal Privacy Commissioner in January 1999.

7 INFORMATION PROVISION

7.1 Minimum requirement

7.1.1 Before or at the time that a Customer enters into a Supply Arrangement that was arranged or facilitated by a Marketer, the Marketer must obtain the Customer's written acknowledgment that the Marketer has provided to the Customer all the information items outlined in section 7.1.2. The form and content of the Customer's written acknowledgement must be in accordance with Appendix 1, with information items listed in the same order with no exclusions

or additions of items. Marketers must keep a record of Customers' written acknowledgements for at least one year after they were obtained. The Customer's written acknowledgement may be contained in the Supply Arrangement, so long as the written acknowledgement is contained in a standalone form and requires a separate Customer signature.

7.1.2 As a minimum and in addition to any other information or documents that may be required elsewhere in this Code to be supplied to a Customer, a Marketer must provide the following to a Customer:

- a) the name, street address (PO Box number is not sufficient) and Contact Number of the Marketer and, if different, the Retail Supplier with whom the Supply Arrangement will be entered into;
- b) the existence of any fee or commission that the Marketer is entitled to receive from a Retail Supplier pursuant to the Marketer's role in arranging or facilitating the Supply Arrangement with the Customer;
- c) the premises to which the Supply Arrangement is to apply;
- d) the time period for which the acceptance of the offer to enter into the Supply Arrangement is valid;
- e) the duration of the Supply Arrangement, including any available extension and the terms and conditions, including any fees applicable, of any such extension of the Supply Arrangement;
- f) the extent to which the price offered is inclusive of all costs. If the price offer does not include all costs, then those costs that are not included, together with how they will be charged, must be disclosed;
- g) the Customer's right to an applicable Standard Form Contract and how the terms of the offered Supply Arrangement (including all costs), differ from any applicable Standard Form Contract;
- h) the name, street address and contact number of the person responsible for arranging Connection Services, if not the Customer;
- i) any requirements for security deposits to be paid by the Customer and when such deposits will be payable;
- j) any penalties or charges that may be imposed on the Customer for variation in load, early termination or otherwise;
- k) the Customer's right to bring complaints to the Ombudsman;
- l) the existence of the Code and the fact that it is binding on Marketers;
- m) details of conditions relating to the Customer's entitlement to any cooling off period;
- n) the expected date of commencement of the supply of Electricity under the Supply Arrangement;
- o) a copy of the Supply Arrangement;
- p) notification that the Customer in signing a Supply Arrangement constitutes the Customer's written consent to transfer to the Retail Supplier of the Customer's choice;
- q) any other information reasonably necessary for the Customer to make an informed decision about whether or not to enter into the Supply Arrangement offered by the Marketer; and
- r) if requested by a Customer, the information set out in clause 7.2.

7.1.3 Section 7.1.1 does not apply to Standard Form Contracts.

7.2 Additional information

7.2.1 A Marketer must, if requested to do so by a Customer, clearly explain to the Customer:

- a) all terms and conditions of any Supply Arrangement offered by that Marketer to the Customer;
- b) the Customer's rights under the terms and conditions of any applicable Standard Form Contract;
- c) the Customer's entitlements to any concessions or rebates under the ES Act;
- d) the arrangements that are in place for competition in the supply of electricity in the jurisdiction in which that Customer's premises is located; and
- e) the Customer's rights and Marketer's obligations under the Code.

APPENDIX 1

CUSTOMER WRITTEN ACKNOWLEDGEMENT

Name: _____ Marketer _____

Supply Address: _____

Relationship to supply address (owner/occupier)

By signing this document I declare that I have been made aware of or received the following:

- a) the name, street address (PO Box number is not sufficient) and Contact Number of the Marketer and, if different, the Retail Supplier with whom the Supply Arrangement will be entered into;
- b) the existence of any fee or commission that the Marketer is entitled to receive from a Retail Supplier pursuant to the Marketer's role in arranging or facilitating the Supply Arrangement with the Customer;

- c) the premises to which the Supply Arrangement is to apply;
- d) the time period for which the acceptance of the offer to enter into the Supply Arrangement is valid;
- e) the duration of the Supply Arrangement, including any available extension and the terms and conditions, including any fees applicable, of any such extension of the Supply Arrangement;
- f) the extent to which the price offered is inclusive of all costs. If the price offer does not include all costs, then those costs that are not included, together with how they will be charged, must be disclosed;
- g) my right to an applicable Standard Form Contract and how the terms of the offered Supply Arrangement (including all costs), differ from any applicable Standard Form Contract;
- h) the name, street address and contact number of the person responsible for arranging Connection Services;
- i) any requirements for me to pay security deposits and when such deposits will be payable;
- j) any penalties or charges that may be imposed on me for variation in load, early termination or otherwise;
- k) my right to bring complaints to the Ombudsman;
- l) the existence of the Code and the fact that it is binding on Marketers;
- m) details of conditions relating to the my entitlement to any cooling-off period;
- n) the expected date of commencement of the supply of Electricity under the Supply Arrangement;
- o) a copy of the Supply Arrangement;
- p) notification that by signing a Supply Arrangement, I am providing written consent to transfer to the Retail Supplier of the my choice;
- q) any other information reasonably necessary for me to make an informed decision about whether or not to enter into the Supply Arrangement offered by the Marketer; and
- r) where requested, I have received the following information:
- i) all terms and conditions of any Supply Arrangement offered to me by the Marketer;
 - ii) my rights under the terms and conditions of any applicable Standard Form Contract;
 - iii) my entitlements to any concessions or rebates under the ES Act;
 - iv) the arrangements that are in place for competition in the supply of electricity in the jurisdiction in which that my premises is located; and
 - v) my rights and Marketer's obligations under the Code.

SIGNATURE _____ DATE _____

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 geographical name listed hereunder:

Name Assigned	Lowe Creek
Designation	Creek
LGA	Wyong
Parish	Stowe
County	Northumberland
Latitude	33° 08' 10"
Longitude	151° 12' 30"
L.P.I. Map	Kulnura
100,000 Map	Gosford 9131
Reference:	GNB4419.

WARWICK WATKINS,
Chairman

Geographical Names Board
PO Box 143, Bathurst 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 geographical name listed hereunder:

Assigned Name	Mihkelson Reserve
Designation	Reserve
LGA	Blacktown
Parish	Gidley
County	Cumberland
Latitude	33° 43' 30"
Longitude	150° 53' 30"
L.P.I. Map	Riverstone
100,000 Map	Penrith 9030
Reference:	GNB3960

WARWICK WATKINS,
Chairman

Geographical Names Board
PO Box 143, Bathurst 2795.

GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of Section 7(1) of the Geographical Names Act 1966, the Geographical Names Board has this day assigned the geographical names listed hereunder.

Assigned Name:	Flag
Designation:	Trig. Station
L.G.A.:	Wollongong City Council
Parish:	Wollongong
County:	Camden
L.P.I. Map:	Wollongong
100,000 Map:	Wollongong 9029
Reference:	GNB 4860

Assigned Name:	Hamley
Designation:	Trig. Station
L.G.A.:	Hornsby Council
Parish:	South Colah
County:	Cumberland
L.P.I. Map:	Hornsby
100,000 Map:	Sydney 9130
Reference:	GNB 4860

Assigned Name: Tarcombe
 Designation: Trig. Station
 L.G.A.: Cobar Council
 Parish: Tarcombe
 County: Blaxland
 100,000 Map: Kilparney 8132
 Reference: GNB 4860

Assigned Name: Burthongur
 Designation: Trig. Station
 L.G.A.: Cobar Council
 Parish: Burthong
 County: Blaxland
 100,000 Map: Nymagee 8133
 Reference: GNB 4860

Assigned Name: Darley
 Designation: Trig. Station
 L.G.A.: Cobar Council
 Parish: Tarcombe
 County: Blaxland
 100,000 Map: Nymagee 8133
 Reference: GNB 4860

Assigned Name: Burge
 Designation: Trig. Station
 L.G.A.: Cobar Council
 Parish: Knox
 County: Mouramba
 100,000 Map: Nymagee 8133
 Reference: GNB 4860

Assigned Name: Roset
 Designation: Trig. Station
 L.G.A.: Cobar Council
 Parish: Roset
 County: Mouramba
 100,000 Map: Nymagee 8133
 Reference: GNB 4860

Assigned Name: Moothumbool
 Designation: Trig. Station
 L.G.A.: Cobar Council
 Parish: Moothumbool
 County: Mouramba
 100,000 Map: Nymagee 8133
 Reference: GNB 4860

Assigned Name: Dryden
 Designation: Trig. Station
 L.G.A.: Cobar Council
 Parish: Dryden
 County: Mouramba
 100,000 Map: Nymagee 8133
 Reference: GNB 4860

Assigned Name: Bangalley
 Designation: Trig. Station
 Previous Name: South Head
 L.G.A.: Pittwater Council
 Parish: Narrabeen
 County: Cumberland
 L.P.I. Map: Broken Bay
 100,000 Map: Sydney 9130
 Reference: GNB 4860

Assigned Name: Bellbird
 Designation: Trig. Station
 L.G.A.: Bega Valley Shire Council
 Parish: Bimmil
 County: Auckland
 L.P.I. Map: Eden
 100,000 Map: Eden
 Reference: GNB 4860

Assigned Name: Cumbine
 Designation: Trig. Station
 L.G.A.: Cobar Council
 Parish: Walton
 County: Flinders
 100,000 Map: Nymagee 8133
 Reference: GNB 4860

Assigned Name: Mara
 Designation: Trig. Station
 L.G.A.: Cobar Council
 Parish: Burthong South
 County: Blaxland
 100,000 Map: Nymagee 8133
 Reference: GNB 4860

Assigned Name: Babego
 Designation: Trig. Station
 L.G.A.: Cobar Council
 Parish: Babinda
 County: Flinders
 100,000 Map: Nymagee 8133
 Reference: GNB 4860

Assigned Name: Wills
 Designation: Trig. Station
 L.G.A.: Cobar Council
 Parish: Wills
 County: Mouramba
 100,000 Map: Nymagee 8133
 Reference: GNB 4860

Assigned Name: Muriel
 Designation: Trig. Station
 L.G.A.: Cobar Council
 Parish: Kinnear
 County: Mouramba
 100,000 Map: Nymagee 8133
 Reference: GNB 4860

Assigned Name: Grahway
 Designation: Trig. Station
 L.G.A.: Cobar Council
 Parish: Mouramba
 County: Mouramba
 100,000 Map: Nymagee 8133
 Reference: GNB 4860

The position and the extent for these features are recorded and shown within the Geographical Names Register of New South Wales. This information can be accessed through the Board's Web Site at www.lpi.nsw.gov.au/geog

WARWICK WATKINS,
 Chairman

Geographical Names Board
 PO Box 143, Bathurst 2795.

GEOGRAPHICAL NAMES ACT 1966

PURSUANT to the provisions of Section 7 (1) of the Geographical Names Act 1966, the Geographical Names Board has this day assigned the geographical names listed hereunder:

Sidlings Swamp Flora Reserve, Jerrabattgulla Flora Reserve, Narrabarba Hill Flora Reserve, Strathorn Flora Reserve, Maxwells Flora Reserve, Mares Hill Flora Reserve, Mount Poole Flora Reserve, Wells Crossing Flora Reserve, Copeton State Forest, Kiacatoo State Forest, Bald Hill State Forest, Talgon State Forest, Cumbine State Forest, Nangerybone State Forest, Bedooba State Forest, Balowra State Forest, Currowan Creek Flora Reserve, Gilgunnia State Forest, Riamukka State Forest.

The position and the extent for these features are recorded and shown within the Geographical Names Register of New South Wales. This information can be accessed through the Boards Web Site at www.lpi.nsw.gov.au/geog/.

WARWICK WATKINS,
Chairperson.

Geographical Names Board
PO Box 143, Bathurst NSW 2795.

GEOGRAPHICAL NAMES ACT 1966**NOTICE OF DISCONTINUANCE OF
GEOGRAPHICAL NAMES**

PURSUANT to the provisions of section 14 of the Geographical Names Act 1966, the Geographical Names Board hereby notifies that the following names are discontinued:

Waalimma Mountain Flora Reserve, Parkers Gap Flora Reserve, Paddys Cree Flora Reserve, Wamban Creek Flora Reserve, Crown Mountain Flora Reserve, Banshea Messmate Flora Reserve, Rockton Flora Reserve, Wilson River Flora Reserve, Kioloa Flora Reserve, Lyons Creek Flora Reserve, Hanging Mountain Flora Reserve, Murrenengburg Flora Reserve, Myrtle Mountain Flora Reserve, Stanton Rock Flora Reserve, Nalbaugh Flora Reserve, Tantawangalo Creek Flora Reserve, Boguee State Forest, Windamere State Forest, Marebone State Forest, Roseberry State Forest.

WARWICK WATKINS,
Chairperson.

Geographical Names Board
PO Box 143, Bathurst NSW 2795.

GEOGRAPHICAL NAMES ACT 1966

THE Geographical Names Board of New South Wales hereby notifies that as of this date, all positions and the extent for geographical features assigned by the Geographical Names Board of NSW, (the Board), are as recorded and shown within the Geographical Names Register of New South Wales. This information can be accessed through the Boards Web Site at www.lpi.nsw.gov.au/geog/.

WARWICK WATKINS,
Chairperson.

Geographical Names Board
PO Box 143, Bathurst NSW 2795.

GEOGRAPHICAL NAMES ACT 1966

Notice of Amendments to Suburb Boundaries Within City of Lake Macquarie

PURSUANT to the provisions of section 10 of the Geographical Names Act 1966, the Geographical Names Board has this day amended the suburb boundaries between Tingira Heights and Mount Hutton, increasing the extent of Tingira Heights and between Eleebana, Croudace Bay and Tingira Heights, increasing the extent of Eleebana, as shown on map GNB3506.

WARWICK WATKINS,
Chairperson.

Geographical Names Board
PO Box 143, Bathurst NSW 2795.

GEOGRAPHICAL NAMES ACT 1966**NOTICE OF DISCONTINUANCE OF
GEOGRAPHICAL NAMES**

PURSUANT to the provisions of section 14 of the Geographical Names Act 1966, the Geographical Names Board hereby notifies that the following name is discontinued:

Bouverie State Forest

WARWICK WATKINS,
Chairperson.

Geographical Names Board
PO Box 143, Bathurst NSW 2795.

**INCORPORATION OF PARENTS AND CITIZENS
ASSOCIATIONS**

THE following associations are hereby incorporated under the Parents and Citizens Associations Incorporation Act, 1976.

1. Branxton Public School Parents and Citizens Association.
2. Erskineville Public School Parents and Citizens Association.

NOTE: Approval is granted for the Erskineville Public School Parents and Citizens Association to become an incorporated body for a period ending 2002. It is noted that the school will be closing in December 2002.

3. Muirfield High School Parents and Citizens Association.
4. Tangara School for Specific Purposes Parents and Citizens Association.

JOHN WATKINS, M.P.,
Minister for Education and Training

**INDEPENDENT PRICING AND REGULATORY
TRIBUNAL OF NEW SOUTH WALES**

Application for Variation of Gas Distributor's
Licence (ref: 00/238)

THE Tribunal has received an application from Origin Energy LPG Limited (ACN 000 508 369) for a variation to a Gas Distributor's Authorisation issued under the Gas Supply Act 1996.

If approved, the variation would add the Local Government Area of Coffs Harbour to those areas in which the company is currently licensed to reticulate liquefied petroleum gas and other gases.

The Tribunal invites public submissions on the application. A summary of the application details can be obtained from the Tribunal's offices. Submissions should address the assessment criteria contained in the Gas Supply Act 1996.

All submissions should reach the Tribunal by 31 January 2002.

Inquiries to Mr Gary Drysdale (02) 9290 8477.

THOMAS G PARRY, Chairman, Level 2, 44 Market Street, Sydney NSW 2000, PO Box Q290, QVB Post Office, NSW 1230.

21 December 2001.

LAND TAX MANAGEMENT ACT 1956

Land Tax Returns for 2002 Tax Year

THIS Order is made under section 12 of the Land Tax Management Act 1956. The purpose of this Order is to advise persons who own land in NSW if they are required to lodge an initial return or a variation return in 2002. General background information about land tax and administrative matters is contained in Annexure iA.

Requirement to Lodge an Initial Return

1. The requirement to lodge an initial land tax return in 2002, as specified in this Order, applies to certain persons who are owners of land in NSW at midnight on 31 December 2001. The reference to an owner includes a reference to a person who is an owner of land or is deemed 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.
2. Persons who own land in NSW at midnight on 31 December 2001 and who were not liable for land tax for the 2001 tax year but who are liable for land tax for the 2002 tax year, and do not receive written advice about their 2002 liability from the Chief Commissioner of State Revenue before 30 April 2002, must lodge an Initial Return by 30 April 2002.
3. In addition, an Initial Return for the 2002 tax year must be lodged by 30 April 2002 by any person who is liable for land tax for both the 2002 land tax year and an earlier land tax year, if the person failed to comply with a requirement to lodge an initial return in respect of the earlier tax year, and if the person does not receive written advice from the Chief Commissioner about those tax liabilities before 30 April 2002.
4. However, a person who, between 1 January and 30 April 2002, receives written advice from the Chief Commissioner that the person is or may be liable for land tax for the 2002 tax year, is not required to lodge a return for the 2002 tax year, except as specified in that written advice.
5. Those persons who are required by this Order to lodge an Initial Return may instead provide the information specified on the Initial Return form by telephoning the Office of State Revenue's telephone inquiry service on 02 9685 2124 or 1300 858 300.

Due date for lodgement of Initial Returns

6. Any person who is required by this Order to lodge a 2002 Initial Return, must do so by 30 April 2002. Penalty tax and interest for late lodgement may be imposed under the Land Tax Management Act 1956 and the Taxation Administration Act 1996 for failing to lodge a return by 30 April 2002. A summary of the current penalty tax and late lodgement interest rates for 2002 is contained in Appendix iA.

Requirement to Lodge a Variation Return

7. A Variation Return is required to be lodged by a person who receives an incorrect notice of assessment of land tax. Errors on the notice which may result in an incorrect notice of assessment of land tax may include:
 - (a) details of land owned by the person as shown on the notice are incorrect;
 - (b) exempt land has been incorrectly assessed as liable for land tax;
 - (c) liable land has been incorrectly classified as exempt;
 - (d) the calculation of tax contains errors.
8. Those persons who must lodge a Variation Return form, may instead provide the relevant information by telephone to the Office of State Revenue's telephone inquiry service on (02) 9685 2155 or 1 800 061 163.
9. Penalty tax and interest for late lodgement of a return 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. A summary of the current penalty tax and late lodgement interest rates for 2002 is contained in Appendix iA.

Due Date for Lodgement of Variation Returns

10. Variation Returns are required to be lodged by the first instalment date shown on the notice of assessment. If the notice of assessment incorrectly shows that no tax is payable, the due date for lodgment of a variation return is 40 days after the Issue Date shown on the notice.
11. Returns are to be lodged with the Chief Commissioner of State Revenue, Office of State Revenue, Lang Centre, Cnr Hunter and Marsden Streets, Parramatta, NSW 2150 or at any of the Office of State Revenue's Regional Offices.

Signed
P. ACHTERSTRAAT
Chief Commissioner of State Revenue

12 December 2001

ANNEXURE iA

INFORMATION ABOUT LAND TAX FOR LANDOWNERS

Landowners who are liable for land tax

12. The following summary explaining liability for land tax is provided to assist owners in determining whether or not they are required to lodge a return for the 2002 tax year. A brochure explaining land tax liabilities in greater detail may be obtained from the Office of State Revenue's website at www.osr.nsw.gov.au.

13. A person who owned land or holds a legal or beneficial interest in land at midnight on 31 December 2001 is liable for land tax in respect of the 2002 tax year if that person is:

- (i) an owner of taxable land which has a total land value, as determined by the Valuer-General for the 2002 land tax year, of \$220,000 or more; or
- (ii) an owner of taxable land, being land which is the owner's principal place of residence, where the land value as determined by the Valuer-General for the purposes of the 2002 land tax year is \$1.414 million or more; or
- (iii) a company which owns taxable land, where the total value as determined by the Valuer-General, when aggregated with land owned by a related company or companies, is \$220,000 or more;
- (iv) a trustee who owns land where the trust is a special or discretionary trust and the land value of taxable land is \$5,883 or more;
- (v) A trustee other than a trustee of a special or discretionary trust, and the land value of taxable land is \$220,000 or more;
- (vi) A beneficiary of a trust which owns taxable land, including an owner of a unit or units in a unit trust, where the beneficiary owns other interests in taxable land, and the aggregate value of all of the beneficiary's interests in taxable land total \$220,000 or more.
- (vii) A beneficiary of a trust which owns taxable land, where the beneficiary is a special trust and the aggregate value of all of the beneficiary's interests in taxable land total \$5,883 or more.

Address for lodging returns

14. Returns may be mailed to the Office of State Revenue, Locked Bag 5815, Parramatta, NSW 2124, but must be mailed in time to reach the Office of State Revenue by the due date. That is, sufficient time should be allowed for delivery of the mail from the particular location from which the return is posted, having regard to the normal delivery times advised by Australia Post for that location.

How to obtain a blank return form

15. Copies of the blank Initial and Variation Return forms are available from the Office of State Revenue at Parramatta or its Regional Offices located in Sydney, Newcastle and Wollongong or by telephoning the Office of State Revenue on the numbers listed below. A blank Variation Return is attached to each notice of assessment.

Penalty tax and interest may be charged for failure to lodge a return

16. Failure to lodge an Initial Return or a Variation Return is classed as a tax default under the Taxation Administration Act. Therefore, penalty tax may be imposed for failing to lodge an Initial Return or a Variation Return. The rate of the penalty imposed depends on whether the failure was due to failure to take reasonable care, or intentional disregard of the

land tax legislation. The penalty rate also depends on whether the default was discovered by OSR during an audit, and whether the landowner makes a voluntary disclosure. The rate of penalty tax may vary from a 90% of the primary tax for the most serious default to 5% for a voluntary disclosure before an audit commences.

17. In addition, late lodgement interest may be imposed at the rate applying from time to time under the Taxation Administration Act. The current rate is 12.89% per annum.

What to do if you do not know your taxable land value

18. Land is revalued for land tax purposes every year. However, notices of land values are only issued to owners by the Valuer-General when a general revaluation of a local government area is made for local council rating purposes. These general valuations are usually conducted at intervals of 3 years. Therefore land values used for land tax may be more recent than the values used for council rates.

19. Owners who do not receive a general valuation notice from the Valuer-General by 31 January 2002 showing their land value as at 1 July 2001, may contact OSR to obtain the land value applicable for land tax for the current land tax year.

20. Alternatively, certificates showing the land value of a specified parcel of land may be obtained by lodging an application electronically through a Client Service Provider authorised by OSR. Details of how clients may obtain access to an authorised Client Service Provider are available from OSR's Website at www.osr.nsw.gov.au.

NATIONAL PARKS AND WILDLIFE ACT 1974

PROCLAMATION

I, PROFESSOR MARIE BASHIR AC, Governor of the State of New South Wales, with the advice of the Executive Council and in pursuance of the powers vested in me under Section 33(3) of the National Parks and Wildlife Act, 1974, do by this my Proclamation, reserve such of the lands described hereunder as are prescribed lands within the meaning of Section 33(1) of the National Parks and Wildlife Act 1974, as part of Wyrablong National Park.

Signed and Sealed at Sydney this 14 day of November, 2001.

MARIE BASHIR
Governor.

By Her Excellency's Command,

BOB DEBUS, M.P.,
Minister for the Environment

GOD SAVE THE QUEEN!

Land District: Gosford; LGA: Gosford City

County Northumberland, Parish Kincumber, at Wamberal, 980 square metres, being lot 194 in Deposited Plan 16577.: NPWSF/2815.

NATIONAL PARKS AND WILDLIFE ACT 1974

PROCLAMATION

I, PROFESSOR MARIE BASHIR AC, Governor of the State of New South Wales, with the advice of the Executive Council and in pursuance of the powers vested in me under Section 49(2) of the National Parks and Wildlife Act 1974, do, on the recommendation of the Director-General of National Parks and Wildlife, by this my Proclamation dedicate the lands described hereunder as part of Dananbilla Nature Reserve for the purposes of Section 49(3) of that Act.

Signed and Sealed at Sydney this 14 day of November, 2001.

MARIE BASHIR,
Governor,

By Her Excellency's Command,

BOB DEBUS, M.P.,
Minister for the Environment

GOD SAVE THE QUEEN!

Description

Land District n̄ Young; LGA n̄ Young

County Monteagle, Parishes Illunie & Wambanumba, about 387 hectares, being lot 1 DP1004364, lot 21 DP883432, lots 282 & 283 DP754593, lot 106 DP754605, road separating lots 282 & 283 DP883432 from lot 21 DP883432 and that part of the bed of Bendick Murrell Creek separating lot 21 DP883432, lots 282 & 283 DP883432 from Dananbilla Nature Reserve; inclusive of roads within lot 21 DP883432 and lot 106 DP754605 and the bed of Bendick Murrell Creek within lot 21 DP883432. NPWS/F/2581 and F/3052.

NATIONAL PARKS AND WILDLIFE ACT 1974

ABORIGINAL PLACE

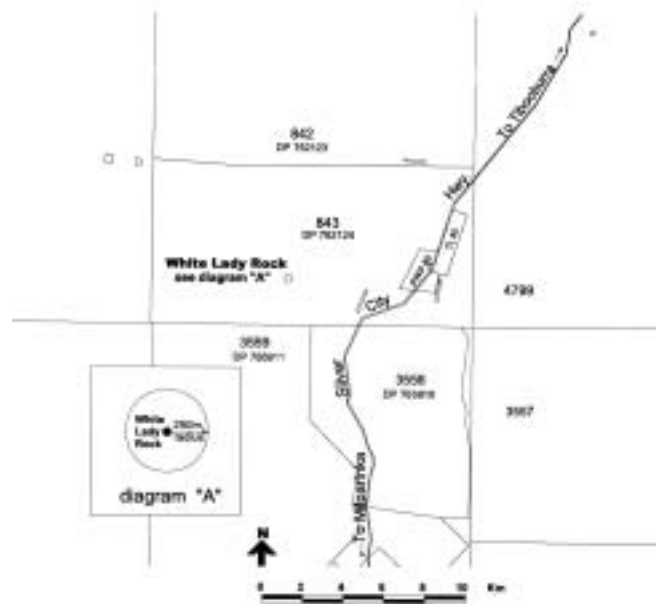
IN pursuance of the powers vested in me under section 84 of the National Parks and Wildlife Act 1974, I, the Minister for the Environment, do by this my Order, declare such of the lands described hereunder as an Aboriginal Place.

BOB DEBUS, M.P.,
Minister for the Environment

Description

Western Division; LGA-Unincorporated

County Tongowoko, at Milparinka, about 20 hectares, being the area within a 250 metre radius of the centre of White Lady Rock as shown in the diagram hereunder. NPWS/A/6408.

**NATIONAL PARKS AND WILDLIFE ACT 1974**

ABORIGINAL PLACE

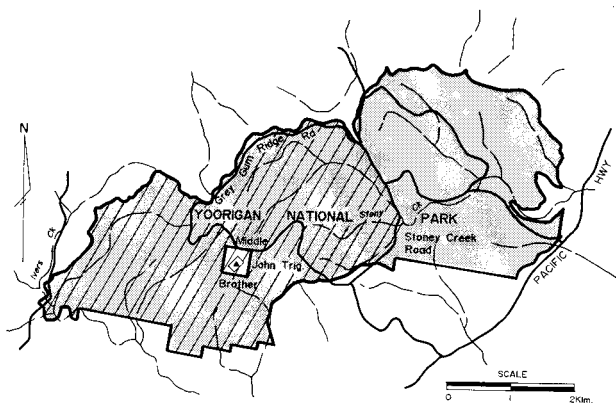
IN pursuance of the powers vested in me under section 84 of the National Parks and Wildlife Act 1974, I, the Minister for the Environment, do by this my Order, declare such of the lands described hereunder as an Aboriginal Place.

BOB DEBUS M.P.,
Minister for the Environment

Description

*Land District n̄ Taree;
Council n̄ Greater Taree and Hastings*

- i. County Macquarie, Parish Camden Haven, about 1042 hectares, being the whole of the area reserved as Dooragan National Park by the Forestry Revocation and National Park Reservation Act, 1996 and the *Government Gazette* proclamation of 30 January 1998, folio 489.
- ii. County of Macquarie, Parishes of Johns River and Lorne, about 1090 hectares, being that part of Yoorigan National Park shown by hatching in the diagram hereunder. NPWS A/6407.



- DP 1016585 DP 1016607 DP 1023522
- DP 1016586 DP 1016608 DP 1023523
- DP 1016587 DP 1016609 DP 1023524
- DP 1016588 DP 1016610 DP 1023526
- DP 1016589 DP 1016611 DP 1023527
- DP 1016590 DP 1016612 DP 1023528
- DP 1016591 DP 1016613 DP 1026809
- DP 1016592 DP 1016614 DP 1027473

- Lot 1 in DP 1009320
- Lot 18 in DP 840021
- Lot 3 in DP 1002746
- Lot 1 in DP 1016573
- Lot 1 in DP 1016578
- Lot 1 in DP 1016584

SECOND SCHEDULE

LANDS TO BE EXCLUDED

All those pieces or parcels of land described in the instrument annexed to the following Deposited Plans lodged at the Land and Property Information NSW, Sydney office.

- DP 267407 DP 267408 DP 276409
- DP 267410 DP 267411 DP 267412
- DP 267413 DP 267414 DP 267415
- DP 267416 DP 267417 DP 267418
- DP 267419 DP 267420 DP 267421
- DP 267422 DP 267423 DP 267424
- DP 269183 DP 269184 DP 269185
- DP 269186

PIPELINES ACT 1967

LICENCE No. 26ñ VARIATION No. 5

INSTRUMENT OF GRANT OF VARIATION OF LICENCE AREA

I, PROFESSOR MARIE BASHIR AC, GOVERNOR OF THE STATE OF NSW, acting with the advice of the Executive Council in exercise of the powers conferred on me by Section 19 of the Act do hereby grant the application for variation of the Licence Area specified in Licence No. 26:

- (i) by including therein the lands described in the First Schedule; and
- (ii) by excluding there from the lands described in the Second Schedule.

Signed at Sydney, this nineteenth day of December 2001.

GOVERNOR,
BY HER EXCELLENCY'S COMMAND
KIM YEADON M.P.,
Minister For Energy

FIRST SCHEDULE

LANDS TO BE INCLUDED

All those pieces or parcels of land described in the instrument annexed to the following Deposited Plans lodged at the Land and Property Information NSW, Sydney office.

- DP 1016571 DP 1016593 DP 1016615
- DP 1016572 DP 1016594 DP 1016616
- DP 1016573 DP 1016595 DP 1016617
- DP 1016574 DP 1016596 DP 1016618
- DP 1016575 DP 1016597 DP 1016619
- DP 1016576 DP 1016598 DP 1016620
- DP 1016577 DP 1016599 DP 1017903
- DP 1016578 DP 1016600 DP 1017904
- DP 1016579 DP 1016601 DP 1017905
- DP 1016580 DP 1016602 DP 1017906
- DP 1016581 DP 1016603 DP 1017907
- DP 1016582 DP 1016604 DP 1017908
- DP 1016583 DP 1016605 DP 1017909
- DP 1016584 DP 1016606 DP 1017910

Deposited Plan Number	Instrument Item Number
DP 1002854	Item 1 Numeralla River Item 2 Portion 37 and Part Portion 13 in Volume 14163 Folio 1. Item 3 Water Reserve WR 31
DP 1002855	Item 3 Reserve for Public Recreation R7479.
DP 1002856	Item 1 Gungoandra Creek.
DP 1002856	Item 2 Water Reserve No 127.
DP 1002858	Item 2 Folio 13/713626.
DP 1003276	Item 1 Por. 38. Item 2 Por. 70.
DP 1008993	Item 1 Lot 392 in DP 624969 Item 2 Wilton Road Item 3 Folio 5953/4 Part Land in Deposited Plan 910751 Item 4 1/829218 Item 5 1/850601 Item 6 Cataract River Item 7 92/721526 Item 8 Fol 3435/6 Reserve for Water Supply Item 9 Road Reserve Item 10 1/744563
DP 1002751	Item 6 Vol. 6103 Fol. 125 Lot A in DP 364030

Deposited Plan Number	Instrument Item Number
DP 1002746	Item 2 D6/408890 Item 10 Bk 3411 No 883 Item 12 Lot 29 in DP 249417 Item 14 Vol 11523 Fol 126 Lot 19 in DP 240319 Item 15 Lot 18 in DP 240319 Item 16 Lot 103 in DP 794292 Item 17 Vol 14701 Fol 143 Lot 2 in DP 622727 Item 18 Warren Road Item 19 Lot 4 in DP 849480 Item 20 Lot 2 in DP 849480 Item 21 Lot 20 in DP 599957 Item 22 Lot 34 in DP 850596
DP 1009646	Item 11 Lot 33 in DP 850596
DP 1010562	Item 2 Vol 12743 Fol 235 Lot 30 in DP 249417 Item 3 Windermere Road Item 4 Vol 10087 Fol 94 Lot 1 in DP 515773 Item 5 Vol 13779 Fol 138 Lot 34 in DP 657040 Item 6 Vol 12200 Fol 106 Lot 35 in DP 3082 Item 7 Canal Street Item 8 Vol 7875 Fol 123 Lot 37 in DP 3082 Item 9 Vol 12471 Fol 126 Lot 1 in DP 368374 Item 10 Hassall Street Item 11 Lot 2 in DP 540411 Item 12 Gipps Street Item 13 Lot 2 in DP 1005322 Item 14 Dublin Street Item 15 Lot 1 in DP 1005322 Item 16 Lot 1 in DP 721539 Item 17 Lot 2 in DP 68487
DP 1002857	Item 1 Rock Flat Creek Item 2 TSCR No 10228 Item 3 Tributary of Rock Flat Creek Item 4 163/750537
DP 1003822	Item 1 Main Road No 92
DP 1002869	Item 9 Folio 89/754892 Item 10 Folio 220/754892 Item 11 Auto Consol 1491-184
DP 1008993	Item 8 Fol 3435/6 Reserve for Water Supply

PIPELINES ACT 1967

NOTIFICATION OF VESTING OF EASEMENT FOR PIPELINE

Duke Eastern Gas Pipeline Pty Ltd and DEI Eastern Gas Pipeline Pty Ltd

Pipeline Licence No. 26

Eastern Gas Pipeline

I PROFESSOR MARIE BASHIR AC, GOVERNOR OF THE STATE OF NSW, acting with the advice of the Executive Council in exercise of the powers conferred on me by Section

21 of the Pipelines Act 1967, hereby declare that the lands and easements over the lands described in the Schedule are vested in Duke Eastern Gas Pipeline Pty Ltd (ACN 006 919 115) and DEI Eastern Gas Pipeline Pty Ltd (ACN 068 570 847), being Variation No. 5 to Licence No. 26.

Signed at Sydney, this nineteenth day of December 2001.

GOVERNOR,
BY HER EXCELLENCY'S COMMAND

KIM YEADON M.P.,
Minister for Energy

Schedule

All those easements over lands and pieces or parcels of land described in the instrument annexed to the following Deposited Plans lodged at the Land and Property Information NSW, Sydney office.

DP 1016571	DP 1016593	DP 1016615
DP 1016572	DP 1016594	DP 1016616
DP 1016573	DP 1016595	DP 1016617
DP 1016574	DP 1016596	DP 1016618
DP 1016575	DP 1016597	DP 1016619
DP 1016576	DP 1016598	DP 1016620
DP 1016577	DP 1016599	DP 1017903
DP 1016578	DP 1016600	DP 1017904
DP 1016579	DP 1016601	DP 1017905
DP 1016580	DP 1016602	DP 1017906
DP 1016581	DP 1016603	DP 1017907
DP 1016582	DP 1016604	DP 1017908
DP 1016583	DP 1016605	DP 1017909
DP 1016584	DP 1016606	DP 1017910
DP 1016585	DP 1016607	DP 1023522
DP 1016586	DP 1016608	DP 1023523
DP 1016587	DP 1016609	DP 1023524
DP 1016588	DP 1016610	DP 1023526
DP 1016589	DP 1016611	DP 1023527
DP 1016590	DP 1016612	DP 1023528
DP 1016591	DP 1016613	DP 1026809
DP 1016592	DP 1016614	DP 1027473

Lot 1 in DP 1009320

Lot 18 in DP 840021

Lot 3 in DP 1002746

Lot 1 in DP 1016573

Lot 1 in DP 1016578

Lot 1 in DP 1016584

PIPELINES ACT 1967

NOTIFICATION OF EXTINGUISHMENTS UNDER SECTION 21A

Duke Eastern Gas Pipeline Pty Ltd and DEI Eastern Gas Pipeline Pty Ltd

Pipeline Licence No. 26

Eastern Gas Pipeline

IT is hereby notified that, pursuant to section 21A of the Pipelines Act 1967, the easements over lands excluded from the Licence Area consequent to the grant of Variation No. 5 to Pipeline Licence No. 26, as specified in the Schedule, are extinguished and such restrictions as to user as may have applied, cease to have effect.

Signed at Sydney, this nineteenth day of December 2001.

KIM YEADON, M.P.,
Minister for Energy

Schedule

All those easements over lands and pieces or parcels of land described in the instrument annexed to the following Deposited Plans lodged at the Land and Property Information NSW, Sydney office.

Deposited Plan Number	Instrument Item Number
DP 1002854	Item 1 Numeralla River Item 2 Portion 37 and Part Portion 13 in Volume 14163 Folio 1. Item 3 Water Reserve WR 31.
DP 1002855	Item 3 Reserve for Public Recreation R7479.
DP 1002856	Item 1 Gungoandra Creek.
DP 1002856	Item 2 Water Reserve No 127.
DP 1002858	Item 2 Folio 13/713626.
DP 1003276	Item 1 Por. 38. Item 2 Por. 70.
DP 1008993	Item 1 Lot 392 in DP 624969 Item 2 Wilton Road Item 3 Folio 5953/4 Part Land in Deposited Plan 910751 Item 4 1/829218 Item 5 1/850601 Item 6 Cataract River Item 7 92/721526 Item 8 Fol 3435/6 Reserve for Water Supply Item 9 Road Reserve Item 10 1/744563
DP 1002751	Item 6 Vol. 6103 Fol. 125 Lot A in DP 364030
DP 1002746	Item 2 D6/408890 Item 10 Bk 3411 No 883 Item 12 Lot 29 in DP 249417 Item 14 Vol 11523 Fol 126 Lot 19 in DP 240319 Item 15 Lot 18 in DP 240319 Item 16 Lot 103 in DP 794292 Item 17 Vol 14701 Fol 143 Lot 2 in DP 622727 Item 18 Warren Road Item 19 Lot 4 in DP 849480 Item 20 Lot 2 in DP 849480 Item 21 Lot 20 in DP 599957 Item 22 Lot 34 in DP 850596
DP 1009646	Item 11 Lot 33 in DP 850596

Deposited Plan Number	Instrument Item Number
DP 1010562	Item 2 Vol 12743 Fol 235 Lot 30 in DP 249417 Item 3 Windermere Road Item 4 Vol 10087 Fol 94 Lot 1 in DP 515773 Item 5 Vol 13779 Fol 138 Lot 34 in DP 657040 Item 6 Vol 12200 Fol 106 Lot 35 in DP 3082 Item 7 Canal Street Item 8 Vol 7875 Fol 123 Lot 37 in DP 3082 Item 9 Vol 12471 Fol 126 Lot 1 in DP 368374 Item 10 Hassall Street Item 11 Lot 2 in DP 540411 Item 12 Gipps Street Item 13 Lot 2 in DP 1005322 Item 14 Dublin Street Item 15 Lot 1 in DP 1005322 Item 16 Lot 1 in DP 721539 Item 17 Lot 2 in DP 68487
DP 1002857	Item 1 Rock Flat Creek Item 2 TSCR No 10228 Item 3 Tributary of Rock Flat Creek Item 4 163/750537
DP 1003822	Item 1 Main Road No 92
DP 1002869	Item 9 Folio 89/754892 Item 10 Folio 220/754892 Item 11 Auto Consol 1491-184
DP 1008993	Item 8 Fol 3435/6 Reserve for Water Supply

Department of Health, New South Wales,
Sydney, Wednesday 19 December 2001

**POISONS AND THERAPEUTIC GOODS
ACT 1966
ORDER UNDER CLAUSE 151(1),
POISONS AND THERAPEUTIC GOODS
REGULATION 1994**

WITHDRAWAL OF DRUG AUTHORITY

IN accordance with the provisions of clause 151(1) of the Poisons and Therapeutic Goods Regulation 1994 an order has been made on Dr John WOUDESMAN of 9 Denman Avenue Cronulla, prohibiting him until further notice, as a medical practitioner from supplying or having possession of drugs of addiction as authorised by clause 103 of the Regulation and issuing a prescription for a drug of addiction as authorised by clause 79 of the Regulation.

This order is to take effect on and from Monday 24 December 2001.

ROBERT MCGREGOR,
Acting Director-General

**POISONS AND THERAPEUTIC GOODS
ACT 1966**

PROCLAMATION

MARIE BASHIR,
Governor

I, PROFESSOR MARIE BASHIR AC, Governor of the State of New South Wales, with the advice of the Executive Council, on the recommendation of the Minister for Health and in pursuance of section 8(6) of the Poisons and Therapeutic Goods Act 1966, do, by this my Proclamation, amend the Poisons List as set out in the Schedule below with immediate effect.

Signed and sealed at Sydney, this nineteenth day of December 2001.

By Her Excellency's Command,

CRAIG KNOWLES, M.P.,
Minister for Health

GOD SAVE THE QUEEN!

SCHEDULE

The Poisons List is amended as follows:

- by adding to the entries excepted from Schedule 2 the following entry:

PSEUDOEPHEDRINE

- by inserting the following additional entry in Schedule 2:

PSEUDOEPHEDRINE in preparations (other than preparations for stimulant, appetite suppression or weight control purposes), with a recommended daily dose of 240 mg or less of pseudoephedrine:

- in undivided preparations containing 60 mg or less of pseudoephedrine per recommended dose; or
- when compounded with other therapeutically active substances; or
- in slow release preparations.

- by inserting the following additional entry in Schedule 3:

PSEUDOEPHEDRINE in preparations (other than preparations for stimulant, appetite suppression or weight control purposes), with a recommended daily dose of 240 mg or less of pseudoephedrine where pseudoephedrine is the only therapeutically active substance, in divided preparations containing 60 mg or less of pseudoephedrine per recommended dose in a pack containing 30 or less dosage units, except in slow release preparations.

- by adding to the entries excepted from Schedule 4 the following entry:

PSEUDOEPHEDRINE

- by inserting the following additional entry in Schedule 4:

PSEUDOEPHEDRINE except when included in Schedule 2 or 3.

PUBLIC WORKS ACT 1912

**LAND ACQUISITION (JUST TERMS
COMPENSATION) ACT 1991
COMPULSORY ACQUISITION**

Pacific Palms Sewerage

THE Minister for Land and Water Conservation, with the approval of Her Excellency the Governor, declares that the interest in land described in the Schedule hereto, is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for an authorised work.

On publication of this notice in the *Government Gazette*, the interest in land, is vested in the Minister for Land and Water Conservation as Constructing Authority under section 4 of the Public Works Act 1912.

RICHARD AMERY, M.P.,
Minister for Agriculture
and Minister for Land and Water Conservation

SCHEDULE

Interest In Land

Easement rights as described under the heading Sewer Pipeline in Memorandum E931212 filed in the Office of Land and Property Information NSW over the site shown in:

Deposited Plan 1028821 (SB55119) as:

ëPROPOSED EASEMENT FOR SEWER PIPELINE 3 WIDEí

DPWS Reference 129.

RETENTION OF TITLE

HER Excellency the Governor, by deputation of Her Majesty the Queen, has been pleased to approve of the retention of the title iHonourableí by Mr Paul Francis Patrick Whelan, following his retirement as a Minister on 21 November 2001.

STATE OWNED CORPORATIONS ACT 1989

NOMINATION OF PORTFOLIO MINISTER

I, ROBERT JOHN CARR, Premier, pursuant to section 20I of the State Owned Corporations Act 1989, nominate the Minister for Planning as the portfolio Minister of Landcom, being a statutory State Owned Corporation under the State Owned Corporations Act 1989.

Dated 17 December, 2001.

BOB CARR, M.P.,
Premier

SUBORDINATE LEGISLATION ACT 1989

Draft Consumer, Trader and Tenancy Tribunal
Regulation 2002

Invitation to Comment

PARLIAMENT passed the Consumer, Trader and Tenancy Tribunal Act 2001 in November 2001. The Consumer, Trader and Tenancy Tribunal (CTTT) will take over the jurisdiction of the existing Residential and Fair Trading Tribunals. The

CTTT will have 8 Divisions and will handle disputes on home building, motor vehicle, residential tenancies, retirement villages, residential parks, strata and community schemes, consumer claims and certain commercial matters. It is proposed that the legislation will come into effect and the CTTT commence operation in February 2002.

The proposed Regulation provides for a number of important operational issues including:

- i Applications to the CTTT
- i Application fees
- i Rehearing issues
- i Representation of parties
- i Awarding of costs
- i CTTT proceedings
- i Warrants and summonses

In keeping with the requirements of the Subordinate Legislation Act 1989, a draft Regulation has been prepared for public comment, together with a Regulatory Impact Statement (RIS). Copies of the RIS are available by telephoning the Department of Fair Trading on (02) 9338 8920 or from the Department's website at: www.fairtrading.nsw.gov.au (go to Legislation then Issues Paper and Reports).

Comments or submissions on the proposed Regulation are invited. They must be received by no later than 25 January 2002 and be sent to:

CTTT Regulation
Policy Division
Department of Fair Trading
PO Box Q168
QVB Post Shop NSW 1230

Or faxed to: (02) 9338 8935
Or e-mailed to: pberry@fairtrading.nsw.gov.au

SURVEYORS (GENERAL) REGULATION 1999

Prescribed Examinations

PURSUANT to the provisions of Clause 14(1) of the Surveyors (General) Regulation 1999, the Board of Surveyors of New South Wales will conduct prescribed examinations for financial enrolled Candidate Surveyors from 11 March 2002 to 13 March 2002 and 16 September 2002 to 18 September 2002 at Land and Property Information New South Wales, Queens Square, Sydney.

Applications from Candidate Surveyors to sit for the March and September examinations must be received by the Board no later than 18 February 2002 and 19 August 2002 respectively. Further details of the examinations can be obtained from the Registrar, Board of Surveyors of New South Wales at the above address.

W. A. WATKINS,
President

G. K. A. LEATHERLAND,
Registrar

THREATENED SPECIES CONSERVATION ACT

Notice of Determination for provisional listing on an emergency basis

THE Scientific Committee, established by the Threatened Species Conservation Act, has made a Determination, for the provisional listing of the following species on an emergency basis, on the relevant Schedule of the Act.

Endangered Species (Part 1 of Schedule 1) *Capparis canescens* Banks ex DC., a small tree

The Committee is of the opinion that this species, although not previously known to have existed in NSW, is believed on current knowledge to be indigenous to NSW and this species is not currently listed in Part 1 of Schedule 1 of the Act.

Notice of Preliminary Determination

THE Scientific Committee has made a Preliminary Determination to support a proposal to list the following in the relevant Schedule of the Act.

Endangered Ecological Community (Part 3 of Schedule 1) Upland Wetlands of the Drainage Divide of the New England Tableland Bioregion

The Committee is of the opinion that this Ecological Community is likely to become extinct in nature in NSW unless the circumstances and factors threatening its survival or evolutionary development cease to operate.

Notice of Preliminary Determination

Proposed Amendment to Schedules

Endangered Ecological Community (Part 3 of Schedule 1)
The Committee has made a Preliminary Determination to support a proposal to amend Part 3 of Schedule 1 of the Act (Endangered ecological communities) by listing the Eastern Suburbs Banksia Scrub in the Sydney Basin Bioregion as an ENDANGERED ECOLOGICAL COMMUNITY and as a consequence to omit reference to the Eastern Suburbs Banksia Scrub in Part 3 of Schedule 1 of the Act.

The Committee is of the opinion that this Ecological Community is likely to become extinct in nature in NSW unless the circumstances and factors threatening its survival or evolutionary development cease to operate.

Any person may make a written submission, regarding the Preliminary Determinations which should be forwarded to:

Director-General
National Parks and Wildlife Service
PO Box 1967
Hurstville NSW 2220
Attention: Executive Officer
Scientific Committee

Submissions must be received by 8th January, 2001.

Copies of these determinations may be inspected at the National Parks Centre 102 George St, The Rocks, Sydney and at all NPWS Area Offices/Visitors Centres during business hours.

Dr CHRIS DICKMAN,
Chairperson

UNHEALTHY BUILDING LAND ACT 1990

ENVIRONMENT PROTECTION AUTHORITY

PART AREA 222

Partial Revocation Of Notice Affecting Land At Turrella

IN pursuance of the Unhealthy Building Land Act, 1990, I, Ms Lisa Corbyn, Director-General of the Environment Protection Authority:

- (a) revoke the notice referred to in the Schedule to the extent described in the Schedule; and
- (b) declare that the land described in the Schedule has ceased to be declared unhealthy building land.

LISA CORBYN,
Director-General

SCHEDULE

The notice published in *Government Gazette* No. 69 of 15th June 1923 under section 55 of the Public Health Act 1902 is revoked to the extent that it applies to:

All those pieces or parcels of land in the local government area of Rockdale, Parish of St George, County of Cumberland being:

Henderson Street

Part of lot 1 DP 775302, lots A, B and C DP 87205 as described below:

All that piece or parcel of land situated at Turrella in the local government area of Rockdale, parish of St George, county of Cumberland and State of New South Wales, being part of lot 1 Deposited Plan 775302 COMMENCING at the intersection of the southern side of Henderson Street with Deposited Plan 775302 and bounded thence on the south west by part of Henderson Street and the north east boundary of lot 104 Deposited Plan 828714 being a fence

line bearing 315 degrees 3 minutes 40 seconds distance 76.24 metres, bounded thence on the north by fenced lines bearing 45 degrees 2 minutes distance 59.54 metres bearing 77 degrees 46 minutes distance 12.04 metres bearing 13 degrees 16 minutes distance 14.955 metres bearing 93 degrees 29 minutes distance 5.94 metres bearing 63 degrees 50 minutes 40 seconds distance 33.235 metres bearing 79 degrees 2 minutes 40 seconds distance 79.28 metres bearing 81 degrees 13 minutes distance 6.1 metres bearing 91 degrees 27 minutes distance 10.985 metres bearing 98 degrees 7 minutes distance 12.025 metres bearing 107 degrees 36 minutes distance 12.075 metres bearing 114 degrees 54 minutes distance 10.075 metres bearing 112 degrees 19 minutes distance 8.955 metres bearing 109 degrees 8 minutes distance 8.97 metres bearing 105 degrees 6 minutes distance 11.925 metres bearing 101 degrees 27 minutes distance 8.925 metres bearing 95 degrees 58 minutes distance 15.04 metres bearing 91 degrees 13 minutes distance 5.935 metres bearing 88 degrees 43 minutes distance 11.24 metres, bounded thence on the east by a line bearing 168 degrees 17 minutes distance 51.77 metres to the northern side of the East Hills to Tempe Railway, bounded thence on the south by the aforesaid fenced Railway boundary bearing 271 degrees 52 minutes 20 seconds distance 41.645 metres bearing 226 degrees 28 minutes 20 seconds distance 42.44 metres bearing 263 degrees 3 minutes 50 seconds distance 18.145 metres bearing 261 degrees 12 minutes 20 seconds distance 20.185 metres bearing 258 degrees 53 minutes 20 seconds distance 20.095 metres bearing 257 degrees 4 minutes 50 seconds distance 10.825 metres bearing 255 degrees 16 minutes 20 seconds distance 21.925 metres bearing 253 degrees 43 minutes 20 seconds distance 7.995 metres bearing 251 degrees 51 minutes 20 seconds distance 31 metres bearing 248 degrees 22 minutes 50 seconds distance 20.09 metres bearing 247 degrees 0 minutes 20 seconds distance 20.095 metres bearing 244 degrees 35 minutes 40 seconds distance 9.825 metres to the point of commencement containing an area of 2.122 hectares a little more or less.

INDUSTRIAL AND COMMERCIAL TRAINING ACT 1989**NOTICE OF MAKING OF A VOCATIONAL TRAINING ORDER**

NOTICE is given that the Director-General, Department of Education and Training, in pursuance of Section 22 of the Industrial and Commercial Training Act 1989 has made the following Vocational Training Order in relation to the declared calling of Automotive Services.

CITATION

The order is cited as the Automotive Services Order.

ORDER

A summary of the Order is given below.

(a) Term of Training**(i) Full-time**

Training shall be given for a nominal period of 12 months/18 months/24 months/36 months or until achievement of the relevant competencies to this Vocational Training Order is demonstrated. The appropriate nominal duration associated with a particular certificate outcome is identified under (c) below.

(ii) Part-time

The nominal term for a part time traineeship is determined by the average weekly hours worked in the traineeship (including structured training) and the nominal full-time term for that traineeship.

School based traineeships

In the case of school-based part-time traineeships, where the nominal full-time term is twelve (12) months, training shall be for nominal terms up to 30 months within which period(s) trainees shall be required to demonstrate competencies relevant to the Vocational Training Order. Training may extend to 36 months where the Higher School Certificate is being delivered over a three (3) year period.

Students may work full-time during school vacations. They are not required to attend on-the-job or off-the-job training for more than 7.6 hours per week during examination periods or exam preparation periods.

The table below identifies the allowable hours which may be undertaken and the nominal terms for part-time traineeships.

Full-time Traineeship Term	6 Months	12 Months	18 Months	24 Months	30 Months	36 Months	48 Months
Weekly Hours	Nominal Term Required (Months)						
15	15	30	45	Not Allowable			
16	15	29	44	Not Allowable			
17	14	28	42	Not Allowable			
18	14	27	41	Not Allowable			
19	13	26	39	Not Allowable			
20	13	25	38	Not Allowable			
21	12	24	36	48	Not Allowable		
22	12	23	35	46	Not Allowable		
23	11	22	33	44	55	Not Allowable	
24	11	21	32	42	53	Not Allowable	
25	10	20	30	40	50	60	Not Allowable
26	10	19	29	38	48	57	Not Allowable
27	9	18	27	36	45	54	72
28	9	17	26	34	43	51	68
29	8	16	24	32	40	48	64
30	8	15	23	30	38	45	60
31	Not Allowable		22	28	35	42	56
32	Not Allowable		20	26	33	39	52

(b) Competency Outcomes

Trainees will be trained in and learn the relevant competencies contained in the endorsed National Automotive Industry Competency Standards Levels 1-5 for the Retail Service and Repair Sector, the Aftermarket Sector and the Manufacturing Sector ñ Passenger Motor vehicle.

(c) Courses of Study to be undertaken

Trainees will undertake one of the following certificates:

Traineeship	Duration of Traineeship	National Code
Certificate II in Automotive (Electrical - Accessory Fitting)	12 months	AUR20699
Certificate II in Automotive (Mechanical - Air Conditioning)	12 months	AUR20799
Certificate II in Automotive (Mechanical - Driveline)	18 months	AUR20999
Certificate III in Automotive (Mechanical - Driveline)	36 months	AUR 30699
Certificate II in Automotive (Mechanical- Exhaust Fitting and Repair)	12 months	AUR 21099
Certificate II in Automotive (Mechanical - Radiator Repair)	12 months	AUR 21299
Certificate II in Automotive (Mechanical - Steering and Suspension)	18 months	AUR 21399
Certificate II in Automotive (Mechanical - Vehicle Servicing)	12 months	AUR 21799
Certificate III in Automotive (Mechanical - Automatic Transmission)	24 months	AUR 30299
Certificate II in Automotive (Sales - Automotive Aftermarket)	12 months	AUR 21999
Certificate II in Automotive (Sales- Replacement Parts & Accessories)	12 months	AUR 22099
Certificate II in Automotive (Sales - Service Station Operations)	12 months	AUR 22199
Certificate II in Automotive (Sales - Vehicle)	12 months	AUR 22299
Certificate II in Automotive (Sales - Warehousing)	12 months	AUR 22399
Certificate III in Automotive (Sales - Vehicle)	36 months	AUR 31499
Certificate II in Automotive (Vehicle Body - Accessory Fitting Mechanical)	12 months	AUR 22499
Certificate II in Automotive (Vehicle Body - Detailing)	12 months	AUR 22599
Certificate II in Automotive (Vehicle Body Dismantling)	18 months	AUR 22699
Certificate II in Automotive (Vehicle Body -Glazing)	12 months	AUR 22799
Certificate II in Automotive (Vehicle Body - Paint Panel Preparation)	12 months	AUR 22899
Certificate II in Automotive (Vehicle Body - Window Tinting)	12 months	AUR 22999
Certificate II in Bicycles (Services)	12 months	AUR 20399
Certificate III in Bicycles (Mechanics)	36 months	AUR 31999
Certificate III in Bicycles (Sales)	36 months	AUR 32099
Certificate II in Marine (Sales)	12 months	AUR 23199
Certificate III in Outdoor Power Equipment (Mechanics)	36 months	AUR 32499
Certificate III in Outdoor Power Equipment (Sales)	36 months	AUR 32599
Certificate II in Automotive Services (General Operations)	12 months	-
Certificate II in Automotive (Mechanical - Tyre Fitting and Wheel Aligning)	12 months	-
Certificate II in Automotive (Light Vehicle) Brakes	12 months	-
Certificate II in Automotive (Heavy Vehicle) Brakes	12 months	-
Certificate II in Automotive Aftermarket Retail Operations	12 months	AUR25101
Certificate III in Automotive Aftermarket Retail Operations	36 months	AUR35101
Certificate II in Automotive Aftermarket Warehousing/Distribution Operations	12 months	AUR25201
Certificate III in Automotive Aftermarket Warehousing/Distribution Operations	36 months	AUR35201
Certificate II in Automotive Manufacturing	24 months	AUM20100

AVAILABILITY TO PURCHASE/INSPECT

A copy of the Vocational Training Order may be obtained from any Industry Training Services Centre of the Department of Education and Training.

Criminal Procedure Regulation 2000

FORMS

In pursuance of clause 9(2) of the Criminal Procedure Regulation 2000, I have approved the following form for use in the District Court on and from 13 November 2001.

13 November 2001.

J. Riznyczok.
Acting Criminal Listing Director

NOTICE OF READINESS TO PROCEED IN THE DISTRICT COURT
Criminal Procedure Act, 1986
Regulation 9 (2)

Name of accused:.....
.....
.....

Committed for trial on at

The prosecution is ready to proceed to trial in this matter and a copy of the indictment is attached in accordance with Section 54 of the Criminal Procedure Act.

The attached indictment covers all of the matters for which the accused was/were committed for trial.

OR (delete whichever is not applicable)

The attached indictment does not cover all of the matters for which the accused was/were committed for trial. A schedule is attached specifying how the matters not on the indictment have been dealt with.

.....
Solicitor/Counsel for the Crown Date

LISTING INFORMATION

DC Registry file Number:DPP file number:.....

DPP Solicitor:..... DPP phone number:.....

Accused's Solicitor:..... Phone number:.....

The estimated duration of trial isweeks days

Number of Crown witnesses Police..... Civilian

Interpreter required for the following (specify language):

- 1. Accused
- 2. Witness.....

N.B. The registry will automatically order an interpreter where specified for the **accused**. Interpreters required in relation to any **witness** will need to be confirmed in writing prior to the trial indicating the specific dates and the number of days the interpreter is required.

Trial Priority Information (Country matters only)

1. Sole reason for custody
2. Sexual assault against child
3. Matter older than 12 months
4. Previously not reached
5. Juvenile
6. Sexual assault
7. Offence where death occasioned
8. Re trial/aborted trial
9. Criminal justice personnel charged
10. Overseas/Interstate witness
11. In custody on other matters
12. Previously adjourned

Tick more than one box if necessary

Other matters/details of the above

Other known issues or requirements

- a. Fitness issue
- b. Likely or current No Bill appl
- c. Judge alone trial
- d. Stay application
- e. Separate trial application
- f. Technology req (specify below)
- g. Lengthy legal argument
- h. Change of venue application
- i. Security issues (specify below)
- j. Wheelchair access
- k. Change of plea

NOTICE UNDER NATIONAL ELECTRICITY CODE
NSW Full Retail Competition Derogations

NOTICE is hereby given pursuant to clause 9.1.1(h) of the National Electricity Code approved under section 6 of the National Electricity Law which forms the Schedule to the National Electricity (South Australia) Act 1996 that the National Electricity Code is amended and a new clause 9.17A is inserted in Part B of Chapter 9 of the National Electricity Code.

As required by clause 9.1.1(h) of the National Electricity Code, copies of:

- 1 the letter from the Honourable Kim Yeadon dated 17 December 2001, notifying the National Electricity Code Administrator Limited (ACN 073 942 775) (iNECAî) of the amendments to Chapter 9; and
- 2 the letter from the ACCC dated 12 December 2001 providing interim authorisation for these amendments to Chapter 9, are set out below.

The amendments referred to above and a copy of the ACCC's letter dated 12 December 2001 providing interim authorisation for these amendments can be viewed in full on the Internet website of National Electricity Code Administrator Limited (ACN 073 942 775) (iNECAî) at www.neca.com.au under iThe Code ñ Gazette noticesî section of that website.

The National Electricity Code can be viewed on the NECA Internet website at www.neca.com.au and at the offices of NECA and National Electricity Market Management Company Limited (ACN 072 010 327). A list of addresses where the Code can be viewed is available on the NECA website.

Dated 21 December 2001.



New South Wales

MINISTER FOR INFORMATION TECHNOLOGY,
MINISTER FOR ENERGY, MINISTER FOR FORESTRY, AND
MINISTER FOR WESTERN SYDNEY

Mr Stephen Kelly
Managing Director
National Electricity Code Administrator
Level 5, 41 Currie Street
ADELAIDE SA 5000

17 DEC 2001

Dear Mr Kelly

ACCC DRAFT DETERMINATION ON NEW SOUTH WALES DEROGATIONS

I advise that on 12 December 2001, the Australian Competition and Consumer Commission (ACCC) made a draft determination on applications for authorisation (nos A90801 A90802 and A90803) of amendments to New South Wales derogations to the National Electricity Code. That draft determination also includes interim authorisation for the amendments, effective 12 December 2001.

I have enclosed a copy of the ACCC's draft determination in accordance with the requirements of clause 9.1.1 (h) of the Code and request that you arrange for gazettal of the necessary Code changes as soon as practicable.

Should the draft determination on these derogations gain final authorisation without further condition, I request that you undertake the necessary formalities to finalise their gazettal at that time.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Kim Yeadon', written over a horizontal line.

Kim Yeadon MP
Minister for Energy

Level 34 Governor Macquarie Tower
1 Farrer Place, Sydney NSW 2000
Phone (02) 9228 3688 Fax (02) 9228 3801
Email: kim.yeadon@www.nsw.gov.au



Australian Competition & Consumer Commission

PO Box 1199
Dickson ACT 2602
470 Northbourne Ave
Dickson ACT 2602
Australia

Ph (02) 6243 1111
Fax (02) 6243 1199

Our Ref: C2001/1417
Contact Officer: Kaye Johnston
Contact Phone: (02) 6243 1258

12 December 2001

Mr Stephen Kelly
Managing Director
National Electricity Code Administrator
Level 4
41 Currie St
ADELAIDE SA 5000

Dear Stephen

Authorisation of Amendments to the New South Wales Derogations

On 5 October 2001, the Australian Competition and Consumer Commission (Commission) received applications for authorisation (Nos A90801, A90802, and A90803) of amendments to the New South Wales derogations to the National Electricity Code. The applications were lodged by your company on behalf of the New South Wales Government.

Pursuant to subsection 91(2) of the *Trade Practices Act (TPA)*, the Commission hereby grants interim authorisation to the derogations. These applications relate to the metering arrangements of chapter 7 of the code.

These interim authorisations take effect from Wednesday 12 December 2001 and will lapse when the Commission reaches a final determination in regard to each application.

Please note that under subsection 91(2) of the TPA, the Commission may revoke an interim authorisation at any time.

Please also find enclosed a copy of the Commission's draft determination in respect of these applications for authorisation. The Commission's draft determination outlines its analysis and views on the amendments to Victoria's derogations. The Commission proposes to grant authorisation.

The Commission invites you, and other interested persons, to notify it within 14 days from 12 December 2001 if you wish the Commission to hold a conference in relation to this draft determination. If NECA, or an interested party, notifies the Commission in writing that it wishes the Commission to hold a conference, that conference is scheduled to be held in



Canberra on 22 January 2001. Details of the location of the conference will be determined at a later date should a conference be called.

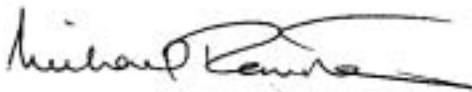
A representative from your company, interested parties who receive a copy of the draft determination, and any other interested parties whose presence the Commission considers appropriate are entitled to participate in any such conference. Following the conference, the Commission will take into account issues raised at the conference, and any related submissions, and will issue a final determination. If no pre-determination conference is called then this draft determination will become the final determination.

A person dissatisfied with the final determination may apply to the Australian Competition Tribunal for its review.

The Commission has also written to Kim Yeadon M.P. informing him of the Commission's draft determination.

If you have any queries or require further information please contact Kaye Johnston on (02) 6243 1258

Yours sincerely



Michael Rawstron
General Manager
Regulatory Affairs- Electricity

TENDERS

Department of Public Works and Services

SUPPLIES AND SERVICES FOR THE PUBLIC SERVICE

TENDERS for the undermentioned Period Contracts, Supplies and Services, required for the use of the Public Service, will be received by the Department of Public Works and Services, Level 3, McKell Building, 2-24 Rawson Place, Sydney, N.S.W. 2000, up til 9.30 am on the dates shown below:

8 January 2002

- 025/7199** SUPPLY OF STRUCTURAL FIRE FIGHTING HELMETS. DOCUMENTS: \$110.00 PER SET.
S01/00303 (155) CLEANING OF DPP OFFICE AT SYDNEY. CATEGORY C. INSPECTION DATE & TIME: 20/12/2001 @ 11:00 AM SHARP. AREA: 6840 SQ. METERS. DOCUMENTS: \$27.50 PER SET.

9 January 2002

- S0158129** ENERGY AUSTRALIA 1.REMOVAL OF INDUS WASTE 2.SECURE DISPOSAL OF DOCİS. DOCUMENTS: \$165.00 PER SET.

10 January 2002

- S00/00254 (928)** CLEANING OF SOUTH WESTERN SYDNEY INDUSTRY TRAINING CENTRE. CATEGORY D. INSPECTION DATE & TIME: 18/12/2001 @ 10:00 AM SHARP. AREA: 518 SQ. METERS. DOCUMENTS: \$27.50 PER SET.

23 January 2002

- 016/7206** DEVELOPMENT AND MANUFACTURE OF TANKER TRAILERS (650L AND 1300L). DOCUMENTS: \$110.00 PER SET.

31 January 2002

- 013/7184** PRINTING AND ASSOCIATED SERVICES. DOCUMENTS: \$110.00 PER SET.

TENDER DOCUMENT FEE

Tender documents for inspection and purchase, and application forms for Expression of Interest are available at the address above. Where charges apply for tender documents, they are not refundable, cheques and credit cards (Bankcard, Mastercard and Visa) only are acceptable, payable to Department of Public Works and Services. NO CASH payments will be accepted. Documents can be Express Posted on request at an extra cost. Non attendance of mandatory site meetings will render tenders informal.

Further Information is available on the Internet (<http://www.dpws.nsw.gov.au/tenders>)

Government Printing Service

TENDERS FOR PRINTING

Three weeks closing Monday 14th January 2002

Tender No. 24810

Tenders are invited on behalf of NSW Supply for the production of Supply Link and Supplier News. Supply Link has 11 issues per year and contains information for customers regarding Government contracts covering a broad range of products as well as current news and staff profiles. Supplier News is a quarterly publication containing information to suppliers including tenders and upcoming opportunities. Enquiries to Gavin Potter on phone number 9743 8777.

PRIVATE ADVERTISEMENTS

COUNCIL NOTICES

GUNDAGAI SHIRE COUNCIL

Roads Act 1993
Naming of Road

GUNDAGAI Shire Council in pursuance of section 162 of the abovementioned Act and the Roads (General) Regulation 2000, has resolved to name the road as shown hereunder:

<i>Description</i>	<i>Proposed Name</i>
The road that goes in a westerly direction from the intersection of Brawlin Springs Road at the southern boundary of Lot 17, Parish of Burra.	Lockhart Road.

Authorised by resolution of Council on 8th May, 2001. G. A. J. TICKNER, General Manager, Council Office, Sheridan Street, PO Box 34, Gundagai, NSW 2722.

[1125]

HASTINGS COUNCIL

ERRATUM

THE notice of dedication of land being Lot 1 in Deposited Plan 1009989 as public road which appeared in the New South Wales *Government Gazette* No. 184 of 30 November 2001, Folio 9567, is hereby negated by the publication of this erratum. Dated at Port Macquarie this 18th day of December, 2001. B SMITH, General Manager, Hastings Council, Corner Lord and Burrawan Streets, Port Macquarie, NSW 2444.

[1135]

LAKE MACQUARIE CITY COUNCIL

Local Government Act 1993, Section 50 (4)

THE Council of the City of Lake Macquarie hereby notifies pursuant to the provisions of section 50 (4) of the Local Government Act 1993, the land marked iPublic Garden and Recreation Spacei and described in the Schedule below, is vested in the Council. KEN HOLT, General Manager, Lake Macquarie City Council, Administration Centre, Main Road, Speers Point, NSW 2284.

SCHEDULE

Lot 63 in Deposited Plan 18797. [1128]

LAKE MACQUARIE CITY COUNCIL

Roads Act 1993

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

THE Lake Macquarie City Council declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below, excluding mines or deposits of minerals within such land, is acquired by compulsory process in accordance with the provisions of

the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of the Roads Act 1993. Dated at Speers Point this 11th day of December, 2001. KEN HOLT, General Manager, Lake Macquarie City Council, Administration Centre, Main Road, Speers Point, NSW 2284.

SCHEDULE

Lots 3 and 7, DP 1023152. [1129]

LAKE MACQUARIE CITY COUNCIL

Roads Act 1993, Section 10

Dedication of Land as Public Road

NOTICE is hereby given that Lake Macquarie City Council in pursuance of section 10 of the Roads Act 1993, dedicates the land held by it and described in the Schedule below as public road. KEN HOLT, General Manager, Lake Macquarie City Council, Administration Centre, Main Road, Speers Point, NSW 2284.

SCHEDULE

Lots 3 and 7, DP 1023152. [1130]

PARKES SHIRE COUNCIL

Roads Act 1993, Section 162.1

Naming of Public Roads ó Ben Hall Road, Doreens Lane, Reedy Lane, Gibsons Lane, Wilford Road

NOTICE is hereby given that in accordance with section 162.1 of the Roads Act 1993, as amended, Council has named the roads shown hereunder:

<i>Location</i>	<i>Name</i>
SR 71 off MR 350 adjacent to Lot 105, DP 750177.	Ben Hall Road.
SR 117 off Middle Trundle Road adjacent to Lot 168, DP 752121.	Doreens Lane.
SR 147 off MR 348 adjacent to Lot 29, DP 754020.	Reedy Lane.
SR 157 off Numulla Road adjacent to Lot 11, DP 5943.	Gibsons Lane.
SR 165 off MR 348 adjacent to Lot 30, DP 754015.	Wilford Road.

No objections to the proposed names were received within the prescribed period of time. A. McCORMACK, General Manager, Parkes Shire Council, PO Box 337, Parkes, NSW 2870. [1121]

WALCHA SHIRE COUNCIL

Roads Act 1993

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

THE Walcha Shire Council declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below, excluding mines or deposits of

minerals within such land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of the Roads Act 1993. Dated at Walcha this 6th day of December, 2001. ROB CALLAGHAN, General Manager, c.o. Ray Martin, Solicitor, 3/4 Queen Street, Gloucester, NSW 2422.

SCHEDULE

Lots 1, 2, 3, 4, 5, 7, 8, 9, 11, 12, 15, 16, 17, 18, 19, 20 and 21, DP 1004313. [1123]

SHIRE OF HAY

Sale of Land for Overdue Rates

NOTICE is hereby given to the persons named hereunder that the Council of the Shire of Hay has resolved, in pursuance of Section 713 of the Local Government Act 1993, to sell the land described hereunder of which the persons named are known to the Council to be the owner(s) or to have interest in the land on which the amount of rates and charges stated in each case, as at 22nd November, 2001, is due:

Owner(s) or person(s) having interest in the land	Description of subject land	Amount of rates and charges (including extra charges) overdue for more than five (5) years (\$)	Amount of all other rates and charges (including extra charges) payable and unpaid (\$)	Total (\$)
(a)	(b)	(c)	(d)	(e)
L. A., B. D. and L. A. Garner	Lots 18, 21, 44, 99, DP 756748; Lots 122, 123 and 124, DP 239126; H/S 1896/1, Parish of East Waradgery.	\$2,198.70	\$8,765.01	\$10,963.71
L. A. and B.D. Garner	Lot 28, DP 756748; Lots 120 and 121, DP 239126, Parish of East Waradgery.	\$142.21	\$1,778.98	\$1921.19

In default of payment to the Council of the amount stated in column (e) above and any other rates (including extra charges) now being due and payable after publication of this notice before the time fixed for the sale, the said land will be offered for sale by public auction at the Council Chambers on 4th May, 2002, at 11.00 a.m. F. L. THOMAS, General Manager. [1122]

SHIRE OF TENTERFIELD

Sale of Land for Overdue Rates

NOTICE is hereby given to the persons named hereunder that the Council of the Shire of Tenterfield has resolved, in pursuance of section 713 of the Local Government Act 1993, to sell the land described hereunder of which the persons named appear to be owners or in which they appear to have an interest, and on which the rates stated in each case, as at 15 October 2001, is due:

Assessment Number	Owners or Persons Having an Interest in the Land	Description of Land	Amount of Rates (Including Extra Charges) Overdue for More than Five Years	Amount of All Other Rates (Including Extra Charges) Due and in Arrears	Total	Other Debts	Total Owing
	(A)	(B)	(C) \$	(D) \$	(E) \$	(F) \$	(G) \$
18614	Spradbrow, RJ & IH	Lot 230 DP 751039 Legume	205.18	1392.35	1597.53		1597.53
25437	Richardson, HW	Lots 18 & 19 DP 774325 Parish of Chauvel, County Drake	365.54	1815.54	2181.08		2181.08
20735	Drake, PJ	Lot 6 Sec 8 DP 758540 Duke Street, Jennings	851.47	4315.72	5167.19		5167.19
15966	Weir WG	Lot B DP 370935 Lot 1 DP 724950 Wallangarra Road, Tenterfield	5724.36	6687.17	12411.53		12411.53
25114	Herbert, DJ	Lot 16 DP 264584 Parish Chauvel, County Drake	218.34	1742.88	1961.22		1961.22
27649	Jennison, James H	Lot 8 Sec 7 DP 759025 Deane Street, Urbenville	2860.10	9681.52	12541.62		12541.62
17962	Mealing, J	Lot 154 DP 751039 Legume	191.87	1386.06	1577.93		1577.93
9613	McDonnell, M	Lot 3 Sec 10 DP 758959 Miles Street, Tenterfield	3746.30	6712.41	10458.71		10458.71
27821	Simpson, LH	Lot 1 Sec 12 DP 759025 Forest Avenue, Urbenville	1164.02	7983.90	9147.92	50	9197.92
2238	Riverdome Pty Ltd	Lot 1 Sec 49 DP 563116 Cowper Street, Tenterfield	177.24	5839.60	6016.84	100	6116.84
39610	Smedley, M	Lots 9-12 DP 42446 & Lot 45 DP 752398 Parish of Timbarra, County Drake	17.63	1617.82	1635.45		1635.45

In default of payment to the Council of the amount stated in Column (E) above and any other Rates (including extra charges) becoming due and payable after publication of this notice, before the time fixed for the sale, the said Land will be offered for sale by Public Auction in the Tenterfield Shire Council Chambers, on Friday, 22nd March, 2002 and at Primac Offices, Urbenville on Friday, 22nd March, 2002. [1136]

ESTATE NOTICES

NOTICE of intended distribution of estate. Any person having any claim upon the estate of JAN BLANCH (also known as DANA E AGNES BLANCH), late of 94 Baldwin Avenue, Asquith, in the State of New South Wales, Home Duties, who died on 2nd September 2001, must send particulars of his/her claim to the Executrix, Jeanette Maree Chapple, c.o. Collins & Thompson, Solicitors, 189 Pacific Highway, Hornsby, within one (1) calendar month from publication of this notice. After that time the executrix may distribute the assets of the estate having regard only to the claims of which at the time of distribution she has notice. Probate was granted in New South Wales on 23rd November, 2001. COLLINS & THOMPSON, Solicitors, 189 Pacific Highway, Hornsby, NSW 2077 (DX 9691, Hornsby), tel.: (02) 9476 3945.

[1111]

NOTICE of intended distribution of estate. Any person having any claim upon the estate of SUZANNE PATRICIA ANDREWS, late of 401 Stacey Street, Bankstown, in the State of New South Wales, who died on 21st August, 2001, must send particulars of his/her claim to the Executor, Helen Ann Shearer, c.o. Colin J. Duff, Solicitor, 7 Morts Road, Mortdale, within one (1) calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution she has notice. Probate was granted in New South Wales on 27th November, 2001. COLIN J. DUFF, Solicitor, 7 Morts Road, Mortdale, NSW 2223 (DX 11307, Hurstville), tel.: (02) 9570 2022.

[1114]

NOTICE of intended distribution of estate. Any person having any claim upon the estate of JOHN BERNARD LAWLER, late of 69 Pacific Road, Surf Beach, in the State of New South Wales, Retired, who died on 31st August, 2001, must send particulars of his/her claim to the Executors, Stephen John Lawler, Neil Bernard Lawler and Graeme James Lawler, c.o. Low Doherty & Stratford, Solicitors, 9 Campbell Street, Blacktown, within one (1) calendar month from publication of this notice. After that time the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 5th December, 2001. LOW DOHERTY & STRATFORD, Solicitors, 9 Campbell Street, Blacktown, NSW 2148 (DX 8109, Blacktown), tel.: (02) 9622 4644.

NOTICE of intended distribution of estate. Any person having any claim upon the estate of HELEN EUGENIE BURDEKIN, late of Marlesford, Woodbridge, Suffolk, United Kingdom, Retired Civil Servant, who died on 9th December, 2000, must send particulars of his/her claim to the Executor, David John Russell, c.o. Messrs Pigott Stinson Ratner Thom, GPO Box 3380, Sydney, within one (1) calendar month from publication of this notice. After that time the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 3rd December, 2001. MESSRS PIGOTT STINSON RATNER THOM, GPO Box 3380, Sydney, NSW 1043.

[1120]

NOTICE of intended distribution of estate. Any person having any claim upon the estate of BRUCE LESLIE MILLS, late of 24 Mountview Avenue, Doonside, in the State of New South Wales, transport manager, who died on 17th September, 2001, must send particulars of his/her claim to the Executor, Douglas Smith, c.o. Low Doherty & Stratford, Solicitors, 9 Campbell Street, Blacktown, within one (1) calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution he has notice. Probate was granted in New South Wales on 10th December, 2001. LOW DOHERTY & STRATFORD, Solicitors, 9 Campbell Street, Blacktown, NSW 2148 (DX 8109, Blacktown), tel.: (02) 9622 4644.

[1133]

COMPANY NOTICES

NOTICE of meeting of members. KAMI KITA INVESTMENTS PTY LIMITED (In liquidation), ACN 000 851 954. Notice is hereby given that pursuant to section 509 of the Corporations Law, the final meeting of members of the abovenamed company will be held at the office of K. H. Perry & Co., Suite 12 Westlakes Arcade, 108-112 The Boulevard, Toronto, on the 25th day of January, 2002, at 11.00 a.m., for the purpose of laying before the meeting the liquidators' final account and report and giving any explanation thereof. Dated this 18th day of December, 2001. IAN PERRY, Liquidator, c.o. K. H. Perry & Co., Chartered Accountants, Suite 12, Westlakes Arcade, 108-112 The Boulevard, Toronto, NSW 2283, tel.: (02) 4959 5322.

[1109]

NOTICE of voluntary liquidation. VARUNA PTY LIMITED, ACN 008 482 862. Notice is hereby given that at an extraordinary general meeting of the members of the above company duly convened and held on the 19th day of December, 2001, a special resolution was passed that the company be placed into voluntary liquidation and that R. L. Musgrove be appointed liquidator. Dated this 19th December, 2001. R. L. MUSGROVE, Liquidator, c.o. K. B. Raymond & Co., 37 Erskine Street, Sydney, NSW 2000, tel.: (02) 9299 6521.

[1110]

NOTICE of voluntary liquidation. RAMSEY PROPERTIES PTY LIMITED (In liquidation), ACN 001 240 900. Notice is hereby given that at a general meeting of shareholders held on 5th December, 2001, it was resolved that the company be voluntarily wound up and that J. L. Frazer be appointed as liquidator for that purpose. J. L. FRAZER, Liquidator, Suite 111, First Floor, 2 Crofts Avenue, Hurstville, NSW 2220 (DX 11336, Hurstville), tel.: (02) 9579 6866.

[1132]

NOTICE of final meeting of members. DOLFOAL PTY LIMITED, ACN 000 297 530. Notice is hereby given pursuant to section 509 of the Corporations Law that the final meeting of members and creditors of the abovenamed company will be held at the office of Leslie Robert Lowden, 464 Argyle Street, Moss Vale, on 31st January 2002, to receive the liquidator's account showing how the winding up has been conducted and the property of the company has been disposed of and to

hear any explanations that may be given by the liquidator. Dated 12th December, 2001. LESLIE ROBERT LOWDEN, Liquidator, Gillespies, Chartered Accountants, 464 Argyle Street, Moss Vale, NSW 2577, tel.: (02) 4868 1600.

[1112]

NOTICE of voluntary liquidation. VANDENBROEK INSURANCE PTY LIMITED, ACN 001 149 542. Notice is hereby given pursuant to section 491 (2) of the Corporations Act that at a general meeting of members of the abovenamed company, duly convened and held at 115 Melwood Avenue, Killarney Heights, on 7th December, 2001, the following special resolution was passed: 'That the company be wound up as a members' voluntary liquidation and that the assets of the company may be distributed in whole or in part to the members in specie should the liquidator so desire'. Dated 10th December 2001. G. C. CHANNELL, Liquidator, c.o. Gordon Channell & Associates, Certified Practising Accountant, Unit 3, Norberry Terrace, 177-199 Pacific Highway, North Sydney, NSW 2060, tel.: (02) 9923 1544.

[1113]

NOTICE of voluntary liquidation. BENTIVOGLIO HOLDINGS PTY LIMITED, ACN 008 423 792. Notice is hereby given that at a general meeting of members of the abovenamed company duly convened and held at Level 16, 60 Castlereagh Street, Sydney, NSW 2000, on 17th December, 2001, the following special resolution was passed: 'That the company be wound up voluntarily'. Dated 17th December 2001. J. S. OVENDEN, Liquidator, 5 Park Avenue, Drummoyne, NSW 2047, tel.: (02) 9181 4894.

[1116]

NOTICE of voluntary liquidation. FAIRLANE INVESTMENTS PTY LIMITED, ACN 008 479 098. Notice is hereby given that at a general meeting of members of the abovenamed company duly convened and held at Level 16, 60 Castlereagh Street, Sydney, NSW 2000, on 17th December, 2001, the following special resolution was passed: 'That the company be wound up voluntarily'. Dated 17th December 2001. J. S. OVENDEN, Liquidator, 5 Park Avenue, Drummoyne, NSW 2047, tel.: (02) 9181 4894.

[1117]

NOTICE of voluntary liquidation. BENTIVOGLIO INVESTMENTS PTY LIMITED, ACN 000 098 742. Notice is hereby given that at a general meeting of members of the abovenamed company duly convened and held at Level 16, 60 Castlereagh Street, Sydney, NSW 2000, on 17th December, 2001, the following special resolution was passed: 'That the company be wound up voluntarily'. Dated 17th December 2001. J. S. OVENDEN, Liquidator, 5 Park Avenue, Drummoyne, NSW 2047, tel.: (02) 9181 4894.

[1118]

NOTICE of voluntary winding up. PRESTIGE MARKETS PTY LIMITED, ACN 002 848 400. Notice is hereby given pursuant to section 491 (2) of the Corporations Law that at an extraordinary general meeting of the abovenamed company held at 47 Wiley Street, Waverley, on 17th December, 2001, the following special resolution was duly passed: 'That the company be wound

up as a members' voluntary liquidation and that Stephen Zeiderman be appointed liquidator'. Dated 17th December, 2001. STEPHEN ZEIDERMAN, Liquidator, c.o. G. A. Elliott & Co., Chartered Accountants, Level 1, 60 York Street, Sydney, NSW 2000, tel.: (02) 9262 2844.

[1119]

NOTICE of meeting of members. KURRANBURRA PTY LIMITED (In liquidation), ACN 000 877 672. Notice is hereby given that pursuant to section 509 of the Corporations Law, the final meeting of members of the abovenamed company will be held at the office of K. H. Perry & Co., Suite 12 Westlakes Arcade, 108-112 The Boulevard, Toronto, on the 25th day of January, 2002, at 10.00 a.m., for the purpose of laying before the meeting the liquidators' final account and report and giving any explanation thereof. Dated this 13th day of December 2001. IAN PERRY, Liquidator, c.o. K. H. Perry & Co., Chartered Accountants, Suite 12, Westlakes Arcade, 108-112 The Boulevard, Toronto, NSW 2283, tel.: (02) 4959 5322.

[1126]

NOTICE of meeting of members. J WILLIAMS & SON PTY LIMITED (In liquidation), ACN 000 395 979. Notice is hereby given that pursuant to section 509 of the Corporations Law, the final meeting of members of the abovenamed company will be held at the office of K. H. Perry & Co., Suite 12 Westlakes Arcade, 108-112 The Boulevard, Toronto, on the 25th day of January, 2002, at 10.00 a.m., for the purpose of laying before the meeting the liquidators' final account and report and giving any explanation thereof. Dated this 13th day of December 2001. IAN PERRY, Liquidator, c.o. K. H. Perry & Co., Chartered Accountants, Suite 12, Westlakes Arcade, 108-112 The Boulevard, Toronto, NSW 2283, tel.: (02) 4959 5322.

[1127]

NOTICE of winding up. FALKO ENTERPRISES (NO 4) PTY LTD (In liquidation), ACN 000 553 426. It was resolved as a special resolution of members on 14th December, 2001, that Falko Enterprises (No 4) Pty Ltd be wound up voluntarily and that Lindsay Drew of Level 2 32A Oxford Street, Sydney, be appointed liquidator. LINDSAY DREW, Liquidator, c.o. J. F. Langsworth, Chartered Accountant, 32A Oxford Street, Sydney, NSW 2010, tel.: (02) 9332 4044.

[1131]

NOTICE of voluntary liquidation. LEGENDRE PTY LIMITED (In liquidation), ACN 000 937 619. At an extraordinary general meeting of the abovenamed company duly convened and held at 9 Horning Parade, Manly Vale on 17th December, 2001 the following special resolution was passed: 'That the company be wound up as a members' voluntary liquidation and that the assets of the company be distributed in whole or in part to the members in cash or in specie should the liquidator so desire'. At the abovementioned meeting, Steven Danielson was appointed liquidator for the purposes of the winding up. Dated 18th December, 2001. S. DANIELSON, Liquidator, c.o. Mitchell & Partners, Chartered Accountants, Suite 1, Level 2, 1 York Street, Sydney, NSW 2000, tel.: (02) 9251 3838.

[1134]

