



Government Gazette

OF THE STATE OF
NEW SOUTH WALES

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LEGISLATION

Online notification of the making of statutory instruments

Week beginning 14 June 2010

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

Proclamations commencing Acts

[Courts and Crimes Legislation Further Amendment Act 2008 No. 107](#) (2010-246) – published LW 18 June 2010

[Government Information \(Public Access\) Act 2009 No. 52](#) (2010-247) – published LW 18 June 2010

[Government Information \(Public Access\) \(Consequential Amendments and Repeal\) Act 2009 No. 54](#) (2010-248) – published LW 18 June 2010

Regulations and other statutory instruments

[Dangerous Goods \(Road and Rail Transport\) Amendment Regulation 2010](#) (2010-249) – published LW 18 June 2010

[Food Regulation 2010](#) (2010-250) – published LW 18 June 2010

[Gaming Machines Amendment \(Transitional\) Regulation 2010](#) (2010-251) – published LW 18 June 2010

[Government Information \(Public Access\) Amendment Regulation 2010](#) (2010-252) – published LW 18 June 2010

[Health Services Amendment \(Clinical Education and Training Institute\) Order 2010](#) (2010-260) – published LW 18 June 2010

[Human Tissue Regulation 2010](#) (2010-253) – published LW 18 June 2010

[Local Court Rules \(Amendment No. 1\) 2010](#) (2010-254) – published LW 18 June 2010

Environmental Planning Instruments

[Blue Mountains Local Environmental Plan 2005 \(Amendment No. 3\)](#) (2010-256) – published LW 18 June 2010

[Dungog Local Environmental Plan 2006 \(Amendment No. 8\)](#) (2010-257) – published LW 18 June 2010

[Fairfield Local Environmental Plan 1994 \(Amendment No. 122\)](#) (2010-258) – published LW 18 June 2010

[North Sydney Local Environmental Plan 2001 \(Amendment No. 39\)](#) (2010-259) – published LW 18 June 2010

[Singleton Local Environmental Plan 1996 \(Amendment No. 55\)](#) (2010-261) – published LW 18 June 2010

[Snowy River Local Environmental Plan 1997 \(Amendment No. 15\)](#) (2010-262) – published LW 18 June 2010

[State Environmental Planning Policy \(Western Sydney Employment Area\) Amendment \(Food and Drink Premises and Service Stations\) 2010](#) (2010-255) – published LW 18 June 2010

[Wingecarribee Local Environmental Plan 2010](#) (2010-245) – published LW 16 June 2010

Assents to Acts

ACTS OF PARLIAMENT ASSENTED TO

Legislative Assembly Office, Sydney 15 June 2010

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. 32 2010 – An Act to amend the Anzac Memorial (Building) Act 1923 and related legislation to make further provision in respect of the Anzac Memorial Building. [**Anzac Memorial (Building) Amendment Bill**].

Act No. 33 2010 – An Act to amend the Companion Animals Act 1998 to allow dogs in outdoor dining areas in certain circumstances. [**Companion Animals Amendment (Outdoor Dining Areas) Bill**].

Act No. 34 2010 – An Act to amend the Health Practitioner Regulation Act 2009 to modify the application of the Health Practitioner Regulation National Law with respect to matters relating to the health, conduct and performance of registered health practitioners and students; and for other purposes. [**Health Practitioner Regulation Amendment Bill**].

Act No. 35 2010 – An Act to amend the Industrial Relations Act 1996 as a consequence of the enactment of the Industrial Relations (Commonwealth Powers) Act 2009; and for other purposes. [**Industrial Relations Amendment (Consequential Provisions) Bill**].

Act No. 36 2010 – An Act to amend the Liquor Act 2007 to give effect to certain measures set out in the Government's action plan entitled "Hassle Free Nights"; and for other purposes. [**Liquor Legislation Amendment Bill**].

Act No. 37 2010 – An Act to amend the Local Government Act 1993 in relation to rate exemptions for land partly used by religious or charitable bodies. [**Local Government Amendment (General Rate Exemptions) Bill**].

Act No. 38 2010 – An Act to amend the National Parks and Wildlife Act 1974, the Threatened Species Conservation Act 1995 and various other Acts to make further provision with respect to the protection of Aboriginal objects and places, the protection of fauna, native plants and threatened species, and general administration and enforcement matters; and for other purposes. [**National Parks and Wildlife Amendment Bill**].

Act No. 39 2010 – An Act to amend the Threatened Species Conservation Act 1995 to make further provision for biodiversity certification and to make related amendments to other legislation. [**Threatened Species Conservation Amendment (Biodiversity Certification) Bill**].

Act No. 40 2010 – An Act to amend the Weapons Prohibition Act 1998 to make further provision with respect to the regulation and control of certain weapons; to amend the Firearms Act 1996 in relation to imitation and antique firearms and certain other matters; and for other purposes. [**Weapons and Firearms Legislation Amendment Bill**].

RUSSELL D. GROVE, PSM,
Clerk of the Legislative Assembly

ACTS OF PARLIAMENT ASSENTED TO

Legislative Assembly Office, Sydney 17 June 2010

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. 41 2010 – An Act to amend the National Parks and Wildlife Act 1974 in relation to the sustainable visitor and tourist use and enjoyment of lands reserved under that Act; and for other purposes. [**National Parks and Wildlife Amendment (Visitors and Tourists) Bill**].

Act No. 42 2010 – An Act with respect to the rights and obligations of landlords and tenants, rents, rental bonds and other matters relating to residential tenancy agreements; and for other purposes. [**Residential Tenancies Bill**].

RUSSELL D. GROVE, PSM,
Clerk of the Legislative Assembly

OFFICIAL NOTICES**Appointments**

Department of Premier and Cabinet
Sydney
23 June 2010

**MINISTERIAL ARRANGEMENTS DURING THE
ABSENCE FROM DUTY OF THE PREMIER
AND MINISTER FOR REDFERN WATERLOO**

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. HATZISTERGOS, M.L.C., Attorney General, Minister for Citizenship, Minister for Regulatory Reform and Vice President of the Executive Council, to act for and on behalf of the Premier and Minister for Redfern Waterloo, commencing on and from 7 July 2010, with a view to his performing the duties of the offices of the Premier and Minister for Redfern Waterloo during my absence from duty.

KRISTINA KENEALLY, M.P.,
Premier

Department of Premier and Cabinet
Sydney
23 June 2010

**MINISTERIAL ARRANGEMENTS DURING THE
ABSENCE FROM DUTY OF THE PREMIER
AND MINISTER FOR REDFERN WATERLOO**

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, Deputy Premier and Minister for Health, to act for and on behalf of the Premier and Minister for Redfern Waterloo, commencing on and from 29 June 2010 until 6 July 2010, inclusive, with a view to her performing the duties of the offices of the Premier and Minister for Redfern Waterloo during my absence from duty.

KRISTINA KENEALLY, M.P.,
Premier

Department of Industry and Investment

FISHERIES MANAGEMENT ACT 1994

Notice of Receipt of Application for Aquaculture Lease

Notification Under Section 163 (7) of the Fisheries Management Act 1994 and Clause 33 of the Fisheries Management (Aquaculture) Regulation 2007

INDUSTRY AND INVESTMENT NSW (I&I NSW) advises an application has been received for a new aquaculture lease over public water land for the purpose of cultivating Sydney rock and Pacific oysters. Location is Port Stephens, described as follows:

- 2.1716 hectares over former oyster lease OL77/184

I&I NSW is calling for expressions of interest from any persons or corporations interested in leasing the area specified above, for the purpose of aquaculture. An expression of interest must be in the form of a written response referring to lease numbers OL77/184 to be signed and dated with a return address.

If additional expressions of interest are received, I&I NSW may offer the area for leasing through a competitive public tender process, auction or ballot. If granted the lease will be subject to standard covenants and conditions of an aquaculture lease and aquaculture permit, under the Fisheries Management Act 1994.

Specific details of the proposed lease can be obtained or enquiries made with I&I NSW, Aquaculture Administration Section, Port Stephens (02) 4982 1232. Expressions of interest for consideration in the determination of the application must be received at the address below, within 30 days from the date of publication of this notification.

Director, Fisheries Conservation and Aquaculture Branch, Aquaculture Administration Section, Port Stephens Fisheries Institute, Locked Bag 1, Nelson Bay NSW 2315.

BILL TALBOT,
Director,
Fisheries Conservation and Aquaculture Branch,
Industry and Investment NSW

FISHERIES MANAGEMENT ACT 1994

Notice of Receipt of Application for Aquaculture Lease

Notification Under Section 163 (7) of the Fisheries Management Act 1994 and Clause 33 of the Fisheries Management (Aquaculture) Regulation 2007

INDUSTRY AND INVESTMENT NSW (I&I NSW) advises an application has been received for a new aquaculture lease over public water land for the purpose of cultivating Sydney rock and triploid Pacific oysters. Location is the Crookhaven River, described as follows:

- 0.3969 hectares over former oyster lease OL86/253

I&I NSW is calling for expressions of interest from any persons or corporations interested in leasing the area specified above, for the purpose of aquaculture. An expression of interest must be in the form of a written response referring to lease numbers OL86/253 to be signed and dated with a return address.

If additional expressions of interest are received, I&I NSW may offer the area for leasing through a competitive public tender process, auction or ballot. If granted the lease will be subject to standard covenants and conditions of an aquaculture lease and aquaculture permit, under the Fisheries Management Act 1994.

Specific details of the proposed lease can be obtained or enquiries made with I&I NSW, Aquaculture Administration Section, Port Stephens (02) 4982 1232. Expressions of interest for consideration in the determination of the application must be received at the address below, within 30 days from the date of publication of this notification.

Director, Fisheries Conservation and Aquaculture Branch, Aquaculture Administration Section, Port Stephens Fisheries Institute, Locked Bag 1, Nelson Bay NSW 231.

BILL TALBOT,
Director,
Fisheries Conservation and Aquaculture Branch,
Industry and Investment NSW

FISHERIES MANAGEMENT ACT 1994

Notice of Receipt of Application for Aquaculture Lease

Notification Under Section 163 (7) of the Fisheries Management Act 1994 and Clause 33 of the Fisheries Management (Aquaculture) Regulation 2007

INDUSTRY AND INVESTMENT NSW (I&I NSW) advises an application has been received for a new aquaculture lease over public water land for the purpose of cultivating Sydney rock oysters. Location is the Clyde River, described as follows:

- Approx. 0.7 hectares over former oyster lease OL72/067 as well as previously unleased ground (to be known as AL09/008 if granted)

I&I NSW is calling for written submissions from any person supporting or objecting to the oyster lease proposal, citing reasons for the support/objection. I&I NSW is also calling for expressions of interest from persons or corporations interested in leasing the area specified above, for the purpose of aquaculture. An expression of interest must be in the form of a written response referring to lease number AL09/008 to be signed and dated with a return address.

If additional expressions of interest are received, I&I NSW may offer the area for leasing through a competitive public tender process, auction or ballot. The successful applicant will be required to obtain development consent from Council under Part 4 of the Environmental Planning and Assessment Act 1979. If granted, the lease will be subject to standard covenants and conditions of an aquaculture lease and aquaculture permit, under the Fisheries Management Act 1994, and any conditions of consent as imposed by Council.

Specific details of the proposed lease can be obtained or enquiries made with I&I NSW, Aquaculture Administration Section, Port Stephens (02) 4982 1232. Objections or expressions of interest for consideration in the determination of the application must be received at the address below, within 30 days from the date of publication of this notification.

Director, Fisheries Conservation and Aquaculture Branch,
Aquaculture Administration Section, Port Stephens Fisheries
Institute, Locked Bag 1, Nelson Bay NSW 2315.

BILL TALBOT,
Director,
Fisheries Conservation and Aquaculture Branch,
Industry and Investment NSW

FISHERIES MANAGEMENT ACT 1994

Fisheries Management (Aquaculture) Regulation 2007

Notification under section 178 – Exclusion of
Public Water Land from Further Leasing

I, Bill Talbot, Director, Fisheries Conservation and Aquaculture, do by this notification, revoke the exclusion of former oyster lease OL72/067 from further leasing, which was published on page 9975 of the *NSW Government Gazette* on 21 December 1984, and advise that the said lease is now available for leasing, subject to relevant provisions of the above Act.

BILL TALBOT,
Director,
Fisheries Conservation and Aquaculture Branch,
Industry and Investment NSW

PLANT DISEASES ACT 1924

PROCLAMATION P210R

PROCLAMATION to revoke P177 that regulated the importation, introduction and bringing into part of New South Wales, of certain things on account of the disease sugarcane smut.

Her Excellency Professor MARIE BASHIR, AC, CVO,
Governor

I, Professor MARIE BASHIR, AC, CVO Governor of the State of New South Wales, with the advice of the Executive Council and pursuant to sections 4 (1) and 3 (2) (a) of the Plant Diseases Act 1924, revoke proclamation P177 published in *NSW Government Gazette* No. 41 of 9 March 2007 on pages 1753-1754 and any proclamation revived as a result of this revocation.

Signed and sealed at Sydney this 16th day June 2010.

By Her Excellency's Command,
STEVE WHAN, M.P.,
Minister for Primary Industries
GOD SAVE THE QUEEN!

PLANT DISEASES ACT 1924

PROCLAMATION P209R

PROCLAMATION to revoke P166, P187, P188, P193, P194, P195, P196, P200, P201 and P206 that regulated the importation, introduction and bringing into specified parts of New South Wales of certain fruit, which had originated from or moved through other specified parts of New South Wales, on account of outbreaks of Queensland fruit fly.

Her Excellency Professor MARIE BASHIR, AC, CVO,
Governor

I, Professor MARIE BASHIR, AC, CVO Governor of the State of New South Wales, with the advice of the Executive Council and pursuant to sections 4 (1) and 3 (2) (a) of the Plant Diseases Act 1924, revoke the proclamations described in Schedule 1 and any proclamation revived as a result of this revocation.

SCHEDULE 1

<i>Proclamation</i>	<i>Edition of NSW Government Gazette and publication date</i>	<i>Page numbers</i>
P166	No. 52 of 13 April 2006	2230 – 2233
P187	No. 48 of 2 May 2008	3000 – 3001
P188	No. 48 of 2 May 2008	3001 – 3002
P193	No. 152 of 28 November 2008	11432 – 11433
P194	No. 158 of 19 December 2008	12865 – 12867
P195	No. 158 of 19 December 2008	12867 – 12868
P196	No. 29 of 6 February 2009	803 – 805
P200	No. 29 of 6 February 2009	806 – 808
P201	No. 29 of 6 February 2009	790 – 792
P206	No. 73 of 15 May 2009	2254 – 2256

Signed and sealed at Sydney this 16th day of June 2010.

By Her Excellency's Command,
STEVE WHAN, M.P.,
Minister for Primary Industries
GOD SAVE THE QUEEN!

PLANT DISEASES ACT 1924

PROCLAMATION P213

PROCLAMATION to regulate the importation, introduction and bringing into specified parts of New South Wales of certain fruit originating from or which has moved through other specified parts of New South Wales on account of an outbreak of Queensland fruit fly at Goolgowi, New South Wales.

Her Excellency Professor MARIE BASHIR, AC, CVO, Governor

I, Professor MARIE BASHIR, AC, CVO, Governor of the State of New South Wales, being of the opinion that the importation, introduction or bringing of Host Fruit into specified portions of New South Wales is likely to introduce the pest Queensland fruit fly (*Bactrocera tryoni*) into New South Wales, with the advice of the Executive Council and pursuant to section 4 (1) of the Plant Diseases Act 1924 ("the Act"), do by this Proclamation regulate the importation, introduction or bringing of Host Fruit into specified portions of New South Wales as follows:

1. Host Fruit that originates from or has moved through the:
 - (a) Outbreak Area must not be imported, introduced or brought into the Suspension Area; and
 - (b) Outbreak Area or the Suspension Area must not be imported, introduced or brought into the Outer Area.
2. Paragraph 1 does not apply if:
 - (a) in the case of Host Fruit originating in the Outbreak Area or the Suspension Area and moving to the Outer Area, the Host Fruit:
 - (i) remains under secure conditions from postharvest to the time of dispatch and transport, except when impractical during packing and grading activities; and
 - (ii) is treated in the manner specified in Schedule 5 prior to moving out of the Outbreak Area or the Suspension Area; and
 - (iii) if destined for a packing facility in the Outer Area, is kept segregated throughout the packing process and labelled to ensure that it is not mixed with any untreated Host Fruit which has originated from within the Outer Area; and
 - (iv) is accompanied by a Plant Health Certificate or a Plant Health Assurance Certificate specifying the origin of the Host Fruit and certifying that paragraphs 2 (a) (i), (ii) and (iii) have been satisfied; and
 - (b) in the case of Host Fruit originating in the Outbreak Area or the Suspension Area and moving to a facility in the Outer Area for processing (including grapes for wine making), the Host Fruit:
 - (i) remains under secure conditions from postharvest to the time of dispatch and transport, except when impractical during packing and grading activities; and
 - (ii) is transported and processed in the manner specified in Schedule 6; and
 - (iii) is accompanied by a Plant Health Certificate or a Plant Health Assurance Certificate specifying the origin of the Host Fruit and certifying that paragraphs 2 (b) (i) and (ii) have been satisfied; and
 - (c) in the case of Host Fruit originating in the Outer Area and moving through the Outbreak Area or the Suspension Area for processing or packing at a facility located in the Outer Area, the Host Fruit is:
 - (i) securely transported to the processing or packing facility; and
 - (ii) accompanied by a Plant Health Certificate or a Plant Health Assurance Certificate specifying the origin of the Host Fruit and certifying that paragraph 2 (c) (i) has been satisfied; and
 - (d) in the case of Host Fruit originating in the Outer Area and moving to a packing facility within the Outbreak Area or the Suspension Area for packing prior to export:
 - (i) the Host Fruit is transported into and managed within the Outbreak Area or the Suspension Area in the manner specified in Schedule 7; and
 - (ii) the Host Fruit is accompanied by a Plant Health Certificate or a Plant Health Assurance Certificate certifying that:
 - (A) the property the Host Fruit was sourced from is in the Outer Area; and
 - (B) the property the Host Fruit was sourced from is currently the subject of an Area Freedom Certificate in respect of Queensland fruit fly; and
 - (C) paragraph 2 (d) (i) has been satisfied; and
 - (iii) where the consignment of the Host Fruit is to be re-consigned or split, the Plant Health Certificate or the Plant Health Assurance Certificate is endorsed by an inspector or a person authorised pursuant to section 11 (3) of the Act.
3. Any covering or packaging containing Host Fruit that is being moved in accordance with paragraph 2 must comply with the conditions specified in Schedule 8.
4. A Plant Health Certificate or a Plant Health Assurance Certificate referred to in paragraph 2 must be produced on demand to an inspector or a person authorised pursuant to section 11 (3) of the Act.

Definitions

accompanied by means the certificate is in the possession of the driver of the vehicle transporting the Host Fruit or the person otherwise having custody or control of the Host Fruit while it is in the Suspension Area or the Outer Area as the case may be.

APVMA means the Australian Pesticides and Veterinary Medicines Authority.

Area Freedom Certificate means a certificate issued by the Chief Plant Protection Officer of the relevant State or Territory certifying the State or Territory concerned or part thereof is free from Queensland fruit fly.

Department means Industry and Investment, NSW – Primary Industries.

Host Fruit means the fruit specified in Schedule 1.

Interstate Certification Assurance Scheme means a system of nationally approved arrangements which enable an accredited business to certify products which satisfy quarantine requirements for movement to interstate and intrastate markets.

Lot means a discrete quantity of fruit received from one grower at one time.

Outbreak Area means the part of New South Wales described in Schedule 2.

Outer Area means the area known as the New South Wales Fruit Fly Exclusion Zone, as specified in Proclamation P184 published in *NSW Government Gazette* No. 152 of 28 November 2008, at pages 11434 and 11435, excluding the Suspension Area and the Outbreak Area.

Plant Health Assurance Certificate means a certificate issued by a business accredited under an Interstate Certification Assurance Scheme arrangement approved by the Department certifying that the Host Fruit has been treated and moved in a manner specified in this Proclamation.

Plant Health Certificate means a certificate issued by an inspector or a person authorised pursuant to section 11(3) of the Act certifying that the Host Fruit has been treated and moved in a manner specified in this Proclamation.

Suspension Area means the part of New South Wales described in Schedule 3, excluding the Outbreak Area.

free of broken skin means the skin has no pre-harvest cracks, punctures, pulled stems or other breaks which penetrate through the skin and have not healed with callus tissue.

Note: “covering or package” and “inspector” have the same meaning as in the Act.

SCHEDULE 1**Host Fruit**

Abiu	Eggplant	Orange
Acerola	Feijoa	Passionfruit
Apple	Fig	Pawpaw
Apricot	Granadilla	Peach
Avocado	Grape	Peacharine
Babaco	Grapefruit	Pear
Banana	Grumichama	Pepino
Black Sapote	Guava	Persimmon
Blackberry	Hog Plum	Plum
Blueberry	Jaboticaba	Plumcot
Boysenberry	Jackfruit	Pomegranate
Brazil Cherry	Jew Plum	Prickly Pear
Breadfruit	Ju jube	Pummelo
Caimito (Star Apple)	Kiwifruit	Quince
Cape Gooseberry	Lemon	Rambutan
Capsicum	Lime	Raspberry
Carambola (Starfruit)	Loganberry	Rollinia
Cashew Apple	Longan	Santol
Casimiro (White Sapote)	Loquat	Sapodilla
Cherimoya	Lychee	Shaddock
Cherry	Mandarin	Soursop
Chilli	Mango	Sweetsop (Sugar Apple)
Citron	Mangosteen	Strawberry
Cumquat	Medlar	Tamarillo
Custard Apple	Miracle Fruit	Tangelo
Date	Mulberry	Tomato
Dragon Fruit (Than Lung)	Nashi	Wax jambu (Rose Apple)
Durian	Nectarine	

SCHEDULE 2

Outbreak Area

The part of NSW within a 1.5 kilometre radius of coordinates decimal degrees –33.960234 South and 145.710948 East, being the area within the 1.5 kilometre radius circle (broken line) in the map in Schedule 4.

SCHEDULE 3

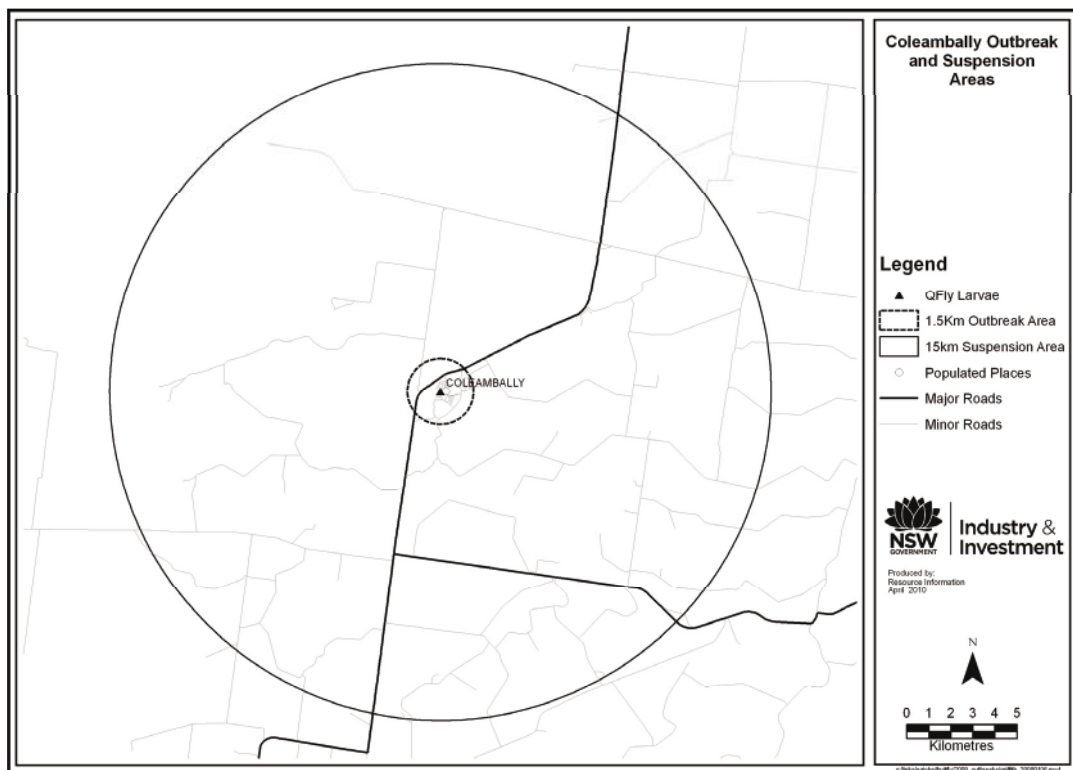
Suspension Area

The part of NSW within a 15 kilometre radius of coordinates decimal degrees –33.960234 South and 145.710948 East, excluding the Outbreak Area, being the area between the 1.5 kilometre radius circle (broken line) and the 15 kilometre radius circle (unbroken line) in the map in Schedule 4.

SCHEDULE 4

Map

Goolgowi Outbreak Area and Suspension Area



SCHEDULE 5

Treatments

Preharvest Treatment and Inspection

1. Tomatoes:

- (a) treated preharvest with an application of dimethoate or fenthion or trichlorfon in accordance with all label directions for the control of Queensland fruit fly, and
- (b) inspected postharvest at the rate of at least 1 package in every 100 or part thereof, and found free of fruit fly larvae and broken skins.

2. Capsicums and chillies:

- (a) treated preharvest with an application of dimethoate in accordance with all label directions for the control of Queensland fruit fly, and
- (b) inspected postharvest at the rate of at least 1 package in every 100 or part thereof, and found free of fruit fly larvae and broken skins.

3. Stonefruit:

- (a) treated preharvest with an application of fenthion in accordance with all label directions for the control of Queensland fruit fly; and
- (b) inspected postharvest at the rate of at least 1 package in every 100 or part thereof, and found free of fruit fly larvae and broken skins.

4. Table grapes:
- (a) treated preharvest for the control of Queensland fruit fly, with a program of:
 - (i) bait sprays with an insecticide containing 0.24 g/L spinosad as the only active constituent in accordance with all label directions; or
 - (ii) bait sprays with an insecticide containing 1150 g/L maldison as the only active constituent in accordance with all label and APVMA permit (PER10805) directions; or
 - (ii) cover sprays using an insecticide containing 550 g/L fenthion as the only active constituent in accordance with all label and APVMA permit (PER11643) directions; and
 - (b) inspected postharvest where a sample of the fruit is inspected and found free of fruit fly larvae and broken skins.

Postharvest Dimethoate Dip

5. Any Host Fruit excluding capsicum (hollow-fruited), chilli (hollow-fruited), cumquat and strawberries, treated with a postharvest dip using an insecticide containing 400 g/L dimethoate as its only active constituent in accordance with all label and APVMA permit (PER12074) directions; where dipping is the last treatment before packing except in the case of:
- (a) Citrus, where a non-recovery gloss wax coating and or a compatible fungicide as specified on the label may be applied within 24 hours of treatment; and
 - (b) Pomefruit, where a non-recovery gloss wax and or a compatible fungicide as specified on the label may be applied within 3 hours of treatment.

Postharvest Dimethoate Flood Spray

6. Any Host Fruit excluding cumquat, eggplant and strawberries, treated with a postharvest flood spray using an insecticide containing 400 g/L dimethoate as its only active constituent in accordance with all label and APVMA permit (PER12074) directions, where spraying is the last treatment before packing except in the case of:
- (a) Citrus, where a non-recovery gloss wax coating and or a compatible fungicide as specified on the label may be applied within 24 hours of treatment; and
 - (b) Pomefruit, where a non-recovery gloss wax coating and or compatible fungicide as specified on the label may be applied within 3 hours of treatment.

Postharvest Methyl Bromide Fumigation

7. Any Host Fruit fumigated postharvest with a fumigant containing 1000 g/Kg methyl bromide as its only active constituent in accordance with all label and APVMA permit (PER10699) directions, at the following rates:
- (a) 10°C – 14.9°C at 48 g/m³ for 2 hours; or
 - (b) 15°C – 20.9°C at 40 g/m³ for 2 hours; or
 - (c) 21°C – 25.9°C at 32 g/m³ for 2 hours; or
 - (d) 26°C – 31.9°C at 24 g/m³ for 2 hours.

Postharvest Cold Treatment

8. Any applicable Host Fruit treated postharvest at a temperature of:
- (a) 0°C ± 0.5°C for a minimum of 14 days; or
 - (b) 0.5°C to 3.5°C for a minimum of 16 days (Lemons minimum 14 days).

SCHEDULE 6

Manner of Transporting and Processing

1. Before dispatch:
 - (a) all bins or containers, trucks and trailers intending to be used for the transportation of Host Fruit must be free from all plant debris and soil prior to packing and loading; and
 - (b) the consignment must be covered by a tarpaulin, shade cloth, bin covers or other coverings or contained within the covered vehicle so as to prevent infestation by Queensland fruit fly and spillage during transportation; and
 - (c) the bins and containers must be loaded onto or into a transport vehicle on a hard surface and must not be loaded in the orchard from which the Host Fruit was sourced; and
 - (d) the transport vehicle must:
 - (i) be cleaned free of all soil and plant matter after loading the consignment and before leaving the orchard from which the Host Fruit was sourced; and
 - (ii) travel by the most direct route to the processor; and
2. upon receipt of the consignment at the processor:
 - (a) the Host Fruit must be processed within 24 hours of receipt; and
 - (b) all measures must be taken to avoid spillage of Host Fruit at the processor and spillages must be disposed of in a manner generally accepted as likely to prevent the spread of Queensland fruit fly; and
3. processing wastes must be disinfected by heat, freezing or burial.

SCHEDULE 7

Manner of Transporting and Packing

1. Before dispatch from the Outer Area:
 - (a) all bins or containers, trucks and trailers intending to be used for the transportation of Host Fruit must be free from all plant debris and soil prior to packing and loading; and
 - (b) the consignment must be covered by a tarpaulin, shade cloth, bin covers or other coverings or contained within the covered vehicle so as to prevent infestation by Queensland fruit fly and spillage during transportation; and
2. the consignment must be transported through the Outer Area into the Outbreak Area and the Suspension Area by the most direct route; and
3. during transit:
 - (a) the Host Fruit must not be unloaded from the truck; and
 - (b) all measures must be taken to prevent spillage and if spillage does occur, the Host Fruit must be collected, bagged and buried at the nearest garbage disposal centre; and
4. prior to receipt of the Host Fruit at the facility within the Outbreak Area or the Suspension Area, the packing shed must:
 - (a) be cleared of any Host Fruit which was sourced from an area free of Queensland fruit fly; and
 - (b) be thoroughly cleaned and free of plant debris; and
5. within the packing facility within the Outbreak Area or the Suspension Area, the Host Fruit:
 - (a) must be kept segregated at all times from any other Host Fruit that has originated from within the Outbreak Area or the Suspension Area; and
 - (b) must be kept covered until just before packing; and
 - (c) after packing, must be stored in such a manner so as to prevent infestation by Queensland fruit fly.

SCHEDULE 8

Conditions of Packaging

1. Packaging must be free of soil, plant residues and other organic matter; and
2. any individual package must contain only one kind of Host Fruit; and
3. all previous incorrect information displayed on the outer covering of the package must be removed or obliterated; and
4. the outer covering of the package is to be legibly marked with:
 - (a) the district of production; and
 - (b) the name, address, postcode and the State or Territory of:
 - (i) both the grower and the packer, or
 - (ii) in the case of businesses sourcing from multiple growers, the packer; and
 - (c) a brief description of the contents of the package; or
5. if packed in accordance with an approved Interstate Certification Assurance Scheme (ICA) arrangement, legibly marked with:
 - (a) the "IP Number" of the accredited business certifying the produce "Meets ICA ##"; and
 - (b) the date (or date code) in accordance with the requirement of the ICA arrangement; and
 - (c) a brief description of the contents of the package.

Note: The Department of Industry and Investment reference is P213.

For further information contact the Department (02) 6391 3575.

Signed and sealed at Sydney this 16th day of June 2010.

By Her Excellency's Command,

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

GOD SAVE THE QUEEN!

PLANT DISEASES ACT 1924

PROCLAMATION P212

PROCLAMATION to regulate the importation, introduction and bringing into specified parts of New South Wales of certain fruit originating from or which has moved through other specified parts of New South Wales on account of an outbreak of Queensland fruit fly at Coleambally (urban), New South Wales.

Her Excellency Professor MARIE BASHIR, AC, CVO, Governor

I, Professor MARIE BASHIR, AC, CVO, Governor of the State of New South Wales, being of the opinion that the importation, introduction or bringing of Host Fruit into specified portions of New South Wales is likely to introduce the pest Queensland fruit fly (*Bactrocera tryoni*) into New South Wales, with the advice of the Executive Council and pursuant to section 4 (1) of the Plant Diseases Act 1924 ("the Act"), do by this Proclamation regulate the importation, introduction or bringing of Host Fruit into specified portions of New South Wales as follows:

1. Host Fruit that originates from or has moved through the:
 - (a) Outbreak Area must not be imported, introduced or brought into the Suspension Area; and
 - (b) Outbreak Area or the Suspension Area must not be imported, introduced or brought into the Outer Area.
2. Paragraph 1 does not apply if:
 - (a) in the case of Host Fruit originating in the Outbreak Area or the Suspension Area and moving to the Outer Area, the Host Fruit:
 - (i) remains under secure conditions from postharvest to the time of dispatch and transport, except when impractical during packing and grading activities; and
 - (ii) is treated in the manner specified in Schedule 5 prior to moving out of the Outbreak Area or the Suspension Area; and
 - (iii) if destined for a packing facility in the Outer Area, is kept segregated throughout the packing process and labelled to ensure that it is not mixed with any untreated Host Fruit which has originated from within the Outer Area; and
 - (iv) is accompanied by a Plant Health Certificate or a Plant Health Assurance Certificate specifying the origin of the Host Fruit and certifying that paragraphs 2 (a) (i), (ii) and (iii) have been satisfied; and
 - (b) in the case of Host Fruit originating in the Outbreak Area or the Suspension Area and moving to a facility in the Outer Area for processing (including grapes for wine making), the Host Fruit:
 - (i) remains under secure conditions from postharvest to the time of dispatch and transport, except when impractical during packing and grading activities; and
 - (ii) is transported and processed in the manner specified in Schedule 6; and
 - (iii) is accompanied by a Plant Health Certificate or a Plant Health Assurance Certificate specifying the origin of the Host Fruit and certifying that paragraphs 2 (b) (i) and (ii) have been satisfied; and
 - (c) in the case of Host Fruit originating in the Outer Area and moving through the Outbreak Area or the Suspension Area for processing or packing at a facility located in the Outer Area, the Host Fruit is:
 - (i) securely transported to the processing or packing facility; and
 - (ii) accompanied by a Plant Health Certificate or a Plant Health Assurance Certificate specifying the origin of the Host Fruit and certifying that paragraph 2 (c) (i) has been satisfied; and
 - (d) in the case of Host Fruit originating in the Outer Area and moving to a packing facility within the Outbreak Area or the Suspension Area for packing prior to export:
 - (i) the Host Fruit is transported into and managed within the Outbreak Area or the Suspension Area in the manner specified in Schedule 7; and
 - (ii) the Host Fruit is accompanied by a Plant Health Certificate or a Plant Health Assurance Certificate certifying that:
 - (A) the property the Host Fruit was sourced from is in the Outer Area; and
 - (B) the property the Host Fruit was sourced from is currently the subject of an Area Freedom Certificate in respect of Queensland fruit fly; and
 - (C) paragraph 2 (d) (i) has been satisfied; and
 - (iii) where the consignment of the Host Fruit is to be re-consigned or split, the Plant Health Certificate or the Plant Health Assurance Certificate is endorsed by an inspector or a person authorised pursuant to section 11 (3) of the Act.
3. Any covering or packaging containing Host Fruit that is being moved in accordance with paragraph 2 must comply with the conditions specified in Schedule 8.
4. A Plant Health Certificate or a Plant Health Assurance Certificate referred to in paragraph 2 must be produced on demand to an inspector or a person authorised pursuant to section 11 (3) of the Act.

Definitions

accompanied by means the certificate is in the possession of the driver of the vehicle transporting the Host Fruit or the person otherwise having custody or control of the Host Fruit while it is in the Suspension Area or the Outer Area as the case may be.

APVMA means the Australian Pesticides and Veterinary Medicines Authority.

Area Freedom Certificate means a certificate issued by the Chief Plant Protection Officer of the relevant State or Territory certifying the State or Territory concerned or part thereof is free from Queensland fruit fly.

Department means Industry and Investment, NSW – Primary Industries.

Host Fruit means the fruit specified in Schedule 1.

Interstate Certification Assurance Scheme means a system of nationally approved arrangements which enable an accredited business to certify products which satisfy quarantine requirements for movement to interstate and intrastate markets.

Lot means a discrete quantity of fruit received from one grower at one time.

Outbreak Area means the part of New South Wales described in Schedule 2.

Outer Area means the area known as the New South Wales Fruit Fly Exclusion Zone, as specified in Proclamation P184 published in Government Gazette No. 152 of 28 November 2008, at pages 11434 and 11435, excluding the Suspension Area and the Outbreak Area.

Plant Health Assurance Certificate means a certificate issued by a business accredited under an Interstate Certification Assurance Scheme arrangement approved by the Department certifying that the Host Fruit has been treated and moved in a manner specified in this Proclamation.

Plant Health Certificate means a certificate issued by an inspector or a person authorised pursuant to section 11 (3) of the Act certifying that the Host Fruit has been treated and moved in a manner specified in this Proclamation.

Suspension Area means the part of New South Wales described in Schedule 3, excluding the Outbreak Area.

free of broken skin means the skin has no pre-harvest cracks, punctures, pulled stems or other breaks which penetrate through the skin and have not healed with callus tissue.

Note: “covering or package” and “inspector” have the same meaning as in the Act.

SCHEDULE 1**Host Fruit**

Abiu	Eggplant	Orange
Acerola	Feijoa	Passionfruit
Apple	Fig	Pawpaw
Apricot	Granadilla	Peach
Avocado	Grape	Peacharine
Babaco	Grapefruit	Pear
Banana	Grumichama	Pepino
Black Sapote	Guava	Persimmon
Blackberry	Hog Plum	Plum
Blueberry	Jaboticaba	Plumcot
Boysenberry	Jackfruit	Pomegranate
Brazil Cherry	Jew Plum	Prickly Pear
Breadfruit	Ju jube	Pummelo
Caimito (Star Apple)	Kiwifruit	Quince
Cape Gooseberry	Lemon	Rambutan
Capsicum	Lime	Raspberry
Carambola (Starfruit)	Loganberry	Rollinia
Cashew Apple	Longan	Santol
Casimiro (White Sapote)	Loquat	Sapodilla
Cherimoya	Lychee	Shaddock
Cherry	Mandarin	Soursop
Chilli	Mango	Sweetsop (Sugar Apple)
Citron	Mangosteen	Strawberry
Cumquat	Medlar	Tamarillo
Custard Apple	Miracle Fruit	Tangelo
Date	Mulberry	Tomato
Dragon Fruit (Than Lung)	Nashi	Wax jambu (Rose Apple)
Durian	Nectarine	

SCHEDULE 2

Outbreak Area

The part of NSW within a 1.5 kilometre radius of coordinates decimal degrees -34.803717 South and 145.877633 East, being the area within the 1.5 kilometre radius circle (broken line) in the map in Schedule 4.

SCHEDULE 3

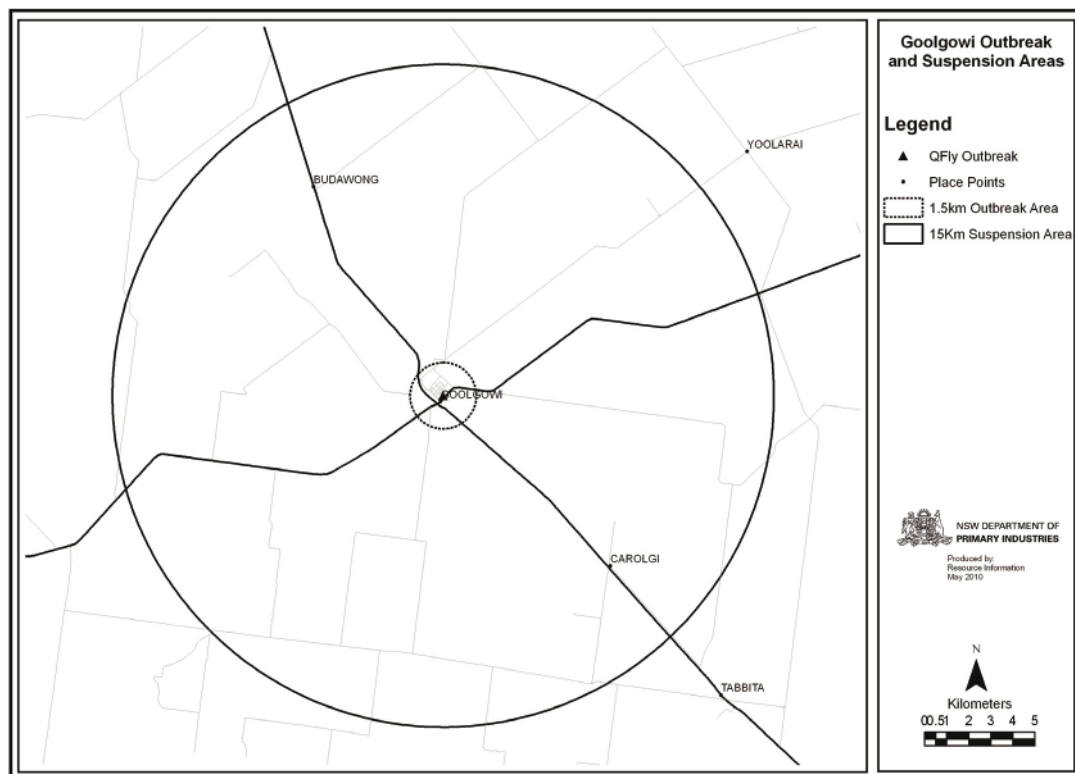
Suspension Area

The part of NSW within a 15 kilometre radius of coordinates decimal degrees -34.803717 South and 145.877633 East, excluding the Outbreak Area, being the area between the 1.5 kilometre radius circle (broken line) and the 15 kilometre radius circle (unbroken line) in the map in Schedule 4.

SCHEDULE 4

Map

Coleambally (urban) Outbreak Area and Suspension Area



SCHEDULE 5

Treatments

Preharvest Treatment and Inspection

1. Tomatoes:
 - (a) treated preharvest with an application of dimethoate or fenthion or trichlorfon in accordance with all label directions for the control of Queensland fruit fly, and
 - (b) inspected postharvest at the rate of at least 1 package in every 100 or part thereof, and found free of fruit fly larvae and broken skins.
2. Capsicums and chillies:
 - (a) treated preharvest with an application of dimethoate in accordance with all label directions for the control of Queensland fruit fly, and
 - (b) inspected postharvest at the rate of at least 1 package in every 100 or part thereof, and found free of fruit fly larvae and broken skins.
3. Stonefruit:
 - (a) treated preharvest with an application of fenthion in accordance with all label directions for the control of Queensland fruit fly; and
 - (b) inspected postharvest at the rate of at least 1 package in every 100 or part thereof, and found free of fruit fly larvae and broken skins.

4. Table grapes:
 - (a) treated preharvest for the control of Queensland fruit fly, with a program of:
 - (i) bait sprays with an insecticide containing 0.24 g/L spinosad as the only active constituent in accordance with all label directions; or
 - (ii) bait sprays with an insecticide containing 1150 g/L maldison as the only active constituent in accordance with all label and APVMA permit (PER10805) directions; or
 - (ii) cover sprays using an insecticide containing 550 g/L fenthion as the only active constituent in accordance with all label and APVMA permit (PER11643) directions; and
 - (b) inspected postharvest where a sample of the fruit is inspected and found free of fruit fly larvae and broken skins.

Postharvest Dimethoate Dip

5. Any Host Fruit excluding capsicum (hollow-fruited), chilli (hollow-fruited), cumquat and strawberries, treated with a postharvest dip using an insecticide containing 400 g/L dimethoate as its only active constituent in accordance with all label and APVMA permit (PER12074) directions; where dipping is the last treatment before packing except in the case of:
 - (a) Citrus, where a non-recovery gloss wax coating and or a compatible fungicide as specified on the label may be applied within 24 hours of treatment; and
 - (b) Pomefruit, where a non-recovery gloss wax and or a compatible fungicide as specified on the label may be applied within 3 hours of treatment.

Postharvest Dimethoate Flood Spray

6. Any Host Fruit excluding cumquat, eggplant and strawberries, treated with a postharvest flood spray using an insecticide containing 400 g/L dimethoate as its only active constituent in accordance with all label and APVMA permit (PER12074) directions, where spraying is the last treatment before packing except in the case of:
 - (a) Citrus, where a non-recovery gloss wax coating and or a compatible fungicide as specified on the label may be applied within 24 hours of treatment; and
 - (b) Pomefruit, where a non-recovery gloss wax coating and or compatible fungicide as specified on the label may be applied within 3 hours of treatment.

Postharvest Methyl Bromide Fumigation

7. Any Host Fruit fumigated postharvest with a fumigant containing 1000 g/Kg methyl bromide as its only active constituent in accordance with all label and APVMA permit (PER10699) directions, at the following rates:
 - (a) 10°C – 14.9°C at 48 g/m³ for 2 hours; or
 - (b) 15°C – 20.9°C at 40 g/m³ for 2 hours; or
 - (c) 21°C – 25.9°C at 32 g/m³ for 2 hours; or
 - (d) 26°C – 31.9°C at 24 g/m³ for 2 hours.

Postharvest Cold Treatment

8. Any applicable Host Fruit treated postharvest at a temperature of:
 - (a) 0°C ± 0.5°C for a minimum of 14 days; or
 - (b) 0.5°C to 3.5°C for a minimum of 16 days (Lemons minimum 14 days).

SCHEDULE 6

Manner of Transporting and Processing

1. Before dispatch:
 - (a) all bins or containers, trucks and trailers intending to be used for the transportation of Host Fruit must be free from all plant debris and soil prior to packing and loading; and
 - (b) the consignment must be covered by a tarpaulin, shade cloth, bin covers or other coverings or contained within the covered vehicle so as to prevent infestation by Queensland fruit fly and spillage during transportation; and
 - (c) the bins and containers must be loaded onto or into a transport vehicle on a hard surface and must not be loaded in the orchard from which the Host Fruit was sourced; and
 - (d) the transport vehicle must:
 - (i) be cleaned free of all soil and plant matter after loading the consignment and before leaving the orchard from which the Host Fruit was sourced; and
 - (ii) travel by the most direct route to the processor; and
2. upon receipt of the consignment at the processor:
 - (a) the Host Fruit must be processed within 24 hours of receipt; and
 - (b) all measures must be taken to avoid spillage of Host Fruit at the processor and spillages must be disposed of in a manner generally accepted as likely to prevent the spread of Queensland fruit fly; and
3. processing wastes must be disinfected by heat, freezing or burial.

SCHEDULE 7

Manner of Transporting and Packing

1. Before dispatch from the Outer Area:
 - (a) all bins or containers, trucks and trailers intending to be used for the transportation of Host Fruit must be free from all plant debris and soil prior to packing and loading; and
 - (b) the consignment must be covered by a tarpaulin, shade cloth, bin covers or other coverings or contained within the covered vehicle so as to prevent infestation by Queensland fruit fly and spillage during transportation; and
2. the consignment must be transported through the Outer Area into the Outbreak Area and the Suspension Area by the most direct route; and
3. during transit:
 - (a) the Host Fruit must not be unloaded from the truck; and
 - (b) all measures must be taken to prevent spillage and if spillage does occur, the Host Fruit must be collected, bagged and buried at the nearest garbage disposal centre; and
4. prior to receipt of the Host Fruit at the facility within the Outbreak Area or the Suspension Area, the packing shed must:
 - (a) be cleared of any Host Fruit which was sourced from an area free of Queensland fruit fly; and
 - (b) be thoroughly cleaned and free of plant debris; and
5. within the packing facility within the Outbreak Area or the Suspension Area, the Host Fruit:
 - (a) must be kept segregated at all times from any other Host Fruit that has originated from within the Outbreak Area or the Suspension Area; and
 - (b) must be kept covered until just before packing; and
 - (c) after packing, must be stored in such a manner so as to prevent infestation by Queensland fruit fly.

SCHEDULE 8

Conditions of Packaging

1. Packaging must be free of soil, plant residues and other organic matter; and
2. any individual package must contain only one kind of Host Fruit; and
3. all previous incorrect information displayed on the outer covering of the package must be removed or obliterated; and
4. the outer covering of the package is to be legibly marked with:
 - (a) the district of production; and
 - (b) the name, address, postcode and the State or Territory of:
 - (i) both the grower and the packer, or
 - (ii) in the case of businesses sourcing from multiple growers, the packer; and
 - (c) a brief description of the contents of the package; or
5. if packed in accordance with an approved Interstate Certification Assurance Scheme (ICA) arrangement, legibly marked with:
 - (a) the "IP Number" of the accredited business certifying the produce "Meets ICA ##"; and
 - (b) the date (or date code) in accordance with the requirement of the ICA arrangement; and
 - (c) a brief description of the contents of the package.

Note: The Department of Industry and Investment reference is P212.

For further information contact the Department (02) 6391 3575.

Signed and sealed at Sydney this 16th day of June 2010.

By Her Excellency's Command,

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

GOD SAVE THE QUEEN!

SUBORDINATE LEGISLATION ACT 1989

Timber Marketing Regulation 2010

NOTICE is given in accordance with section 5 of Subordinate Legislation Act 1989 of the intention to re-make a regulation under the Timber Marketing Act 1977.

The object of the Timber Marketing Act is to ensure the high quality of timber produced and sold in New South Wales. The Timber Marketing Regulation 2005 assists in meeting the objectives of the Act by prescribing the requirements for testing lyctid susceptible sapwood, and for assessing the moisture content of timber. It also prescribes procedures and standards for preservative treatment of timber.

It is proposed to make a new Regulation under the Act the Timber Marketing Regulation 2010.

The proposed Regulation and Regulatory Impact Statement will be available for public comment from 30 June 2010 to 27 July 2010 and can be accessed via the Industry and Investment NSW website <http://www.industry.nsw.gov.au/regulation-review> or by contacting:

Mr Lal Wimalaratne
Legal Officer
Industry and Investment NSW
Locked Bag 23
Pennant Hills NSW 2120
Facsimile: (02) 9873 1048
Email: lalw@sf.nsw.gov.au

Submissions on the proposed Regulation can be sent by mail, fax or email to the above contacts.

Submissions close at 5pm on 28 July 2010.

MINERAL RESOURCES

NOTICE is given that the following applications have been received:

EXPLORATION LICENCE APPLICATIONS

(Z10-2437)

No. 4008, COAL and ALLIED OPERATIONS PTY LTD (ACN 000 023 656), area of 69.52 hectares, for Group 9, dated 11 June 2010. (Singleton Mining Division).

(T10-0139)

No. 4010, PERILYA BROKEN HILL LIMITED (ACN 099 761 289), area of 4 units, for Group 1, dated 16 June 2010. (Broken Hill Mining Division).

(T10-0140)

No. 4011, WARATAH GOLD LIMITED (ACN 125688940), area of 19 units, for Group 1, dated 18 June 2010. (Sydney Mining Division).

(T10-0141)

No. 4012, EMX EXPLORATION PTY LTD (ACN 139 612 427), area of 23 units, for Group 1, dated 18 June 2010. (Broken Hill Mining Division).

(T10-0142)

No. 4013, EMX EXPLORATION PTY LTD (ACN 139 612 427), area of 158 units, for Group 1, dated 18 June 2010. (Broken Hill Mining Division).

(T10-0143)

No. 4014, SOUTHERN CROSS TECHNICAL and FIELD SERVICES PTY LTD (ACN 098 333 932), area of 41 units, for Group 1, dated 21 June 2010. (Armidale Mining Division).

REQUEST FOR CANCELLATION OF AUTHORITY

(T08-0100)

Exploration Licence No. 7212, CENTRAL WEST GOLD NL, (ACN 003 078 591), County of Buller, area of 6 units.

Application for Cancellation was received on 18 June 2010.

(T08-0249)

Exploration Licence No. 7336, ALKANE RESOURCES LTD, (ACN 000 689 216), County of Wellington, area of 45 units. Application for Cancellation was received on 16th June 2010.

PAUL McLEAY, M.P.,
Minister for Mineral and Forest Resources

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

(Z10-4215)

Exploration Licence No. 6835, MINERALS AUSTRALIA PTY LTD AND JACARANDA MINERALS LTD, area of 50 units. Application for renewal received 17 June 2010.

(T10-4120)

Mining Lease No. 1235 (Act 1973), CSR BUILDING PRODUCTS LIMITED (ACN 008 631 356), area of 25.78 hectares. Application for renewal received 15 June 2010.

PAUL McLEAY, M.P.,
Minister for Mineral and Forest Resources

RENEWAL OF CERTAIN AUTHORITIES

NOTICE is given that the following authorities have been renewed:

(T03-0027)

Exploration Licence No. 6098, OMYAAUSTRALIA PTY LIMITED (ACN 001 682 533), County of Bathurst, Map Sheet (8830), area of 4 units, for a further term until 9 July 2011. Renewal effective on and from 15 June 2010.

(T02-0412)

Exploration Licence No. 6104, DRONVISA PTY LIMITED (ACN 002 070 680), County of Phillip, Map Sheet (8833), area of 2 units, for a further term until 27 July 2011. Renewal effective on and from 15 June 2010.

(T03-0006)

Exploration Licence No. 6140, ISOKIND PTY LIMITED (ACN 081 732 498), Counties of Mouramba and Robinson, Map Sheet (8134), area of 46 units, for a further term until 21 October 2011. Renewal effective on and from 15 June 2010.

(Z05-0280)

Exploration Licence No. 6534, CLANCY EXPLORATION LIMITED (ACN 105 578 756), Counties of Cunningham and Kennedy, Map Sheet (8432), area of 61 units, for a further

term until 15 March 2012. Renewal effective on and from 15 June 2010.

(Z06-4191)

Exploration Licence No. 6783, RAPTOR MINERALS LIMITED (ACN 101 168 343), County of Cowper, Map Sheet (8036, 8136), area of 95 units, for a further term until 22 May 2011. Renewal effective on and from 15 June 2010.

(Z07-0143)

Exploration Licence No. 6837, CENTRAL WEST GOLD NL (ACN 003 078 591), County of Blaxland, Map Sheet (8032), area of 6 units, for a further term until 24 July 2011. Renewal effective on and from 15 June 2010.

(Z07-0237)

Exploration Licence No. 6868, ACTWAY PTY LIMITED (ACN 090 165 174), County of Blaxland, Map Sheet (8032), area of 17 units, for a further term until 6 September 2011. Renewal effective on and from 15 June 2010.

(Z06-7061)

Exploration Licence No. 6870, BOHUON RESOURCES PTY LTD (ACN 102 533 817), Counties of Killara and Landsborough, Map Sheet (7736), area of 13 units, for a further term until 6 September 2011. Renewal effective on and from 15 June 2010.

PAUL McLEAY, M.P.,
Minister for Mineral and Forest Resources

Land and Property Management Authority

ARMIDALE OFFICE

108 Faulkner Street (PO Box 199A), Armidale NSW 2350

Phone: (02) 6770 3100 Fax (02) 6771 5348

NOTIFICATION OF CLOSING OF ROAD

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

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

Description

*Land District – Tenterfield;
LGA – Tenterfield*

Road Closed: Lot 1, DP 1151312 at Tenterfield, Parish Dickson, County Clive. File Reference: AE06H1

Schedule

On closing, the land within Lot 1, DP 1151312 remains vested in the State of New South Wales as Crown Land.

Description

*Land District – Tenterfield;
LGA – Tenterfield*

Road Closed: Lot 1, DP 1150757 at Stannum, Parish Annandale and Romney, County Clive. File Reference: AE07H85

Schedule

On closing, the land within Lot 1, DP 1150757 remains vested in the State of New South Wales as Crown Land.

AUTHORISATION OF ADDITIONAL PURPOSE

IT is hereby notified pursuant to section 121A of the Crown Lands Act 1989, that the additional purpose specified in Column 1 of the Schedule hereunder, is applied to the whole of the reserve specified opposite thereto in Column 2 of the Schedule.

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

SCHEDULE

Column 1

Tourism Purposes

Column 2

Reserve No.: 110114
Public Purpose:
Urban Services
Notified: 30 June 1995
Parish: Inverell
County: Gough
File No.: AE88R4

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

ESTABLISHMENT OF RESERVE TRUST**SCHEDULE**

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

Column 1
 Coonamble Scouts
 (R97401) Reserve Trust

Column 2
 Reserve No. 97401
 Public Purpose: Boy Scouts
 Notified: 24 August 1984
 File Reference: 10/06995

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Coonabarabran Scouts (R97400) Reserve Trust	Reserve No. 97400 Public Purpose: Boy Scouts Notified: 24 August 1984 File Reference: 10/06995

GOULBURN OFFICE
159 Auburn Street (PO Box 748), Goulburn NSW 2580
Phone: (02) 4824 3700 Fax: (02) 4822 4287

NOTIFICATION OF CLOSING OF A ROAD

IN pursuance of the provisions of the Roads Act, 1993, the road hereunder described is 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 is extinguished. Upon closing, title to the land, comprising the former public road, vests in the body specified in the Schedule hereunder.

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

Description

Parish – Wallendoon;
County – Harden;
Land District – Young;
LGA – Cootamundra

Lot 11, DP 1150515 (not being land under the Real Property Act).

File Reference: GB05H72:JK.

Schedule

Note: On closing, the title for the land in Lot 11, DP 1150515 remains vested in the State of New South Wales as Crown land.

GRAFTON OFFICE
76 Victoria Street (PO Box 272), Grafton NSW 2460
Phone: (02) 6640 3400 Fax: (02) 6642 5375

NOTIFICATION OF CLOSING OF ROAD

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

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

Description

*Land District – Lismore;
LGA – Ballina*

Road Closed: Lot 1, DP 1141076 at Alstonville, Parish Tuckombil, County Rous. File Reference: GF05H193.

Schedule

On closing, the land within Lot 1, DP 1141076 remains vested in the State of New South Wales as Crown Land.

Description

*Land District – Lismore;
LGA – Byron*

Road Closed: Lots 1, 2 & 3, DP 1151324 at Coopers Shoot, Parish Byron, County Rous. File Reference: GF05H685.

Schedule

On closing, the land within Lots 1, 2 & 3, DP 1151324 remains vested in the State of New South Wales as Crown Land.

DISSOLUTION OF RESERVE TRUST

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

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

SCHEDULE

Column 1

Mylestom (R66913)
Reserve Trust

Column 2

Reserve No. 66913
Public Purpose: Public
recreation, resting place
Notified: 3 September 1937
File Reference: 09/18172

SCHEDULE

Column 1

Russell Park Reserve Trust

Column 2

Reserve No. 86251
Public Purpose: Public
recreation
Notified: 28 April 1967
File Reference: 09/18172

SCHEDULE

Column 1

Urunga (R95073) Public
Recreation Reserve Trust

Column 2

Reserve No. 95073
Public Purpose: Public
recreation
Notified: 5 June 1981
File Reference: 09/18172

SCHEDULE

Column 1

Urunga Christians Park
Reserve Trust

Column 2

Reserve No. 78720
Public Purpose: Public
recreation
Notified: 13 July 1956
File Reference: 09/18172

SCHEDULE

Column 1

Urunga Lions Park (R87713)
Reserve Trust

Column 2

Reserve No. 87713
Public Purpose: Public
recreation
Notified: 10 April 1970
File Reference: 09/18172

SCHEDULE

Column 1

Joy Mitchell (R83998)
Reserve Trust

Column 2

Reserve No. 83998
Public Purpose: Public
recreation
Notified: 21 September 1962
File Reference: 09/18172

Note: Any tenures or agreements granted by these Trusts remain in place under Bellinger Heads State Park Trust.

APPOINTMENT OF RESERVE TRUST AS TRUSTEE OF A RESERVE

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

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

SCHEDULE

Column 1

Bellinger Heads State
Park Trust

Column 2

Part Reserve No. 37514
(being part Lot 102,
DP 755552, Parish Newry,
County Raleigh, as shown
by black hatching on the
diagram hereunder)
Public Purpose: Public
recreation
Notified: 23 April 1904

Reserve No. 66913
Public Purpose: Public recreation
Resting Place
Notified: 3 September 1937

Reserve No. 78720
Public Purpose: Public recreation
Notified: 13 July 1956

Reserve No. 81640
Public Purpose: Public recreation
Notified: 5 June 1959

Reserve No. 83998
Public Purpose: Public recreation
Notified: 21 September 1962

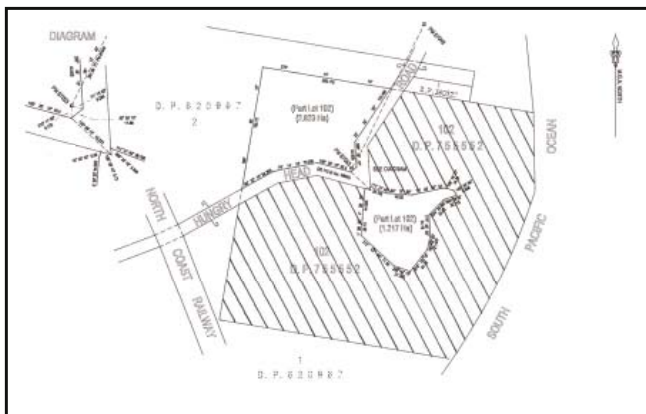
Reserve No. 84606
Public Purpose: Access, public recreation
Notified: 1 November 1963

Reserve No. 86251
Public Purpose: Public recreation
Notified: 28 April 1967

Reserve No. 87713
Public Purpose: Public recreation
Notified: 10 April 1970

Reserve No. 95073
Public Purpose: Public recreation
Notified: 5 June 1981

File Reference: 09/18172



CANCELLATION

*Land District – Lismore;
Council – Lismore City Council*

THE notification appearing in the *NSW Government Gazette* of 20 November 1992 folio 8316 under the heading “Dissolution of Reserve Trust” in respect of Wilson Park Reserve Trust, is cancelled. GF81H20.

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 roads specified in Schedule 1 is hereby transferred to the Roads Authority specified in Schedule 2 hereunder, as from the date of publication of this notice and as from the date, the road specified in schedule 1, ceases to be Crown road.

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

SCHEDULE 1

*Parish – Newrybar;
County – Rous;
Land District -Lismore;
Shire – Ballina Shire Council*

Crown public road bounded by Council public road variable width (Newrybar Swamp Road), Lot 1, DP 817914, Lot 61, DP 1136918, Council public road variable width (Newrybar Swamp Road), Lot 33, DP 1151612 and Crown public road 20.115 wide.

Width to be transferred: Whole width of described area of road.

SCHEDULE 2

Roads Authority: Ballina Shire Council

Council’s Reference: Road Closing and Transfer, Doc No. 1257036

Land and Property Management Authority Reference: 09/02923

ERRATUM

*Land District – Lismore;
Council – Byron*

THE notification appearing in the *NSW Government Gazette* of 28 November 2008, folio 11338, under the heading “Dissolution of Reserve Trust” in respect of trust, in the description, replace “Seven Mile Beach Reserve Trust ” with, “Seven Mile Beach (R.140034) Reserve Trust”. File No. 08/10658.

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

HAY OFFICE
126 Lachlan Street (PO Box 182), Hay NSW 2711
Phone: (02) 6990 1800 Fax: (02) 6993 1135

NOTIFICATION OF CLOSING OF PUBLIC ROAD

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

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

Description

*Land District of Deniliquin;
L.G.A. – Jerilderie*

Lot 2 in DP 1142596, Parish of Wunnamurra, County of Urana. File Nos: HY81H361.

Note: (1) On closing, title for the land comprised in Lot 2, DP 1142596 remains vested in the State of New South Wales as Crown Land.

*Land District of Deniliquin;
L.G.A. – Murray*

Lot 1 in DP 1148010, Parish of Moama, County of Cadell. File Nos: HY05H48.

Note: (1) On closing, title for the land comprised in Lot 1, DP 1148010 remains vested in the State of New South Wales as Crown 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.

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Hay Council Crown Reserves Reserve Trust	Reserve No. 1028068 Public Purpose: Government Purposes Notified: This Day File Reference: 09/18530

RESERVATION OF CROWN LAND

PURSUANT to section 87 of the Crown Lands Act 1989, the Crown land specified in Column 1 of the schedule hereunder is reserved as specified opposite thereto in Column 2 of the Schedule.

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Land District: Hay Local Government Area: Hay Shire Council Locality: Lachlan Street, Hay Lot 214, DP 756755, Parish Hay, County Waradgery, Area: About 500m ² File Reference: 09/18530	Reserve No. 1028068 Public Purpose: Government purposes
Notes: Dedication 1000169 for Athenaeum will be revoked by this Gazette Notice.	

REVOCATION OF DEDICATION OF CROWN LAND FOR A PUBLIC PURPOSE

PURSUANT to section 84 of the Crown Lands Act 1989, the dedication of Crown land specified in Column 1 of the Schedule hereunder is revoked to the extent specified opposite thereto in Column 2 of the Schedule.

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Land District: Hay Local Government Area: Hay Shire Council Locality: Hay Dedication No. 1000169 Public Purpose: Athenaeum Notified: 8 July 1887 File Reference: 09/18530	The whole being Lot 214, DP 756755, Parish Hay, County Waradgery of an area of 500m ²
Notes: To reserve the land for Government purposes.	

MAITLAND OFFICE**Corner Newcastle Road and Banks Street (PO Box 6), East Maitland NSW 2323****Phone: (02) 4937 9300 Fax: (02) 4934 2252****ROADS ACT 1993****ORDER**

Transfer of a Crown Road to a Council

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

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

SCHEDULE 1

*Parish – Wingen;
County – Brisbane;
Land District – Scone;*

Local Government Area – Upper Hunter Shire Council

Crown public road 20.115 metres wide at Wingen separating Lot 52, DP 598815 from Lot 1, DP 795803, Lot B, DP 413499 and part Lot 1, DP 170692.

SCHEDULE 2

Roads Authority: Upper Hunter Shire Council.

Council's Reference: DA61/08.

Lands File Reference: 08/8272.

NOTIFICATION OF CLOSING OF PUBLIC ROAD

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

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

Description

*Parish – Glendon & St Julian;
County – Durham;
Land District – Singleton & Dungog;
LGA – Dungog*

Road closed: Lots 1 & 2 DP 1149336 not being land under the Real Property Act.

File No.: 07/3590.

Schedule

On closing, the land within Lot(s) 1 & 2 remains vested in the State of New South Wales as Crown land.

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

NOTIFICATION OF CLOSING OF ROAD

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

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

Description

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

Road Closed: Lot 1, DP 1152162 at Mount Darragh subject to the easement for access created by DP 1152162. File Reference: 08/8363

Schedule

On closing, the land within Lot 1, DP 1152162 remains vested in the State of New South Wales as Crown land.

Description

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

Road Closed: Lot 4, DP 1149975 at Wyndham. File Reference: 09/18239.

Schedule

On closing, the land within Lot 4, DP 1149975 remains vested in the State of New South Wales as Crown land.

Description

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

Road Closed: Lots 1-2, DP 1150568 at Buckajo. File Reference: 07/6100.

Schedule

On closing, the land within Lots 1-2 DP 1150568 remains vested in the State of New South Wales as Crown land.

Description

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

Road Closed: Lot 1, DP 1152165 at Myrtle Mountain. File Reference: 08/10360.

Schedule

On closing, the land within Lot 1, DP 1152165 remains vested in the State of New South Wales as Crown land.

Description

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

Road Closed: Lot 1, DP 1152434 at Beaumont. File Reference: 08/10193.

Schedule

On closing, the land within Lot 1, DP 1152434 remains vested in the State of New South Wales as Crown land.

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

NOTIFICATION OF CLOSING OF ROAD

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

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

 Description

*Land District – Molong;
 LGA – Cabonne*

Road Closed: Lot 1, DP 1148609 at Cargo, Parish Cargo, County Ashburnham. File Reference: CL/00830

Schedule

On closing, the land within Lot 1, DP 1148609 remains vested in the State of New South Wales as Crown Land.

 Description

*Land District – Orange;
 LGA – Orange*

Road Closed: Lot 1, DP 1150846 at Spring Terrace, Parish Huntley, County Bathurst. File Reference: CL/00252

Schedule

On closing, the land within Lot 1, DP 1150846 remains vested in the State of New South Wales as Crown Land.

ROADS ACT 1993**ORDER**

Transfer of Crown Road to Council

IN pursuance of the provisions of Section 151, Roads Act 1993, the Crown public roads specified in Schedule 1 are 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 roads specified in Schedule 1 cease to be Crown public roads.

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

 SCHEDULE 1

*Parish – Coolcalwin;
 County – Phillip;
 Land District – Rylstone*

Road through and west Lot 24, DP 755423.

 SCHEDULE 2

Roads Authority: Mid-Western Regional Council.

LPMA File: CL/00103.

Council Reference: sm:R0790007.

SYDNEY METROPOLITAN OFFICE
Level 12, Macquarie Tower, 10 Valentine Avenue, Parramatta 2150
(PO Box 3935, Parramatta NSW 2124)
Phone: (02) 8836 5300 Fax: (02) 8836 5365

APPOINTMENT OF TRUST BOARD MEMBERS

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

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

Description

SCHEDULE 1

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Francis CRANNY Hendro HARSOJO Janice Alva CRUICKSHANK Peter GOUDA David BROCK	Liverpool General Cemetery Presbyterian Portion Trust.	Dedication No: 500702 Public Purpose: General cemetery Notified: 16 December 1892 File No: MN84R225
	Liverpool General Cemetery Baptist Portion Trust	Dedication No: 500701 Public Purpose: General cemetery Notified: 16 December 1892 File No: MN84R91
	Liverpool General Cemetery Uniting Church Portion Trust	Dedication No: 500705 Public Purpose: General cemetery Notified: 16 December 1892 File Ref: MN84R93

For a term commencing
1 July 2010 and expiring
31 August 2010.

DECLARATION OF LAND TO BE CROWN LAND

PURSUANT to section 138 of the Crown Lands Act, 1989, the land described in the Schedule hereunder, is declared to be Crown land within the meaning of that Act.

TONY KELLY, M.P.,
Minister for Lands

SCHEDULE

Land held by Her Most Gracious Majesty
Queen Elizabeth The Second.

Land District – Orange;
Local Government Area – Orange City Council;
Locality – Orange; Parish – Orange;
County – Bathurst

Lot 143, DP 750401 (Vol.7199, Fol. 36 is the current Certificate of Title). Total area: 3.56 hectares. File No: MIN 10/1612/1.

RESERVATION OF CROWN LAND

PURSUANT to section 87 of the Crown Lands Act 1989, the Crown Land specified in Column 1 of the Schedule hereunder, is reserved as specified opposite thereto in Column 2 of the Schedule.

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

SCHEDULE

Column 1

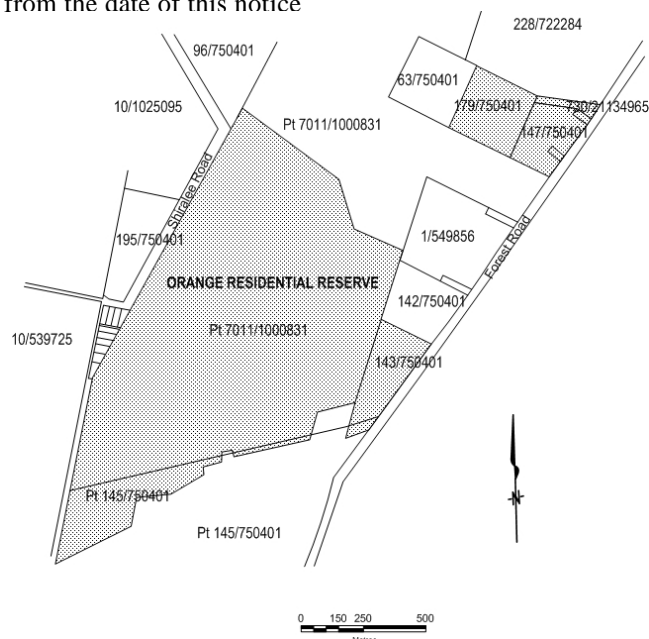
Land District: Orange
Local Government Area:
Orange City Council
Parish: Orange
County: Bathurst
Locality: Orange

Area: As shown by shaded
area on the diagram hereunder.

(Note: This notification revokes the existing reservations as from the date of this notice

Column 2

Reserve No. 1027968 for the
public purpose of urban
development.
File No.: MIN 10/1612/1



ASSIGNMENT OF NAME TO A RESERVE TRUST

PURSUANT to paragraph 4 (3), Schedule 8 of the Crown Lands Act, 1989, the name specified in Column 1 of the Schedule hereunder is assigned to the reserve trust constituted as trustee for the reserve specified in Column 2 of the Schedule.

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

SCHEDULE

Column 1

Westleigh Girl Guides
(R97860) Reserve Trust

Column 2

Reserve No.97860 for the
public purpose of Boy
Scouts/Girl Guides on
9 August 1985
File No.: MN81R126

AUTHORISATION OF ADDITIONAL PURPOSE

IT is hereby notified pursuant to section 161A of the Crown Lands Act, 1989, that the additional purpose specified in Column 1 of the Schedule hereunder is applied to the whole of the reserve specified opposite thereto in Column 2 of the Schedule.

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Community Purposes	Reserve No.:73165 Public Purpose: Public recreation Notified: 06 May 1949 File No.: MN94R71

TAMWORTH OFFICE

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

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

NOTIFICATION OF CLOSING OF ROAD

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

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

Description

*Land District – Tamworth;
LGA – Tamworth Regional*

Road Closed: Lot 1, DP 1151317 at East Tamworth, Parish Nemingha, County Parry. File Reference: 07/0175

Schedule

On closing, the land within Lot 1, DP 1151317 remains vested in the State of New South Wales as Crown Land.

Description

*Land District – Tamworth;
LGA – Tamworth Regional*

Road Closed: Lots 1 and 2, DP 1148607 at Duncans Creek, Parish Royinn, County Parry. File Reference: 07/1680

Schedule

On closing, the land within Lots 1 and 2, DP 1148607 remains vested in the State of New South Wales as Crown Land.

NOTIFICATION OF CLOSING OF A ROAD

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

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

Description

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

Road Closed: Lots 1-3 in Deposited Plan 1151664, Parish Melville, County Pottinger. File Reference: 09/00364.

Note: On closing title to the land comprised in Lots 1-3 will remain vested in the State of New South Wales as Crown Land.

TAREE OFFICE
98 Victoria Street (PO Box 440), Taree NSW 2430
Phone: (02) 6591 3500 Fax: (02) 6552 2816

NOTIFICATION OF CLOSING OF ROAD

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

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

Description

Land District – Taree;
LGA – Greater Taree

Road Closed: Lot 1, DP 1152251 at Killabakh, Parish Marlee, County Macquarie.

File Reference: TE07H64.

Schedule

On closing, the land within Lot 1, DP 1152251 remains vested in the State of New South Wales as Crown Land.

Description

Land District – Gloucester;
LGA – Gloucester

Road Closed: Lots 1, 2 & 3, DP 1148622 at Moppy & Rawdon Vale, Parish Knowla & Boranel, County Gloucester.

File Reference: TE05H218.

Schedule

On closing, the land within Lots 1, 2 & 3, DP 1148622 remains vested in the State of New South Wales as Crown Land.

WESTERN REGION OFFICE
45 Wingewarra Street (PO Box 1840), Dubbo NSW 2830
Phone: (02) 6883 3000 Fax: (02) 6883 3099

**ALTERATION OF CORPORATE NAME OF
RESERVE TRUST**

PURSUANT to section 92 (3) of the Crown Lands Act 1989, the corporate name of the reserve trust specified in Schedule 1 hereunder, which is trustee of the reserve referred to in Schedule 2, is altered to the corporate name specified in Schedule 3.

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

SCHEDULE 1

Living Desert Reserve Trust

SCHEDULE 2

Reserve No. 230092
 Public Purpose: Environmental Protection
 Heritage Purposes
 Public Recreation
 Notified: 7 October 1994
 Locality: Broken Hill
 Reserve Name: Living Desert State Park
 File Reference: WL94R8

SCHEDULE 3

Living Desert State Park Reserve Trust

DISSOLUTION OF RESERVE TRUST

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

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

SCHEDULE

Column 1

Riverbend Recreation
Reserve Trust

Column 2

Reserve No. 80433
 Public Purpose: Public
 recreation
 Notified: 7 March 1958
 File Reference: WL87R135

DISSOLUTION OF RESERVE TRUST

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

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

SCHEDULE

Column 1

Balranald Recreation
 (R.31691) Reserve Trust

Column 2

Reserve No. 31691
 Public Purpose: Public
 recreation
 Notified: 3 November 1900
 File Reference: WL90R4

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

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

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

SCHEDULE

Column 1

Balranald Riverbend
Reserve Trust

Column 2

Reserve No. 80433
 Public Purpose: Public
 recreation
 Notified: 7 March 1958
 Reserve No. 31691
 Public Purpose: Public
 recreation
 Notified: 3 November 1900
 File Reference: WL87R135

Department of Planning

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Order Declaring Development to be a Project Under Part 3A

I, the Minister for Planning, having formed the opinion that the development described in Schedule 1 is of State and regional environmental planning significance, declare that development, pursuant to section 75B of the Environmental Planning and Assessment Act 1979, to be a project to which Part 3A of the Environmental Planning and Assessment Act 1979 applies.

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

Sydney, 17 June 2010.

SCHEDULE 1

The construction and operation of a 132/11 kilovolt electrical substation and its component equipment at 3-11 Ward Street, North Sydney, New South Wales, referred to as the North Sydney Zone Substation, including:

- the installation of 11 kilovolt feeders and cables, a cable vault on the corner of Ward and Berry Streets, North Sydney, and conduits in Ward and Harnett Streets, North Sydney; and
- decommissioning and demolition of the existing North Sydney (Berry Street) zone substation,

but excluding the installation of new 132 kilovolt feeder cables from the Willoughby Sub Transmission Substation to the North Sydney Zone Substation.

Roads and Traffic Authority

ROAD TRANSPORT (GENERAL) ACT 2005

Notice under the Roads Transport (Mass, Loading and Access) Regulation 2005

I, Ann King, A/Chief Executive of the Roads and Traffic Authority, in pursuance of the Road Transport (Mass, Loading, Access) Regulation 2005, by this Notice, specify the routes and areas on or in which 25 metre B-Doubles may be used subject to any requirements or conditions set out in the Schedule.

ANN KING,
A/Chief Executive,
Roads and Traffic Authority

SCHEDULE

1. Citation

This Notice may be cited as the Roads and Traffic Authority B-Double Notice No. 27/2010.

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

This Notice remains in force until 30 September 2010 from the date of gazettal unless it is amended or repealed earlier.

4. Application

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

5. Routes

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25	HW10	Kew southbound off-ramp, Kew	Pacific Highway	Ocean Drive	
25	HW10	Kew southbound on-ramp, Kew	Ocean Drive	Pacific Highway	
25	HW10	Kew northbound on-ramp, Kew	Nancy Bird Walton Drive	Pacific Highway	
25	HW10	Kew northbound off-ramp, Kew	Pacific Highway	Nancy Bird Walton Drive	

ROAD TRANSPORT (GENERAL) ACT 2005

Notice under the Roads Transport (Mass, Loading and Access) Regulation 2005

I, Ann King, A/Chief Executive of the Roads and Traffic Authority, in pursuance of the Road Transport (Mass, Loading, Access) Regulation 2005, by this Notice, specify the routes and areas on or in which 25 metre B-Doubles may be used subject to any requirements or conditions set out in the Schedule.

ANN KING,
A/Chief Executive,
Roads and Traffic Authority

SCHEDULE**1. Citation**

This Notice may be cited as the Roads and Traffic Authority B-Double Notice No. 28/2010.

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

This Notice remains in force until 30 September 2010 from the date of gazettal unless it is amended or repealed earlier.

4. Application

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

5. Routes

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25	86	Federation Way, Corowa	Federation Bridge over Murray River	HW20 Riverina Highway	
25	314	Mulwala Corowa Road, Mulwala	Bridge over Murray River, Mulwala	MR550 Corowa Tocumwal Road, Mulwala	

ROAD TRANSPORT (GENERAL) ACT 2005

Notice under the Roads Transport (Mass, Loading and Access) Regulation 2005

I, Ann King, A/Chief Executive of the Roads and Traffic Authority, in pursuance of the Road Transport (Mass, Loading, Access) Regulation 2005, make the amendment in the Schedule to the routes and areas previously specified on or in which 4.6m High Vehicles may be used.

ANN KING,
A/Chief Executive,
Roads and Traffic Authority

SCHEDULE**1. Citation**

This Notice may be cited as the Roads and Traffic Authority 4.6m High Vehicle Notice No. 4/2010.

2. Commencement

This Notice takes effect from the date of gazettal.

3. Effect

This Notice remains in force until 31 December 2012 unless it is amended or repealed earlier.

4. Application

This Notice applies to those 4.6m high vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 2 of the Road Transport (Vehicle Registration) Regulation 2007.

5. Routes

<i>Type</i>	<i>Road No.</i>	<i>Road</i>	<i>Starting point</i>	<i>Finishing point</i>
4.6m	86	Federation Way, Corowa	Federation Bridge over Murray River	HW20 Riverina Highway
4.6m	314	Mulwala Corowa Road, Mulwala	Bridge over Murray River	MR86 Federation Way, Corowa Road

ROAD TRANSPORT (GENERAL) ACT 2005

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

FORBES SHIRE COUNCIL, in pursuance of Division 4 of Part 2 of the Road Transport (Mass, Loading, Access) Regulation 2005, by this Notice, specify the routes and areas on or in which 25 metre B-Doubles may be used subject to any requirements or conditions set out in the Schedule.

Date: 22 June 2010.

CARISSA BYWATER,
General Manager,
Forbes Shire Council
(by delegation from the Minister for Roads)

SCHEDULE**1. Citation**

This Notice may be cited as Forbes Shire Council 25 Metre B-Double route Notice No. 01/2010.

2. Commencement

This Notice takes effect at 7.00 am 29 June 2010.

3. Effect

This Notice remains in force until 6.00 pm 29 June 2010 unless it is amended or repealed earlier.

4. Application

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

5. Routes

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25	000	Rifle Range Road, Forbes	Main Road 377 (Orange to Forbes Road)	Bathurst Street	Detour for road works 29 June 2010 only
25	000	Bathurst Street, Forbes	Rifle Range Road	Main Road 56 (Flint Street)	Detour for road works 29 June 2010 only

ROAD TRANSPORT (GENERAL) ACT 2005

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

GUNDAGAI SHIRE COUNCIL, in pursuance of Division 4 of Part 2 of the Road Transport (Mass, Loading, Access) Regulation 2005, by this Notice, specify the routes and areas on or in which 25 metre B-Doubles may be used subject to any requirements or conditions set out in the Schedule.

Date: 22 June 2010.

GRAEME TICKNER,
General Manager,
Gundagai Shire Council
(by delegation from the Minister for Roads)

SCHEDULE**1. Citation**

This Notice may be cited as Gundagai Shire Council 25 Metre B-Double route Notice No. 2/2010.

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

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

4. Application

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

5. Routes

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25		Charlotte Street, Gundagai	William Street	To driveway of D J Lynch Engineering approx 190 metres from William Street	

ROAD TRANSPORT (GENERAL) ACT 2005

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

TENTERFIELD SHIRE COUNCIL, in pursuance of Division 4 of Part 2 of the Road Transport (Mass, Loading, Access) Regulation 2005, by this Notice, specify the routes and areas on or in which 25 metre B-Doubles may be used subject to any requirements or conditions set out in the Schedule.

Dated: 28 May 2010.

D. H. RAMSLAND,
General Manager,
Tenterfield Shire Council
(by delegation from the Minister for Roads)

SCHEDULE**1. Citation**

This Notice may be cited as Tenterfield Shire Council 25 Metre B-Double route Notice No. 01/2010.

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

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

4. Application

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

5. Routes

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25		Riley Street, Tenterfield	Western Street	Eastern edge of Melaleuca Circuit intersection (228 metres)	All trucks accessing Banksia Drive and Melaleuca Circuit must enter from Western Street and leave by Riley Street
25		Banksia Drive	Western Street	Intersection with Melaleuca Circuit	All trucks accessing Banksia Drive and Melaleuca Circuit must enter from Western Street and leave by Riley Street
25		Melaleuca Circuit	Banksia Drive	Riley Street	All trucks accessing Banksia Drive and Melaleuca Circuit must enter from Western Street and leave by Riley Street

ROADS ACT 1993

Order – Section 257

ERRATUM

THE Roads and Traffic Authority of New South Wales by this order under Section 257 of the Roads Act 1993, corrects errors in the notice published in Government Gazette No 150 dated 21 November 2008 on pages 11301 and 11302, under the heading “Notice of Dedication of Land at Peakhurst, Beverly Hills, Mortdale and Penshurst in the Hurstville City Council area” by making the following alterations to the notice:

deleting from the schedule appearing on page 11302, accompanying the abovementioned notice -

<u>Description of Land</u>	<u>Title Particulars</u>
Lot 5 Deposited Plan 246367	Certificate of Title Volume 7876 Folio 147

and substituting in lieu thereof –

<u>Description of Land</u>	<u>Title Particulars</u>
Lot 5 Deposited Plan 246367	Certificate of Title Volume 7867 Folio 147

K J Durie
Manager, Compulsory Acquisition & Road Dedication
Roads and Traffic Authority of New South Wales

(RTA Papers: 204.191)

ROADS ACT 1993

Order - Section 31

Fixing of Levels of part of MR61- Henry Parkes Way at Boree Creek in the Cabonne Shire Council area

The Roads and Traffic Authority of New South Wales, by this Order under section 31 of the Roads Act 1993,, fixes the levels of part of MR 61 – Henry Parkes Way between 31.134 km to 33.638 km West of Orange, as shown on Roads and Traffic Authority Plans No 0061.072.RC.0773.

Jeffrey Hall
Project Services Manager
Roads and Traffic Authority of New South Wales
51 – 55 Currajong Street
Parkes NSW 2870

(RTA Papers FPP 72.5357; RO 72.1413-1)

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

Notice of Compulsory Acquisition and Dedication as Public Road of Land at Jacky Bulbin Flat in the Clarence Valley 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 and further dedicates the land as public road under Section 10 of the Roads Act 1993.

K J Durie
Manager, Compulsory Acquisition & Road Dedication
Roads and Traffic Authority of New South Wales

SCHEDULE

ALL that piece or parcel of land situated in the Clarence Valley Council area, Parish of Tabbimoble and County of Richmond, shown as Lot 2 Deposited Plan 1134934 being part of the land in Certificate of Title 18/1080054.

The land is said to be in the possession of Forests NSW and Warren John Treasure and Joanne Wendy Treasure (lessees).

(RTA Papers: 10M1056; RO 10/86.1214)

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

Notice of Compulsory Acquisition of Land at Emerald Beach and Woolgoolga in the Coffs Harbour City Council area

THE Roads and Traffic Authority of New South Wales by its delegate declares, with the approval of Her Excellency the Governor, that the land described in the schedule below is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Roads Act 1993.

K J Durie
Manager, Compulsory Acquisition & Road Dedication
Roads and Traffic Authority of New South Wales

SCHEDULE

ALL those pieces or parcels of land situated in the Coffs Harbour City Council area, Parishes of Moonee and Woolgoolga and County of Fitzroy, shown as:

Lot 77 Deposited Plan 1143405, being part of the land in Certificate of Title 3/218539; and

Lot 113 Deposited Plan 1144462, being part of the land in Certificate of Title 412/803026.

The land is said to be in the possession of the Council of the City of Coffs Harbour.

(RTA Papers: 9M4827; RO 10/110.1863)

Office of Water

WATER ACT 1912

AN application for a licence, under the section 10 of Part 2 of the Water Act 1912, as amended, has been received as follows:

Kenneth Edward, Anthony Ronald and Ronald RIDGE for a pump on the Hawkesbury River on Lot 2, DP 77951, Parish of Wilberforce, County of Cook for the irrigation of 12.0 hectares (pastures, turf, vegetables) (part replacement licence and permanent transfer of 30.0 megalitres from 10SL023837) (no increase in annual water entitlement) (Not subject to the 2003 amended Hawkesbury/Nepean Embargo) (Ref:10SL056906)

Kenneth Edward, Anthony Ronald and Ronald RIDGE for a pump on the Hawkesbury River on Lot 2, DP 77951, Parish of Wilberforce, County of Cook for the irrigation of 10.0 hectares (pastures, turf, vegetables) (part replacement licence and permanent transfer of 30.0 megalitres from 10SL023837) (no increase in annual water entitlement) (Not subject to the 2003 amended Hawkesbury/Nepean Embargo) (Ref:10SL056905).

Roderick James and Elizabeth Ann GIBLETT for a pump on Cattai Creek on Lot 4, DP 701464, Parish of Maroota, County of Cumberland for the irrigation of 7.0 hectares (part replacement licence and permanent transfer of 24.0 megalitres from 10SA000818) (no increase in annual water entitlement) (Not subject to the 2003 amended Hawkesbury/Nepean Embargo) (Ref:10SL056909)

Any inquiries should be directed to (02) 9895 7194. Written objections, from any local occupier or statutory authority, specifying grounds and how their interests are affected, must be lodged with the NSW Office of Water, PO Box 3720, Parramatta NSW 2124, within 28 day of this publication.

WAYNE CONNERS,
Licensing Officer

WATER ACT 1912

Review of Sydney Water's Water Management Licence –
Call for submissions

SUBMISSIONS are invited from the public to assist with the review of Sydney Water's licence and its activities under the licence for the period July 2005 to June 2010. The Minister for Water can extend the term of the licence by a further five years following successful completion of the review.

The licence regulates Sydney Water's access to water for the North Richmond Water Filtration Plant and the management of its works at Botany Wetlands and Manly Dam.

Download a copy of the current licence and annual compliance reports from NSW Office of Water's website at www.water.nsw.gov.au under Water Licensing > Corporate Licences, or visit NSW Office of Water, 2-6 Station Street Penrith.

Submissions should be forwarded to:

Sydney Water Licence Review Corporate
Licensing Unit,
NSW Office of Water,
PO Box 323
Penrith NSW 2751
Fax: (02) 4729 8141
Email: information@water.nsw.gov.au

All submissions will be made public unless requested otherwise.

Closing date Friday 30 July 2010

WATER ACT 1912

AN application for a licence, under section 113 of Part 5 of the Water Act 1912, as amended, has been received as follows:

Peter Michael & Kimberly Hamilton MARTIN for an existing bore on Lot 6, DP 829835, Parish of Bong Bong, County of Camden for water supply for stock and domestic purposes and the irrigation of 10.0 hectares (oak trees) (replacement licence and permanent transfer of 30.0 megalitres from 10BL162691 and also replacing 10BL154540) (no increase in annual water entitlement) (Not subject to the 2004 NSW Southern Highlands Section 113A Groundwater Embargo) (Ref:10BL603703)

Any inquiries should be directed to (02) 9895 7194. Written objections, from any local occupier or statutory authority, specifying grounds and how their interests are affected, must be lodged with the NSW Office of Water, PO Box 3720, Parramatta NSW 2124, within 28 days of this publications.

WAYNE CONNER,
Licensing Officer

WATER ACT 1912

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

Murrumbidgee Valley

ALEXANDRA SARAH LOUISE RICHARDS for a dam on an unnamed watercourse, Lot 46, DP 258504, Parish Carwoolal, County Murray, for a water supply for domestic purposes. Water allocation by way of permanent water transfer to an existing dam. 40SL71200.

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

S. F. WEBB,
Licensing Manager

Other Notices

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Apex Club of East Gosford Inc – Y0234846
 Apex Club of Holbrook Inc – Y0241900
 Association of South Coast Wood Artisans Incorporated – Inc9875428
 Associazione Combattenti Del Secondo Conflitto Mondiale "Cavalieri Del Tricolore" NSW and Act Incorporated – Inc9875763
 Association of Practising Accountants Inc – Y1411945
 Apex Club of Rylestone/Kandos Inc – Y0357334
 Bangladesh Nationalist Party (B.N.P. Jatiotabadi D0al) Australia Incorporated – Inc9875521
 Blayney District Polocrosse Club Incorporated – Y2556707
 Blue Gum Vaulting Club Incorporated – Inc9875013
 The Cobargo and District Apex Club Inc – Y0855315
 Apex Club of Wade-Griffith Inc – Y0380441
 Dungowan Fishing Club Incorporated – Y1057539
 Enigma Trail Horse Riding Club Incorporated – Y2474514
 Ford Light Truck Club of NSW (Sth Coast Division) Incorporated – Inc9874961
 Apex Club of Campbelltown NSW Inc – Y0390829
 June Apex Inc – Y0431943
 I.K.K.I. Incorporated – Inc9875288
 Joel Bennett Ministries Incorporated – Inc9885120

Dated: 18 June 2010.

ANTHONY DONOVAN,
 A/Manager, Financial Analysis,
 Registry of Co-operatives and Associations,
 Office of Fair Trading,
 Department of Services, Technology
 and Administration

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Apex Club of Wingham Inc – Y0762815
 Brooms Head Cricket Club Incorporated – Y2900039
 Macarthur Oztag Association Incorporated – Inc9875909
 Womens Apex Club of Illawarra Inc – Y1550731
 Apex Club of Candelo Inc – Y0813925
 Nyngan – The Country Connection Incorporated – Inc9875439
 Brisbania School Hall Management Association Incorporated – Inc9875062
 The Apex Club of Bourke Inc – Y0622738

Batlow Senior Citizens Club Incorporated – Inc9874423
 Board of Hellenic Education Incorporated – Inc9875012
 Apex Club of Lithgow Inc – Y0525930
 Barden Ridge Cricket Club Incorporated – Inc9875071
 Rotary Club of Gulgong Incorporated – Inc9874952
 Royal Australian Engineers Heritage Society Incorporated – Y1755902
 Apex Club of Liverpool/Moorebank Incorporated – Y2162833
 Women's Apex Club of Toronto Incorporated – Y2444232
 Urana Netball Club Incorporated – Inc9876563
 Youthlink Incorporated – Inc9875496
 Apex Club of Forster-Tuncurry Inc – Y0422013
 Blaxland Warrimoo Netball Club Incorporated – Y2344923

Dated: 18 June 2010.

ANTHONY DONOVAN,
 A/Manager, Financial Analysis,
 Registry of Co-operatives and Associations,
 Office of Fair Trading,
 Department of Services, Technology
 and Administration

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Bermagui Regional Pistol Club Incorporated – Inc9874838
 Apex Club of Mid Richmond Inc – Y0441743
 Binnaway Amateur Swimming Club Incorporated – Inc9875471
 Berrigan Apex Club Inc – Y1301023
 Byron-Brunswick Valley Tourism Association Inc – Inc9875619
 Apex Club of Bunbury Curran (Leumeah) Inc – Y0485323
 Z Owners Club of Australia NSW Branch Inc
 Woolgoolga Apex Club Incorporated – Y0517928
 Barraba Basketball Association Inc – Y0790907
 Brewarrina and District Historical Society Inc – Y0820636
 Apex Club of Picton New South Wales Inc – Y0512943
 Apex Club of Goulburn Central Inc – Y0586805
 Bangladesh Nationalist Social and Cultural Front.
 (Bangladesh Jatiotabadi Samagic and Sanskretik Songstha) Jasas (Cultural Front of B.N.P.)
 Incorporated – Inc9875662
 B.A.S.E.C. (Byron Art Space Environment and Culture) Incorporated – Inc9875498
 Kapisanang San Lorenzo Ruiz De Manila of the Hunter Valley Incorporated – Inc9875242

The Apex Club of Ballina Inc – Y0550639
Bourke Cottonwool Committee Incorporated –
Y1892547

Dated: 18 June 2010.

ANTHONY DONOVAN,
A/Manager, Financial Analysis,
Registry of Co-operatives and Associations,
Office of Fair Trading,
Department of Services, Technology
and Administration

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Belmore Kinchela Landcare Group Incorporated –
Inc9875011
Apex Club of Engadine Inc – Y0344200
Apex Club of Cessnock Inc – Y0289811
Central Coast Charity Events Inc – Inc9874977
Commercial Credit Institute Incorporated –
Y2274230
Delungra Citizens' Association Inc – Y0876941
Apex Club of Trangie Inc – Y0768111
Drummoyne -Inner West Greek Association
Incorporated – Inc9876396
Apex Club of Dapto Inc – Y0195824
Dulwich Hill Chamber of Commerce Incorporated –
Inc9875039
Apex Club of Mudgee Inc – Y0226648
Canowindra Youth Support Network Incorporated –
Inc9874966
Cumnock Rugby Union Football Club Incorporated –
Y2077917
Casino Loaves and Fishes Incorporated – Y2120610
Criminon Anzo Incorporated – Inc9878781
Apex Club of North Sydney Inc – Y0262007
Bundeena/Maianbar Cookbook Incorporated –
Inc9885111
Canobolas Cougars Rugby League Football Club
Incorporated – Inc9875775
Cham Bith Presbyterian Church Incorporated –
Inc9875154
Children with Cancer Inc – Inc9875443
Apex Club of Kooloonbung-Port Macquarie Inc –
Y0273735
Dance Council of Australia (DCA) Incorporated –
Inc9875251
Dartbrook Social Club Incorporated – Inc9875841
Apex Club of Wollondilly Goulburn Inc – Y0347730
Downside Landcare Group Inc – Y1074540

Dated: 21 June 2010.

ANTHONY DONOVAN,
A/Manager, Financial Analysis,
Registry of Co-operatives and Associations,
Office of Fair Trading,
Department of Services, Technology
and Administration

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Apex Club of Glen Innes Inc – Y0493129
Chinese Fast Food Industry Association (Overseas)
Incorporated – Inc9875456
Clubnova Social Committee Incorporated –
Inc9875406
Apex Club of Kotara Inc – Y0524345
Coalition for Fire Control Incorporated – Inc9875184
Collegians Sporting Club Incorporated – Inc9875302
Apex Club of Mittagong Inc – Y0517144
Coloured Sport Horse Association Incorporated –
Inc9875376
Congregational Christian Church of Samoa (E.F.K.S
– Penrith) Incorporated – Inc9875203
Apex Club of Umina Inc – Y0523838
Dubbo Grammar School Parents and Friends
Association Incorporated – Inc9875350
The Apex Club of Nabcac Inc – Y0858012
Coolabah Improvements Committee Incorporated –
Inc9875403
Corrective Exercise Therapists Association
Incorporated – Inc9875398
Cox's Creek Landcare Incorporated – Inc9875483
Coffs Harbour Regional Youth Orchestra
Incorporated – Inc9876117
Dungaleer Landcare Group Incorporated –
Inc9875215
Cabonne United Rugby League Football Club
Incorporated – Inc9888029
Creditors Association of Australia Incorporated –
Inc9884713
Apex Club of Mittagong Inc – Y0517144
Chinese Piano Tuners and Technicians Association
Australia Incorporated – Inc9885143

Dated: 21 June 2010.

ANTHONY DONOVAN,
A/Manager, Financial Analysis,
Registry of Co-operatives and Associations,
Office of Fair Trading,
Department of Services, Technology
and Administration

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Central Coast Pure Water Association Incorporated –
Inc9884060
City of Port Stephen's Land Owners Council Inc –
Inc9877991
Apex Club of Old Bar Inc – Y0547720
Apex Club of Barraba Inc – Y0576417

Emu Producers Association of NSW Incorporated – Y1807813
 Extremely Disabled War Veterans Association of Laurieton and Mid North Coast Region Incorporated – Inc9881565
 48 Hours to World Peace Incorporated – Inc9875081
 Apex Club of Artesian Inc – Y0698300
 The Fiji Indian Community of Australia Incorporated – Inc3448099
 Federation of Overseas Egyptian Businessmen (Aus.) Incorporated – Inc9875197
 Federazione Delle Associazioni Dei Marchigiani Del N.S.W Australia Incorporated – Inc9875120
 The Finks Motor Cycle Club Sydney Incorporated – Inc9875186
 Apex Club of Grenfell Inc – Y0493227
 Fisherman's Reach Horticultural Landcare Group Incorporated – Inc9875450
 Forest Corporate Park Association Inc – Y0775312
 Freedom Pastoral Care Incorporated – Y2746701
 Apex Club of Central Wagga Wagga Inc – Y0494420
 Holy Doctrines of Confucius and Mensius Incorporated – Inc9875091
 Hosanna Presbyterian Church Incorporated – Inc9874986
 Homeless People Australia Inc – Inc9874935
 Apex Club of Warren Inc – Y0307844
 Hawkesbury River Heartland Incorporated – Inc9884795

Dated: 21 June 2010.

ANTHONY DONOVAN,
 A/Manager, Financial Analysis,
 Registry of Co-operatives and Associations,
 Office of Fair Trading,
 Department of Services, Technology
 and Administration

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Hamzeh Islamic Society of Australia Incorporated – Inc9875258
 The Federation of Korean Societies Oceania Incorporated – Inc9881442
 Apex Club of Boggabri Inc – Y0895642
 Federation of East Aigialeia Incorporated – Inc9877228
 First Friday Club Incorporated – Inc9885085
 Flair Fashion Awards Taree Incorporated – Y2213110
 Fiji and Pacific Islands Association of Australia Incorporated – Inc9880176
 Apex Club of Woy Woy Inc – Y0835323
 Apex Club of Kempsey Inc – Y0334106
 Gunnedah Main Streets Committee Incorporated – Y2738503
 His Hand Extended Ministries Incorporated – Inc9884193
 House of Commodores Incorporated – Inc9884625

Greenleigh Residents Action Incorporated – Inc9874870
 Grafton – Clarence Valley Machine Knitting Group Inc – Y0728225
 Hanging Rock Creek Catchment Land Care Group Inc – Inc9875162
 Apex Club of East Maitland Inc – Y0337832
 Gunnedah Ladies Darts League Incorporated – Inc9875070
 Heritage River Project Incorporated – Inc9875528
 Apex Club of Denman Inc – Y0521746
 The Hills Chorale Inc – Y1544135
 Glen Innes Squash Club Incorporated – Y2270732
 Apex Club of Toronto Inc – Y0545236
 Glenhaven Sporting Club Inc – Y1120812

Dated: 22 June 2010.

ANTHONY DONOVAN,
 A/Manager, Financial Analysis,
 Registry of Co-operatives and Associations,
 Office of Fair Trading,
 Department of Services, Technology
 and Administration

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Albury Border Roller Skating Association Inc – Y0765904
 Anglers Action Group Coffs Harbour Region Incorporated – Inc9875165
 Asean Community Centre Incorporated – Inc9875453
 Associazione Dei Marchigiani Di Sydney Incorporated – Inc9875586
 Associazione Zancle – Messina Incorporated – Y2015947
 Assylum Motorsports, Racing and Auto Club Incorporated – Inc9875053
 Australia Capoeira Association Incorporated – Inc9875181
 Australia Chinese Tea Association Incorporated – Inc9875950
 Australian Arabic Overseas Graduates Association Incorporated – Inc9878814
 Australian Federation of Muslim Women's Councils Incorporated – Inc9875493
 Australian International Business and Trade Association Incorporated – Inc9875379
 The Australian Muslim Youth Incorporated – Inc9875385

Dated: 21 June 2010.

ROBYNE LUNNEY,
 A/Manager, Legal,
 Registry of Co-operatives and Associations,
 NSW Fair Trading,
 Department of Services and Administration

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

God's Revival Ministries Incorporated – Inc9875233
 Goonellabah Tavern Sport Clubs Incorporated – Inc9882557
 Apex Club of Goulburn Inc – Y0301519
 Grafton In-Line Hockey Association Incorporated – Y3045243
 Gloucester Campdraft Club Inc – Y1104710
 Hillston Branch Field and Game Incorporated – Inc9875369
 Apex Club of Menai Inc – Y0325205
 Manning Cundle Apex Club Incorporated – Y0398217
 Grace Outreach Assemblies Community Services Incorporated – Inc9877292
 Apex Club of Belmont Inc – Y0590525

Dated: 22 June 2010.

ANTHONY DONOVAN,
 A/Manager, Financial Analysis,
 Registry of Co-operatives and Associations,
 Office of Fair Trading,
 Department of Services, Technology and
 Administration

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Clydesdale Rescue Incorporated – Inc9885798
 Sydney Metropolitan Airports Business Council Incorporated – Inc9880044
 Far North Coast District Apex Incorporated – Y1967147
 Veterans Motorcycle Club Australia Incorporated – Inc9883779
 Vietnamese Australian Prisoners Welfare Association Inc – Inc9875192
 The Apex Club of Mathoura Incorporated – Y1580425
 Vintage and Classic Car Hirers Association Inc – Y0737420
 WBSA Executive Conference Sydney 2001 Incorporated – Inc9874987
 Wuuluman Landcare Group Incorporated – Y2467607
 Apex Club of Toukley-Budgewoi Inc – Y0211520
 Wyong Soccer Sports and Recreation Club Incorporated – Y0823039
 Wallaga Lake Traditional Elders Council Incorporated – Inc9874929
 Warrumbungle Field Archery Club Incorporated – Inc9875243
 World Impact Incorporated – Inc9875289

The World Muslim Democrat's Association Incorporated – Inc9875472
 Apex Club of Gilgandra Inc – Y0171207
 Western District Rural Residential Action Group Incorporated – Y2900529
 Wauchope Associations for Student Support Services Incorporated – Inc9877868
 Apex Club of Albion Park Inc – Y0519334
 Yeil Baptist Church Incorporated – Inc9874936
 Xin Tang Ren Chinese Cultural Association Incorporated – Inc9878148
 The Apex Club of Moama Incorporated – Y0708625
 The Zora Cross Association Incorporated – Y2624230

Dated: 23 June 2010.

ANTHONY DONOVAN,
 A/Manager, Financial Analysis,
 Registry of Co-operatives and Associations,
 Office of Fair Trading,
 Department of Services, Technology and
 Administration

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Parramatta Sport and Recreation Social Club Incorporated – Inc9875087
 The Apex Club of West Tamworth Incorporated – Y0632832
 Pacemakers Aboriginal Sports Club Incorporated – Inc9875007
 Picton Kart Racing Club Incorporated – Inc9878054
 Apex Club of Narrandera Inc – Y0532445
 Promptsid Inc Incorporated – Inc9877591
 Q S P User Group Asia Pacific Incorporated – Y2150402
 Apex Club of Guyra Inc – Y0499209
 The Parcel Contractors Association Incorporated – Inc9876191
 Parents and Kids Support (PAKS) Incorporated – Inc9875101
 Penrith District Police Rugby League Football Club Incorporated – Y2190435
 Apex Club of Manly Inc – Y0495221
 Penrith R.S.L. Darts Club Incorporated – Inc9875228
 Peshurst Community Youth Club Incorporated – Inc9874501
 Pink Rocks Skate Park Association Incorporated – Inc9875296
 Project for Sustainable Peace Incorporated – Inc9885117
 Apex Club of Emmaville Inc – Y0493031

Dated: 22 June 2010.

ANTHONY DONOVAN,
 A/Manager, Financial Analysis,
 Registry of Co-operatives and Associations,
 Office of Fair Trading,
 Department of Services, Technology and
 Administration

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Indigenous Vibrations Incorporated – Inc9875064
 Apex Club of Tullamore Inc – Y0331311
 International Christian Ministries Inc – Inc9875037
 Imam Mehdi Association Incorporated – Inc9875449
 Impreza WRX Club Incorporated – Y2796338
 Peakhurst-Lugarno Apex Club Inc – Y0597504
 Apex Club of Fairy Meadow Inc – Y0519138
 International Prayer and Bible Fellowship Incorporated – Inc9875297
 Jennings/Wallangara Fishing Club Incorporated – Y1000727
 Inana Incorporated – Inc9885129
 Apex Club of Bomaderry Inc – Y0352202
 The Korean Solidarity for Human Rights In Australia Incorporated – Inc9878479
 The Korean Australian Sharing Movement Incorporated – Inc9875077
 Katoomba – Lithgow Australian Football Club Incorporated – Inc9878857
 KP Philby's Gentlemen's Sporting Association Incorporated – Inc9878843
 The Apex Club of Moulamein Inc – Y0656028
 Kooringle Apex Home Association Incorporated – Y2625227

Dated: 23 June 2010.

ANTHONY DONOVAN,
 A/Manager, Financial Analysis,
 Registry of Co-operatives and Associations,
 Office of Fair Trading,
 Department of Services, Technology and
 Administration

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Ryde and Districts Synagogue Beth Eliyahu Incorporated – Inc9875030
 Apex Club of Manilla Inc – Y0248830
 Roseville Action for Special Area Protection Incorporated – Inc9878840
 The Rainbow Foundation of Safari Club International Australian South Pacific Chapter Incorporated – Inc9875275
 Apex Club of Carlingford Inc – Y0305801
 Rotary Club of Liverpool Macquarie Incorporated – Inc9875100
 Apex Club of Walcha Inc – Y0425102
 St Anne's Outside School Hours Care Centre Incorporated – Y2934015
 Reedy Creek Landcare Group Incorporated – Inc9874198

Apex Club of Condobolin Inc – Y0201034
 Shoalhaven Development Board Incorporated – Inc9874923
 St Georges Basin Billy Cart Derby Action Group Incorporated – Inc9876075
 Shoalhaven In-Line Hockey Association Incorporated – Y2723032
 Shire City Church Incorporated – Inc9875937
 Gerringong Apex Club Inc – Y0287523
 Sydney Glory Church Incorporated – Inc9874998
 Rootyhill House on the Rock Ministries Incorporated – Inc9883962

Dated: 22 June 2010.

ANTHONY DONOVAN,
 A/Manager, Financial Analysis,
 Registry of Co-operatives and Associations,
 Office of Fair Trading,
 Department of Services, Technology and
 Administration

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Siren Theatre Association Incorporated – Inc9875124
 Apex Club of Kurri Kurri Inc – Y0559710
 South Sydney Islamic Educational Society Incorporated – Inc9875943
 Stoney Creek Landcare Group Incorporated – Inc9875190
 Sundanese Australian Society Inc – Inc9875461
 Apex Club of Moruya Inc – Y0580431
 Holy Family Netball Club Inc – Inc9875454
 The Super Production Company Inc – Inc9875193
 Apex Club of Batlow Inc – Y0598942
 Sydney Secondary Airports Association Incorporated – Inc9875423
 Samoa College Old Pupils Association (SCOPA) Australia Incorporated – Y1898823
 Sudanese Australian Organisation Support of Australia Incorporated – Inc9881849
 Sydney Apex Club Inc – Y1415002
 Strathfield Korean Business Association Inc – Y2593847
 Tenterfield Rugby League Supporters Club Inc – Y0920729
 T-Bags Social Club Incorporated – Inc9874965
 Apex Club of Newcastle Inc – Y1059631
 Tegeatikos Syndesmos of Australia Incorporated – Inc9878785

Dated: 22 June 2010.

ANTHONY DONOVAN,
 A/Manager, Financial Analysis,
 Registry of Co-operatives and Associations,
 Office of Fair Trading,
 Department of Services, Technology and
 Administration

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Pakistan Community Council Incorporated – Inc987235
 Apex Club of Fairfield City Inc – Y0201426
 Recreational Home and Van Owners Association Incorporated – Inc9875044
 Riverina Heartlands and High Country Tourism Operators Incorporated – Inc9875349
 Apex Club of Terrigal-Wamberal Inc – Y0166245
 Tizzana Land Care Group Incorporated – Inc9874984
 South Coast Surfriders Association Inc – Y1695842
 Sydney Jireh Presbyterian Church Incorporated – Inc9875160
 Apex Club of Cronulla/Caringbah Inc – Y0878641
 Tobacco Control Coalition Incorporated – Y3037339
 Tamworth Ratepayers and Residents Association Incorporated – Y1734913
 Tibooburra Water Incorporated – Inc9876198
 Apex Club of Chatswood Inc – Y0808718
 Tonga Hospital Development Fund Incorporated – Inc9875111
 The Triangle Film Club Incorporated – Inc9885064
 Apex Club of Lane Cove Inc – Y0778401
 Muslim Women's Support Centre of Australia Incorporated – Inc9875491

Dated: 22 June 2010.

ANTHONY DONOVAN,
 A/Manager, Financial Analysis,
 Registry of Co-operatives and Associations,
 Office of Fair Trading,
 Department of Services, Technology and
 Administration

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Apex Club of Jamberoo Inc – Y0353640
 Lions Club of Bulahdelah Inc – Y1415100
 Lakeside Tavern Social Golf Club Incorporated – Y2262534
 Lansdowne Valley Landcare Group Incorporated – Y2625717
 Friends of Forbes Apex Incorporated – Y2990542
 Leeton Water Ski Club Inc – Y0141023
 Lj Ford Foundation International Incorporated – Inc9875121
 Lowanna's Softball Club Incorporated – Inc9875182
 Apex Club of Peel Inc – Y0472826
 Kanuguba Incorporated – Inc9885121
 Lower Macleay High School Establishment Association Incorporated – Inc9875196
 Lower Piallamore Rivercare Group Inc – Inc9875105

Coolah Apex Club Inc – Y0892700
 Apex Club of Swansea/Caves Beach Inc – Y0761132
 Ke Corolla Car Club of NSW Inc – Inc9875616
 Lions Club of Stockton Inc – Y0636134

Dated: 22 June 2010.

ANTHONY DONOVAN,
 A/Manager, Financial Analysis,
 Registry of Co-operatives and Associations,
 Office of Fair Trading,
 Department of Services, Technology and
 Administration

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

The New South Wales and A.C.T. Sheaf Tossers' Association Incorporated – Inc9875468
 Apex Club of Macarthur Inc – Y0331115
 NSW Recreational Fishing Federation Incorporated – Inc9875337
 N.S.W Wild 1's Motor Club Incorporated – Inc9875214
 Apex Club of Bowral Inc – Y0376623
 New South Wales Speedway Sidecar Riders Association Incorporated – Inc9875152
 New South Wales Turk Wrestling Association Incorporated – Inc9875187
 OSACA International Inc – Inc9875200
 Apex Club of West Wyalong Inc – Y0408934

Dated: 22 June 2010.

ANTHONY DONOVAN,
 A/Manager, Financial Analysis,
 Registry of Co-operatives and Associations,
 Office of Fair Trading,
 Department of Services, Technology and
 Administration

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Muslim Youth Network of Australia Incorporated – Inc9875153
 Apex Club of Crookwell Inc – Y0318445
 Mui Fa Chinese Boxing Association Incorporated – Inc9885089
 Northern Tablelands Olive Association Incorporated – Inc9875036
 Apex Club of Eugowra Inc – Y0302908
 New South Wales Dairy Technician Association Incorporated – Inc9874941
 Oak Creek Landcare Group Incorporated – Inc9875080

The Rock Endurance Club Incorporated – Inc9880022
 Apex Club of Kyogle Inc – Y0270940
 North West Aboriginal Rugby League Camps Inc – Inc9878779
 Najmul Uloom Al-Ashrafiyyah Society Incorporated – Inc9875303
 National Art School Foundation Incorporated – Inc9875447
 Apex Club of Camden Haven Inc – Y0244205
 Natural Produce Network Incorporated – Inc9875159
 Networking Youth Association Incorporated – Inc9875446
 The NSW Association of Greeks from Constantinople and Asia Minor Incorporated – Y0927512
 Apex Club of Maclean Inc – Y0238932
 Muslim Women's Council of NSW Incorporated – Inc9875494

Dated: 22 June 2010.

ANTHONY DONOVAN,
 A/Manager, Financial Analysis,
 Registry of Co-operatives and Associations,
 Office of Fair Trading,
 Department of Services, Technology and Administration

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 54

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 54 of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Apex Club of Gulgong Inc – Y0490138
 The Lord's House Incorporated – Inc9879730
 Mullumbimby and District Garden Club Incorporated – Y0555918
 Apex Club of Uralla Inc – Y0509436
 Moruya Junior AFL Incorporated – Inc9875040
 Maria S. S. Di Grottaferrata Incorporated – Inc9875656
 Maitland Environmental Youth Council Incorporated – Inc3446540
 Apex Club of Tambar Springs Inc – Y0566323
 Mango Sunrise Sport and Recreation Incorporated – Inc9875172
 Matercare Australia Incorporated – Inc9875281
 McCullys Gap Landcare Group Incorporated – Inc9876096
 Apex Club of Terrey Hills Elanora Inc – Y0589208
 Menai Board of Christian Education Incorporated – Y2092826
 Mining Electrical and Mining Mechanical Engineering Society Incorporated – Y2854747
 Mudgee Youth Support Committee Incorporated – Inc9875386

Dated: 22 June 2010.

ANTHONY DONOVAN,
 A/Manager, Financial Analysis,
 Registry of Co-operatives and Associations,
 Office of Fair Trading,
 Department of Services, Technology and Administration

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Sections 55A and 55B

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to sections 55A and 55B of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Clarence Town Water Ski and Aquatic Club Inc – Y1572815
 The Orthodox Church of the Theophany (Russian Orthodox Church-Moscow Patriarchate) and Community Incorporated – Y2367808
 Wooli Volunteer Rescue Squad Inc – Y0810542
 Australian Fruit Juice Association Incorporated – Inc9890636

Dated: 23 June 2010.

ANTHONY DONOVAN,
 A/Manager, Financial Analysis,
 Registry of Co-operatives and Associations,
 Office of Fair Trading,
 Department of Services, Technology and Administration

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 55A

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 55A of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Lawn Bocce Group Incorporated – Inc9888797
 Bed and Breakfast and Farmstay Australia Incorporated – Inc9881542
 Casino Quilters and Craft Group Incorporated – Y2250936
 Griffith Calabrian Association Incorporated – Inc9875268
 Quota International of Corowa Rutherglen Incorporated – Y0869838
 Association of Liquidpaper Board Carton Manufacturers Inc – Y1119544

Dated: 18 June 2010.

CHRISTINE GOWLAND,
 A/General Manager,
 Registry of Co-operatives and Associations,
 Office of Fair Trading

ASSOCIATIONS INCORPORATION ACT 1984

Cancellation of Incorporation Pursuant to Section 55B

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to sections 55B of the Associations Incorporation Act 1984.

Cancellation is effective as at the date of gazettal.

Karuah Community Art and Craft Centre Incorporated – Inc9877619
 Tamworth Ladies Probus Club Incorporated – Y1807715

Film Dungog Incorporated – Inc9890859
 Sutherland Shire Arts Council Inc – Y0677703
 Gloucester Community Training Inc – Y0165101
 Hornsby – Ku ring gai Symphonic Band Incorporated
 – Inc9892258
 The Friends of the Tumbarumba Library
 Incorporated – Y2831911
 Port Macquarie Hastings District Softball
 Association Incorporated – Y1108208
 Oceania Table Tennis Federation Incorporated –
 Inc9883252
 Albury Wodonga Youth Project Incorporated –
 Y0335740
 Albury Wodonga Community Centre Inc – Y1168331
 Harvest Ministries Incorporated – Inc9877547
 Eugowra Pre-School Incorporated – Y2736803
 Emu Community Project Incorporated – Y0577218
 Dubbo Students Association of Charles Sturt
 University Incorporated – Inc5710302
 Irabina Association (Projects for Intellectually
 Disabled Adults) Inc – Y1090005
 Enki Australia Incorporated – Inc9889012
 Murwillumbah East P and C Inc – Y1515830

Dated: 18 June 2010.

CHRISTINE GOWLAND,
 A/General Manager,
 Registry of Co-operatives and Associations,
 Office of Fair Trading

ASSOCIATIONS INCORPORATION ACT 1984

Reinstatement of Cancelled Association Pursuant to
 Section 54A

THE incorporation of ROTARY CLUB OF THORNLEIGH
 INCORPORATED (Y1457225) cancelled on 22 May 2009
 is reinstated pursuant to section 54A of the Associations
 Incorporation Act 1984.

Dated 21st day of June 2010.

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

ASSOCIATIONS INCORPORATION ACT 1984

Reinstatement of Cancelled Association Pursuant to
 Section 54A

THE incorporation of NORTHERN SUBURBS TOUCH
 ASSOCIATION INC (Y1557416) cancelled on 5 December
 2008 is reinstated pursuant to section 54A of the Associations
 Incorporation Act 1984.

Dated 21st day of June 2010.

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

ASSOCIATIONS INCORPORATION ACT 1984

Reinstatement of Cancelled Association Pursuant to
 Section 54A

THE incorporation of THE CORNUCOPIA COMMITTEE
 INC (Y0705928) cancelled on 5 September 2008 is reinstated
 pursuant to section 54A of the Associations Incorporation
 Act 1984.

Dated 23rd day of June 2010.

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

CHARITABLE TRUSTS ACT 1993

Notice Under Section 15

Proposed Cy-Pres Scheme Relating to
 the Estate of the Late Florence Faithfull

SECTION 9 (1) of the Charitable Trusts Act 1993 permits
 the application of property cy-pres where the spirit of the
 original trust can no longer be implemented.

Miss Florence Faithfull died in 1949 and in her Will
 bequeathed a 1/3 part 'endowment fund' to the NSW
 Division of the Australian Red Cross for the sole support
 of the Graythwaite Soldiers Convalescent Home in North
 Sydney. The Fund was set up in 1963, with the Red Cross the
 trustee of the funds. However, in 1980, the administration of
 Graythwaite transferred to the Home of Peace Organisation,
 Greenwich Hospital. In November 2004 the Florence Faithfull
 Endowment Fund was closed and the funds transferred to the
 Red Cross's General Account. The money has been kept as a
 Special Purpose Fund and interest has been credited yearly.
 The balance currently stands at approximately \$17,000.00.

Application was made in 2009 to the Attorney General by
 the Red Cross, seeking a cy pres scheme to permit the use of
 the funds for the Red Cross's International Tracing Program.
 The Tracing Service in Australia is part of the International
 Red Cross/ Red Crescent Movement global tracing network,
 whose aim is to re-establish contact between family members
 separated by war or civil conflict or natural disasters.

The Solicitor General, as delegate of the Attorney General
 in Charitable Trusts Act 1993 matters, has determined that
 this is an appropriate matter in which the Attorney General
 should approve a cy-pres scheme under section 12(1)(a) of
 the Charitable Trusts Act 1993 and that a scheme should be
 established under section 12 of the Charitable Trusts Act 1993
 permitting the trust fund to be applied to the International
 Tracing Program of the Red Cross as proposed by the Red
 Cross, as it is relatively close to the spirit of the original
 bequest.

Take note that within one month after the publication
 of this notice any person may make representations or
 suggestions to the Attorney General in respect of the proposed
 scheme.

Dated: 23 June 2010.

LAURIE GLANFIELD,
 Director General,
 Department of Justice and Attorney General

CONTAMINATED LAND MANAGEMENT ACT 1997

Declaration of Significantly Contaminated Land
(Section 11 of the
Contaminated Land Management Act 1997)

Declaration Number 20101106; Area Number 3280

THE Environment Protection Authority (EPA) declares the following land to be significantly contaminated land under the Contaminated Land Management Act 1997 ("the Act"):

1. Land to which this declaration applies ("the site")

The site comprises Lots 1 and 2 in DP 197459, and Lot 3 in DP 1073112 and is known as 165 Brisbane Street, Dubbo, in the Local Government Area of Dubbo.

2. Nature of contamination affecting the site:

The EPA has found that the site is contaminated with the following substances ("the contaminants"):

- Total petroleum hydrocarbons (TPH); and,
- Benzene, toluene, ethyl benzene and xylenes (BTEX).

3. Nature of harm that the contaminants may cause:

The EPA has considered the matters in section 12 of the Act and for the following reasons has determined that the land is contaminated and that the contamination is significant enough to warrant regulation under the Act:

- The groundwater has been degraded by hydrocarbon contamination at concentrations exceeding drinking water guidelines;
- The contamination includes benzene, a known human carcinogen and is toxic to humans;
- The contamination may migrate offsite in groundwater; and,
- There are potential exposure pathways to the contamination through the use of groundwater in the region for the regional town water supply.

4. Further action under the Act

The making of this declaration does not prevent the carrying out of a voluntary management of the site and any person may submit a voluntary management proposal for the site to the EPA. If the proposal satisfies the requirements of section 17 of the Act, the EPA may agree not to issue a management order to the person or persons bringing the proposal.

5. Submissions invited

The public may make written submissions to the EPA on:

- Whether the EPA should issue a management order in relation to the site; or
- Any other matter concerning the site.

Submissions should be made in writing to:

Manager Contaminated Sites
Department of Environment and Conservation
PO Box A290
Sydney South NSW 1232
or faxed to (02) 9995 5930

by not later than 9 July 2010.

Date: 18 June 2010.

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

NOTE:

Management order may follow

If management of the site or part of the site is required, the EPA may issue a management order under section 14 of the Act.

Variation/Revocation

This declaration may be amended or repealed. It remains in force until it is otherwise amended or repealed. The subsequent declaration must state the reasons for the amendment or repeal (section 44 of the Act).

Information recorded by the EPA

Section 58 of the Act requires the EPA to maintain a public record. A copy of this significantly contaminated land declaration will be included in the public record.

Information recorded by councils

Section 59 of the Act requires the EPA to give a copy of this declaration to the relevant local council. The council is then required to note on its planning certificate issued pursuant to section 149 (2) of the Environmental Planning and Assessment Act that the land is declared significantly contaminated land. The EPA is required to notify council as soon as practicable when the declaration is no longer in force and the notation on the section 149 (2) certificate is no longer required.

Relationship to other regulatory instrument

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

CONTAMINATED LAND MANAGEMENT ACT 1997

Declaration of Significantly Contaminated Land
(Section 11 of the
Contaminated Land Management Act 1997)

Declaration Number 20091107; Area Number 3270

THE Environment Protection Authority (EPA) declares the following land to be significantly contaminated land under the Contaminated Land Management Act 1997 (the Act):

1. Land to which this declaration applies (the site)

The site is located at the north-western end of Dutton Street, Yass NSW and comprises Lot 15 and Lot 16, section 19 in DP 759136, the western corner of Dutton Street, and a portion of the disused railway line north of Dutton Street (see attached map).

2. Nature of contamination affecting the site:

The EPA has found that soil and groundwater at the site is contaminated with gasworks waste containing the following substances:

- Petroleum hydrocarbons (TPH);
- Monoaromatic hydrocarbons (BTEX) such as benzene and xylenes;
- Phenolic compounds; and
- Polycyclic aromatic hydrocarbons (PAH) such as naphthalene and benzo(a)pyrene.

3. Nature of harm that the contaminants may cause:

The EPA has considered the matters in section 12 of the Act and has determined that contamination at the site is significant enough to warrant regulation under the Act for the following reasons:

1. Groundwater at the site is contaminated with substances from gasworks waste at concentrations exceeding ANZECC criteria for protection of aquatic ecosystems;
2. Coal tar and associated contaminated groundwater is migrating towards the Yass River adjoining the site; and
3. Workers at the site may become exposed to the gasworks waste contaminants when undertaking excavation works.

4. Further action under the Act

The making of this declaration does not prevent the carrying out of a voluntary management of the site and any person may submit a voluntary management proposal for the site to the EPA. If the proposal satisfies the requirements of section 17 of the Act the EPA may agree not to issue a management order to the person or persons bringing the proposal.

5. Submissions invited

The public may make written submissions to the EPA on:

- Whether the EPA should issue a management order in relation to the site; or
- Any other matter concerning the site.

Submissions should be made in writing to:

Manager Contaminated Sites
Department of Environment, Climate Change and Water
PO Box A290
Sydney South NSW 1232
or faxed to (02) 9995 5930

by not later than 23 July 2010

Dated: 23 June 2010.

NIALL JOHNSTON,
Manager, Contaminated Sites,
Environment Protection and Regulation

NOTE:

Management order may follow

If management of the site or part of the site is required, the EPA may issue a management order under section 14 of the Act.

Variation/Revocation

This declaration may be amended or repealed. It remains in force until it is otherwise amended or repealed. The subsequent declaration must state the reasons for the amendment or repeal (section 44 of the Act).

Information recorded by the EPA

Section 58 of the Act requires the EPA to maintain a public record. A copy of this significantly contaminated land declaration will be included in the public record.

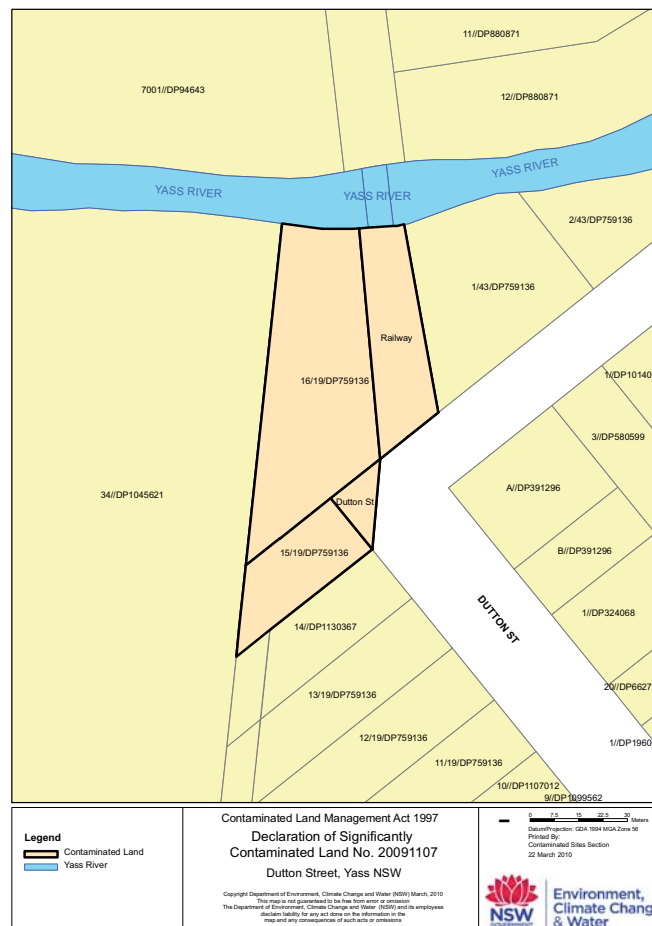
Information recorded by councils

Section 59 of the Act requires the EPA to give a copy of this declaration to the relevant local council. The council is then required to note on its planning certificate issued pursuant to section 149 (2) of the Environmental Planning

and Assessment Act that the land is declared significantly contaminated land. The EPA is required to notify council as soon as practicable when the declaration is no longer in force and the notation on the section 149 (2) certificate is no longer required.

Relationship to other regulatory instrument

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



CONTAMINATED LAND MANAGEMENT ACT 1997

Declaration of Significantly Contaminated Land (Section 11 of the Contaminated Land Management Act 1997)

Declaration Number 20101105 / Area Number 3275

THE Environment Protection Authority (EPA) declares the following land to be significantly contaminated land under the Contaminated Land Management Act 1997 ("the Act"):

1. Land to which this declaration applies ("the site")

The site includes the land listed below:

- Part of 47 Nasmyth Street, Young (part Lot A, DP 340033)

which fall within the area bounded by the thick black line marked on the attached map – Figure 1: Declared area.

The site is in the Parish of Young

2. Nature of contamination affecting the site:

The EPA has found that the site is contaminated with the following substances (“the contaminant”):

- Lead

3. Nature of harm that the contaminants may cause:

The EPA has considered the matters in section 12 of the Act and for the following reasons has determined that the land is contaminated and that the contamination is significant enough to warrant regulation under the Act:

- the surface soils are contaminated with lead at concentrations exceeding human health criteria for residential landuse; and
- if disturbed, the contaminated surface soils may migrate towards the adjoining school land.

4. Further action under the Act

The making of this declaration does not prevent the carrying out of voluntary management of the site and any person may submit a voluntary management proposal for the site to the EPA. If the proposal satisfies the requirements of section 17 of the Act the EPA may agree not to issue a management order to the person or persons bringing the proposal.

5. Submissions invited

The public may make written submissions to the EPA on:

- Whether the EPA should issue a management order in relation to the site; or
- Any other matter concerning the site.

Submissions should be made in writing to:

Manager Contaminated Sites
Department of Environment, Climate Change and Water
PO Box A290
Sydney South NSW 1232
or faxed to (02) 9995 5930

by not later than 21 July 2010.

Date: 23 June 2010.

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

NOTE:

Management order may follow

If management of the site or part of the site is required, the EPA may issue a management order under section 14 of the Act.

Amendment/Repeal

This declaration may be amended or repealed. It remains in force until it is otherwise amended or repealed. The subsequent declaration must state the reasons for the amendment or repeal (section 44 of the Act).

Information recorded by the EPA

Section 58 of the Act requires the EPA to maintain a public record. A copy of this significantly contaminated land declaration will be included in the public record.

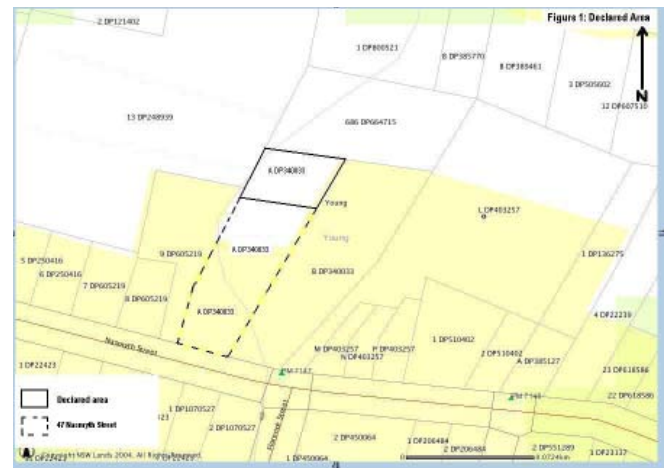
Information recorded by councils

Section 59 of the Act requires the EPA to give a copy of this declaration to the relevant local council. The council is then required to note on its planning certificate issued

pursuant to section 149 (2) of the Environmental Planning and Assessment Act that the land is declared significantly contaminated land. The EPA is required to notify council as soon as practicable when the declaration is no longer in force and the notation on the section 149 (2) certificate is no longer required.

Relationship to other regulatory instrument

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



CONTAMINATED LAND MANAGEMENT ACT 1997

Declaration of Significantly Contaminated Land

(Section 11 of the
Contaminated Land Management Act 1997)

Declaration Number 20101110 / Area Number 3274

THE Environment Protection Authority (EPA) declares the following land to be significantly contaminated land under the Contaminated Land Management Act 1997 (“the Act”):

1. Land to which this declaration applies (“the site”)

The site includes the land, road and footpaths listed below:

- All of 186 Nasmyth Street, Young (Lot 1, DP 88810; Lot 1, DP 80402 and Lot 1, DP 193463) (known as Mobil Young Depot, Young), and those adjoining parts of;
- the public footpath; and
- Nasmyth Street.

which fall within the area bounded by the thick black line marked on the attached map – Figure 1: Declared area.

The site is in the Parish of Young

2. Nature of contamination affecting the site:

The EPA has found that the site is contaminated with fuel products including the following substances (“the contaminants”):

- Benzene, Toluene, Ethylbenzene and Xylene (BTEX)
- Petroleum Hydrocarbons (TPH)

3. Nature of harm that the contaminants may cause:

The EPA has considered the matters in section 12 of the Act and for the following reasons has determined that the

land is contaminated and that the contamination is significant enough to warrant regulation under the Act:

- groundwater has been degraded by petroleum hydrocarbon contamination at concentrations exceeding relevant guideline values. Groundwater is also contaminated with phase separated hydrocarbons;
- the contaminants include benzene (a known human carcinogen);
- the contaminants in groundwater have migrated off the site and may continue to migrate offsite towards residential areas; and
- workers may be accidentally exposed to vapours that may accumulate in excavations and confined service utilities.

4. Further action under the Act

The making of this declaration does not prevent the carrying out of voluntary management of the site and any person may submit a voluntary management proposal for the site to the EPA. If the proposal satisfies the requirements of section 17 of the Act the EPA may agree not to issue a management order to the person or persons bringing the proposal.

5. Submissions invited

The public may make written submissions to the EPA on:

- Whether the EPA should issue a management order in relation to the site; or
- Any other matter concerning the site.

Submissions should be made in writing to:

Manager Contaminated Sites
Department of Environment, Climate Change and Water
PO Box A290
Sydney South NSW 1232
or faxed to (02) 9995 5930

by not later than 15 July 2010.

Date: 23 June 2010.

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

NOTE:

Management order may follow

If management of the site or part of the site is required, the EPA may issue a management order under section 14 of the Act.

Amendment/Repeal

This declaration may be amended or repealed. It remains in force until it is otherwise amended or repealed. The subsequent declaration must state the reasons for the amendment or repeal (section 44 of the Act).

Information recorded by the EPA

Section 58 of the Act requires the EPA to maintain a public record. A copy of this significantly contaminated land declaration will be included in the public record.

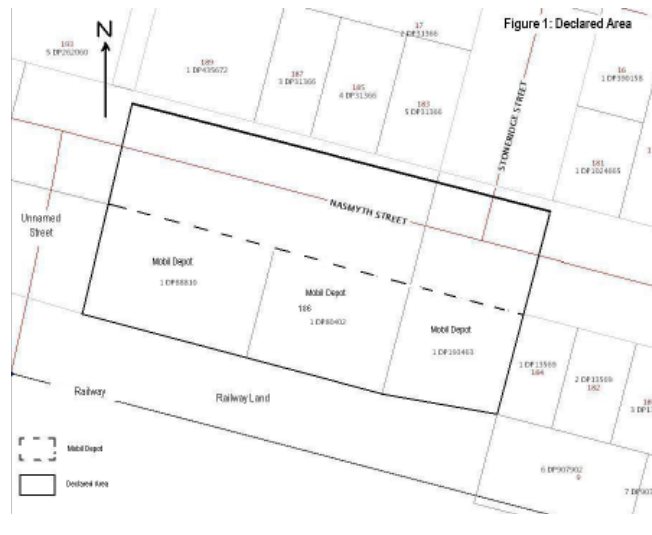
Information recorded by councils

Section 59 of the Act requires the EPA to give a copy of this declaration to the relevant local council. The council is then required to note on its planning certificate issued

pursuant to section 149 (2) of the Environmental Planning and Assessment Act that the land is declared significantly contaminated land. The EPA is required to notify council as soon as practicable when the declaration is no longer in force and the notation on the section 149 (2) certificate is no longer required.

Relationship to other regulatory instrument

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



CONTAMINATED LAND MANAGEMENT ACT 1997

Declaration of Significantly Contaminated Land
(Section 11 of the
Contaminated Land Management Act 1997)

Declaration Number 20101107 / Area Number 3279

THE Environment Protection Authority (EPA) declares the following land to be significantly contaminated land under the Contaminated Land Management Act 1997 ("the Act"):

1. Land to which this declaration applies ("the site")

The site includes the land listed below:

- Part of 45 Nasmyth Street, Young (part Lot B, DP 340033)

which fall within the area bounded by the thick black line marked on the attached map – Figure 1: Declared area.

The site is in the Parish of Young

2. Nature of contamination affecting the site:

The EPA has found that the site is contaminated with the following substances ("the contaminant"):

- Lead; and
- Copper

3. Nature of harm that the contaminants may cause:

The EPA has considered the matters in section 12 of the Act and for the following reasons has determined that the land is contaminated and that the contamination is significant enough to warrant regulation under the Act:

- the surface soil is contaminated with lead and copper at concentrations exceeding human health criteria for residential landuse and phytotoxicity criteria; and

- if disturbed, the contamination may migrate towards adjoining residential lands.

4. Further action under the Act

The making of this declaration does not prevent the carrying out of voluntary management of the site and any person may submit a voluntary management proposal for the site to the EPA. If the proposal satisfies the requirements of section 17 of the Act the EPA may agree not to issue a management order to the person or persons bringing the proposal.

5. Submissions invited

The public may make written submissions to the EPA on:

- Whether the EPA should issue a management order in relation to the site; or
- Any other matter concerning the site.

Submissions should be made in writing to:

Manager Contaminated Sites
 Department of Environment, Climate Change and Water
 PO Box A290
 Sydney South NSW 1232
 or faxed to (02) 9995 5930

by not later than 23 July 2010

Date: 23 June 2010.

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

NOTE:

Management order may follow

If management of the site or part of the site is required, the EPA may issue a management order under section 14 of the Act.

Amendment/Repeal

This declaration may be amended or repealed. It remains in force until it is otherwise amended or repealed. The subsequent declaration must state the reasons for the amendment or repeal (section 44 of the Act).

Information recorded by the EPA

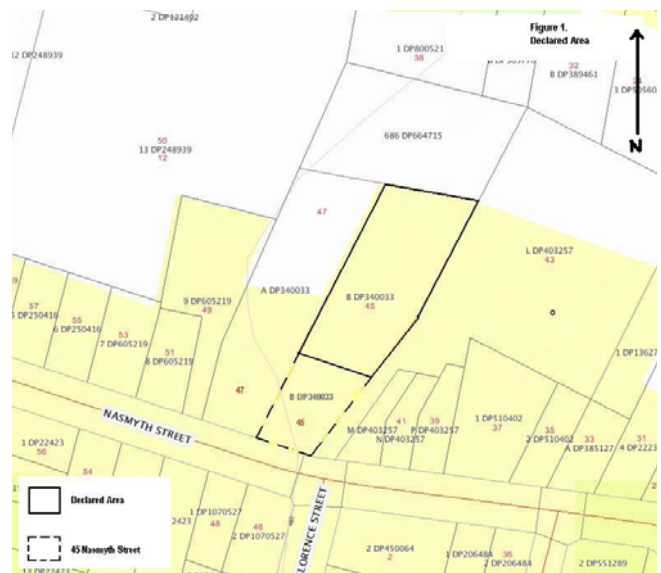
Section 58 of the Act requires the EPA to maintain a public record. A copy of this significantly contaminated land declaration will be included in the public record.

Information recorded by councils

Section 59 of the Act requires the EPA to give a copy of this declaration to the relevant local council. The council is then required to note on its planning certificate issued pursuant to section 149 (2) of the Environmental Planning and Assessment Act that the land is declared significantly contaminated land. The EPA is required to notify council as soon as practicable when the declaration is no longer in force and the notation on the section 149 (2) certificate is no longer required.

Relationship to other regulatory instrument

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



DISTRICT COURT OF NEW SOUTH WALES

Direction

PURSUANT to section 32 of the District Court Act 1973, I direct that the District Court shall sit in its civil jurisdiction at the place and time shown as follows:

Coffs Harbour 10.00am 1 November 2010
 (2 weeks)
 In lieu of 1 November 2010
 (1 week)

Dated this 18th day of June 2010.

R. O. BLANCH,
 Chief Judge

DISTRICT COURT OF NEW SOUTH WALES

Direction

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

Bega 10.00am 22 November 2010
 2 weeks)
 Special Fixture

Dated this 18th day of June 2010.

R. O. BLANCH,
 Chief Judge

DISTRICT COURT OF NEW SOUTH WALES

Direction

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

Bega 10.00am 11 October 2010 (3 weeks)
 In lieu of 11 October 2010
 (2 weeks)

Griffith	10.00am	1 November 2010 (2 weeks) In lieu of 25 October 2010 (3 weeks)
Port Macquarie	10:00am	26 July 2010 (2 weeks) In lieu of 26 July 2010 (3 weeks)
Port Macquarie	10:00am	1 November 2010 (2 weeks) In lieu of 25 October 2010 (3 weeks)
Taree	10:00am	5 October 2010 (1 week) In lieu of 5 October 2010 (3 weeks)
Wagga Wagga	10:00am	11 October 2010 (3 weeks) In lieu of 11 October 2010 (2 weeks)

Dated this 23rd day of June 2010.

R. O. BLANCH,
Chief Judge

GEOGRAPHICAL NAMES ACT 1966

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

Assigned Name: Kelsalls Hill
Designation: Hill
L.G.A.: Clarence Valley Council
Parish: Southgate
County: Clarence
L.P.I. Map: Tyndale
1:100,000 Map: Bare Point 9538
Reference: GNB 5409

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

WARWICK WATKINS, AM,
Chairperson

FAIR TRADING ACT 1987

Revocation of Prohibition Order

Section 31

I, VIRGINIA JUDGE, Minister for Fair Trading, revoke pursuant to section 31 of the Fair Trading Act 1987, the Order specified in the Schedule.

Dated this 4th day of June 2010.

VIRGINIA JUDGE, M.P.,
Minister for Fair Trading

SCHEDULE

Order published in *New South Wales Government Gazette* No. 185 of 21 December 2007, p. 10679 (Children's toys having accessible materials with a lead migration level greater than 90 mg/kg of lead).

FOOD ACT 2003

THE NSW Food Authority advises convictions under the Food Act 2003 relating to breaches of the Food Standards Code by Shellharbour Square Fish Market Pty Ltd in the operation of its food business, Shellharbour Square Fish Market, situated at Stocklands Shellharbour NSW 2529. The defendant was charged with eight (8) offences under section 21 (1) of the Food Act 2003, for failure to comply with a requirement of the Food Standards Code, namely that the food did not have a label on or in connection with the display of the food identifying the country of origin of the food on 13 December 2007 and 21 October 2008. The total penalty imposed under the Act was \$42,000 plus \$11,500 professional costs

NSW Food Authority
PO Box 6682
Silverwater NSW 1811

Geographical Names Board
PO Box 143
Bathurst NSW 2795

GEOGRAPHICAL NAMES ACT 1966

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

Assigned Name: Patricks Creek
Designation: Creek
L.G.A.: Mid-Western Regional Council
Parish: Ulmarrah
County: Wellington
L.P.I. Map: Euchareena
1:100,000 Map: Orange 8731
Reference: GNB 5449

Assigned Name: The Boat Hole
Designation: Waterhole
L.G.A.: Mid-Western Regional Council
Parish: Ulmarrah
County: Wellington
L.P.I. Map: Euchareena
1:100,000 Map: Orange 8731
Reference: GNB 5449

Assigned Name: Clevelands Hole
Designation: Waterhole
L.G.A.: Mid-Western Regional Council
Parish: Ulmarrah
County: Wellington
L.P.I. Map: Euchareena
1:100,000 Map: Orange 8731
Reference: GNB 5449

Assigned Name: Pumpkin Hole
Designation: Waterhole
L.G.A.: Mid-Western Regional Council
Parish: Ulmarrah
County: Wellington
L.P.I. Map: Euchareena
1:100,000 Map: Orange 8731
Reference: GNB 5449

Assigned Name: Little Ripple Hole
 Designation: Waterhole
 L.G.A.: Mid-Western Regional Council
 Parish: Ulmarrah
 County: Wellington
 L.P.I. Map: Kerrs Creek
 1:100,000 Map: Orange 8731
 Reference: GNB 5449

Assigned Name: Dick Burkes Hole
 Designation: Waterhole
 L.G.A.: Mid-Western Regional Council
 Parish: Ulmarrah
 County: Wellington
 L.P.I. Map: Euchareena
 1:100,000 Map: Orange 8731
 Reference: GNB 5449

Assigned Name: Bundi Hole
 Designation: Waterhole
 L.G.A.: Mid-Western Regional Council
 Parish: Ulmarrah
 County: Wellington
 L.P.I. Map: Euchareena
 1:100,000 Map: Orange 8731
 Reference: GNB 5449

Assigned Name: Cockatoo Hole
 Designation: Waterhole
 L.G.A.: Mid-Western Regional Council
 Parish: Ulmarrah
 County: Wellington
 L.P.I. Map: Euchareena
 1:100,000 Map: Orange 8731
 Reference: GNB 5449

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 website at www.gnb.nsw.gov.au

WARWICK WATKINS, AM,
 Chairperson

Geographical Names Board
 PO Box 143
 Bathurst NSW 2795

HOME BUILDING REGULATION 2004

Clause 28

Qualification Requirements for an Endorsed Contractor Licence or Supervisor Certificate for Residential Building Work – General Concreting

I, Peter Duncan, Director General, Department of Services, Technology and Administration, pursuant to clause 28 (1) of the Home Building Regulation 2004 determine the possession of qualifications or passing of examinations specified in Table 1 to be necessary for an applicant for the issue of a Certificate.

This Instrument commences on the Commencement Date.

Dated this 18th day of June 2010.

PETER DUNCAN,
 Director General,
 Department of Services, Technology
 and Administration

Definitions

In this Instrument:

References to *Certificate* and *Licence* are respectively to a supervisor certificate or endorsed contractor licence, to do or supervise work;

Commencement Date means date of signature

Table 1

<i>Category of residential building work</i>	<i>Qualification requirement</i>
General Concreting as identified in clause 46 (1) (o) of the Home Building Regulation 2004	Completion of CPC30308 Certificate III in Concreting OR CPC31508 Certificate III in Formwork/Falsework
	Previously held NSW Licence or Certificate If an equivalent New South Wales endorsed contractor licence or qualified supervisor certificate has previously been held, the qualification requirement is satisfied by the applicant.
	Qualifications before the Commencement Date Any qualification attained before the Commencement Date that was necessary immediately before the Commencement Date pursuant to clause 28 (1) of the Regulation for the issue of a Certificate.

LOCAL GOVERNMENT ACT 1993

PROCLAMATION

Marie Bashir, AC, CVO, Governor.

I, Professor Marie Bashir AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 218B of the Local Government Act 1993, hereby alter the description of the boundaries of the Area of Kiama, described as the Municipality of Kiama by Proclamation in *NSW Government Gazette* No. 91 of 11 June 1954, the Area of Shellharbour City, described as Shellharbour Municipality by Proclamation in *NSW Government Gazette* No 157 of 1 August 1952 and the Area of Wingecarribee Shire, described as Wingecarribee Shire by Proclamation in *NSW Government Gazette* No. 152 of 17 October 1980, by amending the descriptions of these local government areas as described in the Schedules A, B and C hereto.

Signed and sealed at Sydney, this 16 day of June 2010.

By Her Excellency's Command,

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

GOD SAVE THE QUEEN!

SCHEDULE A

Description of the Area of Kiama

Amend the description of the area of Kiama by deleting the words "Illawarra Range" in line 22 of the description that appeared in Government Gazette No. 91 of 11 June 1954 and inserting instead the words "the eastern escarpment of the Illawarra Range".

SCHEDULE B

Description of the Area of Shellharbour City

Amend the description of the area of Shellharbour City by deleting the words "Illawarra Coast Range" in line 24 of the description that appeared in Government Gazette No. 157 of 1 August 1952 and inserting instead the words "eastern escarpment of the Illawarra Range".

SCHEDULE C

Description of the Area of Wingecarribee

Area about 2700.46 square kilometres. Commencing at the confluence of the Wollondilly and Wingecarribee Rivers; and bounded thence by former river, Guineacor Creek, Mare's Forest Creek and Wombeyan Creek upwards to the western boundary of the parish of Guineacor, County of Westmoreland; part of the western boundary of that parish, generally northerly, a line westerly to the generally northern boundary of that parish, by the generally northern boundary of that parish, generally easterly to Murrain Creek; by that creek and the Wollondilly River downwards to the generally southern boundary of the parish of Nattai, County of Camden; by that boundary and the generally southern boundaries of the parishes of Killawarrah and Couridjah, generally easterly to the Bargo River; by that river upwards to the southern boundary of portion 35, parish of Bargo; by that boundary easterly, the western boundaries of portions 85 and 146, southerly and the southern boundary of portion 146 easterly to Hornes Creek; by that creek upwards, to the north-western boundary of portion 36; by part of that boundary and the north-western and part of the south-western boundary of portion 37, south-westerly and south-easterly, the north-western boundary of portion 113 and the north-western and south-western boundaries of portion 121 and its prolongation, south-westerly and south-easterly to the middle of the Hume Highway; by that highway north-easterly to the southern boundary of portion 99; by that boundary and part of the north-eastern boundary of that portion, easterly and north-westerly, the south-eastern boundaries of portions 65, 66 and 71, north-easterly to the easternmost corner of portion 71; by a line east to the confluence of Cordeaux Creek and Cordeaux River, by a line between that confluence and Mount Murray south-westerly to Molly Morgan Creek; by that creek upwards to the western prolongation of the northern boundary of portion 180, parish of Kangaloon; by that prolongation and boundary, easterly, part of the western and the northern boundaries of portion 126 and its prolongation, northerly and easterly to the eastern escarpment of the Illawarra Range; by that escarpment, generally south-easterly to the source of the Kangaroo River at the north-eastern corner of portion 26, parish of Wallaya; by that river downwards to the north-eastern corner of portion 323, parish of Yarrawa; by the north-eastern boundaries of that portion and portion 322 and a line generally westerly to the edge of the cliffs; by a line along the edge of the cliffs generally southerly and north-westerly to Barangary Creek; by that creek

downwards to the northern boundary of portion 149, parish of Burrawang; by that boundary and part of the northern boundary of portion 152 westerly to the easternmost corner of portion 258; by the generally eastern boundary of that portion generally northerly; by the northern boundary of the said portion 258 and its prolongation westerly to the edge of the cliffs; by a line along the edge of the cliffs generally south-westerly to the easterly prolongation of the southern boundary of Quarry Reserve 28, 573, notified 3rd December, 1898; by that prolongation, that boundary and its prolongation westerly to Yarrunga Creek; by that creek downwards to the Kangaroo River; by that river downwards to the generally northern boundary of that part of the Morton Primitive Reserve contained within the parish of Caoura; by the generally northern and north-western boundaries of that part of that reserve generally westerly and south-westerly to the centre thread of the creek running through Tallowa Gully; by the centre thread of that creek generally south-westerly to the generally western boundary of the parish of Caoura; by part of that boundary generally northerly to the north-eastern corner of portion 18, parish of Bumbulla; by the northern boundary of that portion and part of the eastern boundary of portion 16 westerly and northerly to the north-eastern corner of portion 16; by part of the northern boundary of the said portion 16 westerly to the south-eastern corner of portion 14; by the eastern boundary of that portion northerly; by part of the generally northern boundary of the parish of Bumballa generally north-westerly to the north-eastern corner of portion 81, parish of Wingello; by part of the generally north-western boundary of that portion generally westerly to the southernmost south-western corner of portion 190; by boundaries of that portion northerly, westerly, again northerly and again westerly to the south-eastern corner of portion 168; by the southern and southernmost western boundaries of that portion westerly and northerly; by a line along the northern boundary of portions 175 and 111 westerly to the eastern boundary of portion 103; by part of that boundary northerly to the generally western boundary of the parish of Wingello; by part of that boundary generally northerly to Patrick's or Paddy's River; and by that river and the Wollondilly River downwards to the point of commencement.

NATIONAL PARKS AND WILDLIFE ACT, 1974

Notice of Reservation of a National Park

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

Signed and sealed at Sydney this 23rd day of June 2010.

MARIE BASHIR,
Governor

By Her Excellency's Command,

FRANK SARTOR,
Minister for Climate Change and the Environment

GOD SAVE THE QUEEN!

SCHEDULE

*Land District – Rylstone;
LGA – Lithgow City*

County Roxburgh, Parishes Airly, Capertee and Morundurey, about 2,839 hectares, being the lots described in the table following; exclusive of Public Roads.: Papers; DECCW10/2111.

Lot	DP
2	739046
145	755757
88	755757
1	755757
2	755757
154	722292
157	722330
66	722329
13	755786
68	722329
2	739047
1	755763
55	755763
35	755763
156	722330

- c) may obtain, and have regard to, actuarial advice relating to the costs and effects of any proposed amendment.

The Tribunal has examined the proposed amendments carefully and, further, has considered the amendments in light of the provisions of section 14A (2) of the Act. The Tribunal notes that the proposed amendments are consistent with the Heads of Government Agreement and that there will be no adverse impact on the current or future liabilities of the Parliamentary Contributory Superannuation Fund.

In these circumstances, the Tribunal is satisfied that the proposed amendments are warranted.

DETERMINATION:

Pursuant to section 14A (1) of the Parliamentary Remuneration Act 1989, I determine that the amendments to the Parliamentary Contributory Superannuation Act 1971, as proposed in the Parliamentary Contributory Superannuation Amendment Bill 2010, are warranted.

Dated: 18 June 2010.

The Hon Justice C. STAFF

The Parliamentary Remuneration Tribunal

NATIONAL PARKS AND WILDLIFE ACT 1974

Ellerslie Nature Reserve
Plan of Management

A PLAN of management for Ellerslie Nature Reserve was adopted by the Minister for Climate Change and the Environment on 18 May 2010.

Copies of the plan may be obtained from the NPWS office at 7a Adelong Street, Tumut (phone: 6947 7000). The plan is also on the website: www.environment.nsw.gov.au.

PARLIAMENTARY REMUNERATION ACT 1989

Determination Pursuant to section 14A of the Act.

REPORT:

On 18 June 2010, the Hon Michael Daley MP, Minister for Police and Minister for Finance, wrote to the Tribunal regarding proposed amendments to the Parliamentary Contributory Superannuation Act 1971. These amendments are contained in the Parliamentary Contributory Superannuation Amendment Bill 2010.

Pursuant to section 14A (1) of the Parliamentary Remuneration Act 1989 (the Act), the Tribunal is required to determine whether the proposed amendments to the Act are warranted.

Section 14A (2) of the Act requires that in making this determination the Tribunal must have regard to:

- ...the Heads of Government Agreement, that commenced on 1 July 1996, relating to the exemption of certain State public sector superannuation schemes....including whether the amendment is consistent with that agreement and
- must have regard to the effects of any proposed amendment on the present and future liabilities of the Parliamentary Contributory Superannuation Fund, and

POISONS AND THERAPEUTIC GOODS ACT 1966

Order Under Clause 175 (1),
Poisons and Therapeutic Goods Regulation 2008

Withdrawal of Drug Authority

IN accordance with the provisions of clause 175 (1) of the Poisons and Therapeutic Goods Regulation 2008 an Order has been made on Dr DAVID JOHN BENNETT, MPO010435 of 285 New South Head Road, Edgecliff NSW 2027 prohibiting him, until further notice, as a medical practitioner from having possession of and supplying drugs of addiction as authorised by clause 101 of the Regulation and issuing a prescription for a drug of addiction as authorised by clause 77 of the Regulation.

This order is to take effect on and from 18 June 2010.

Department of Health, New South Wales
Sydney, 10 June 2010.

Professor DEBORA PICONE, AM,
Director-General

PRACTICE NOTE SC GEN 3

Copying of court documents

Commencement

1. This Practice Note was issued on 16 June 2010 and commences 1 July 2010.

Application

2. This Practice Note applies to the Court of Appeal, Court or Criminal Appeal, and the Common Law and Equity divisions of the Supreme Court.

Definitions

3. In this Practice Note:

Approved firm means a firm approved by the CEO and Principal Registrar (CEO) under this Practice Note or former Practice Note 107.

Documents means documents on a court file or documents produced in answer to a subpoena, notice to produce, order to produce or tendered as an exhibit in the proceedings.

Person means a party or other person who is entitled to access documents or who is granted access to documents.

Introduction

4. The purpose of this practice note is to facilitate access to documents by:

- providing a scheme for their uplift and photocopy by approved firms on behalf of a person and
- permitting portable scanning in the registry, subject to conditions.

Procedure for use of approved firm

6. Where a person has access to documents and has not used a portable scanner, unless the Court otherwise orders, this access will be taken to:

- authorise the person to appoint an approved firm;
- authorise the appointed approved firm to uplift the documents from the Registry (upon producing proof of appointment),
- to make copies and to provide them to the person; and
- require the firm to return the documents to the Registry within 2 working days of uplifting them.

7. An approved firm may be appointed to act on behalf of more than one person.

8. Where a person is granted photocopy access but the Court declines to allow uplifting of documents, the person may ask the Registry to copy the documents. A fee per page will be payable for this service.

9. Inspection of the original documents may only be undertaken at the registry. A person may not inspect the original documents whilst they are in the possession of the approved firm except with approval of a registrar.

Approval of copier firms

10. The CEO may, on the Court's behalf, issue a certificate of approval of a legal copier firm where satisfied that the firm has:

- completed the approved legal copier firm agreement (Schedule 1)
- reliable systems for speedy, confidential and secure processing of documents entrusted to it and
- holds satisfactory insurance coverage, lodges a bond or provides other satisfactory means of meeting claims arising from loss, damage or misuse of documents entrusted to it.

11. The CEO may revoke a certificate by written notice to the firm. Seven days' notice of revocation will be given.

12. The names and contact details of each approved legal copier firm will be displayed on the Court's website at http://www.lawlink.nsw.gov.au/lawlink/Supreme_Court/ll_sc.nsf/pages/SCO_prac_note_107

Scanning of documents

13. Personal scanners and notebook computers may be used in the registry by persons granted access to documents, subject to the availability of space and power supply.

Dated: 16 June 2010.

J. J. SPIGELMAN, A.C.,
Chief Justice of New South Wales

Amendment history

16 June 2010: This Practice Note replaced the previous version of SC Gen 3 that was issued and on 17 August 2005.

17 August 2005: Practice Note SC Gen 3 replaced Former Practice Note No. 107

SCHEDULE 1

Approved legal copier firm agreement

Organisation name:	
Organisation ACN:	
Organisation ABN:	
Signatory name (the agreement signatory accepts responsibility for all copier firm and staff actions):	
Signatory title:	
Signatory email address:	
Signatory telephone number:	
Signatory address:	

Obligations of an approved legal copier firm:

The legal copier firm agrees to:

- ensure that all staff are trained and kept up-to-date confidentiality requirements and any policy and procedural changes issued by the Court, including that staff must not use information obtained from court documents for any purpose
- that secure disposal is used for any discarded photocopies
- ensure that no access is given to documents at the copying firm's premises
- maintain satisfactory insurance coverage or other satisfactory means of meeting claims arising from loss, damage or misuse of documents entrusted to it
- ensure that the Supreme Court CEO is informed if the copier firm's contact details change and
- advise the Supreme Court CEO at the earliest opportunity of any breach or potential breach of this agreement or any policy governing access to, and use of, court information.

NSW courts reserve the right to:

- change the policies and procedures governing access to court documents (including this agreement) without notice

- terminate a copying firm’s status as an approved firm by a notice in writing if the firm or one of its staff members has been responsible for a breach of this agreement and
- refuse or cancel approval if any information provided in this application (or subsequently) is false or misleading.

	Supreme Court		Applicant copying firm
Name:		Name:	
Signature:		Signature:	
Title	CEO and Principal Registrar	Title:	
Date:		Date:	

PRACTICE NOTE SC GEN 13

Supreme Court – Search Orders (also known as ‘Anton Piller Orders’)

Application

This Practice Note applies to the Court of Appeal and to the Common Law and the Equity Divisions of the Supreme Court.

Commencement

This Practice Note was issued on 16 June 2010 and commences from 1 July 2010.

Search Orders.

1. This Practice Note supplements Division 3 of Part 25 of the Uniform Civil Procedure Rules 2005 (UCPR) relating to search orders (also known as Anton Piller orders, after *Anton Piller KG v Manufacturing Processes Ltd* [1976] Ch 55).

2. This Practice Note addresses (among other things) the Court’s usual practice relating to the making of a search order and the usual terms of such an order. While a standard practice has benefits, this Practice Note and the example form of order annexed to it do not, and cannot, limit the judicial discretion to make such order as is appropriate in the circumstances of the particular case.

3. Words and expressions in this Practice Note that are defined in UCPR rule 25.18 have the meanings given to them in that rule.

4. Ordinarily, a search order is made *ex parte* and compels the respondent to permit persons specified in the order (‘search party’) to enter premises and to search for, inspect, copy and remove the things described in the order. The order is designed to preserve important evidence pending the hearing and determination of the applicant’s claim in a proceeding brought or to be brought by the applicant against the respondent or against another person. The order is an extraordinary remedy in that it is intrusive, potentially disruptive, and made *ex parte* and prior to judgment.

5. An example form of *ex parte* search order is annexed to this Practice Note (the footnotes and references to footnotes in the example form should not form part of the order as made). The example form may be adapted to meet the circumstances of the particular case. It contains provisions

which are aimed at achieving the permissible objectives of a search order, while minimising the potential for disruption or damage to the respondent and for abuse of the Court’s process.

6. The search party must include an independent solicitor who will supervise the search and a solicitor or solicitors representing the applicant. It may be necessary that it include other persons, such as an independent computer expert, and a person able to identify things being searched for if difficulties of identification may arise. Ordinarily, the search party should not include the applicant or the applicant’s directors, officers, employees or partners or any other person associated with the applicant (other than the applicant’s solicitor).

7. The order should be clear about the maximum number of persons permitted to be in the search party. The number of people in the search party should be as small as is reasonably practicable. The example form contemplates that they will be named in the order. This is desirable but if it is not possible the order should at least give a description of the class of person who will be there (e.g. ‘one solicitor employed by A, B and Co’).

8. The affidavits in support of an application for a search order should include the following information:

- (a) a description of the things or the categories of things, in relation to which the order is sought;
- (b) the address or location of any premises in relation to which the order is sought and whether they are private or business premises;
- (c) why the order is sought, including why there is a real possibility that the things to be searched for will be destroyed or otherwise made unavailable for use in evidence before the Court unless the order is made;
- (d) the prejudice, loss or damage likely to be suffered by the applicant if the order is not made;
- (e) the name, address, firm, and commercial litigation experience of an independent solicitor, who consents to being appointed to serve the order, supervise its execution, and do such other things as the Court considers appropriate; and
- (f) if the premises to be searched are or include residential premises, whether or not the applicant believes that the only occupant of the premises is likely to be:
 - (i) a female; or
 - (ii) a child under the age of 18; or
 - (iii) any other person (‘vulnerable person’) that a reasonable person would consider to be in a position of vulnerability because of that person’s age, mental capacity, infirmity or English language ability; or
 - (iv) any combination of (i), (ii) and (iii), and any one or more of such persons.

9. If it is envisaged that specialised computer expertise may be required to search the respondent’s computers for documents or if the respondent’s computers are to be imaged (i.e. hard drives are to be copied wholesale, thereby reproducing documents referred to in the order and other documents indiscriminately), special provision will need to be made, and an independent computer specialist will need to be appointed who should be required to give undertakings to the Court.

10. The applicant's solicitor must undertake to the Court to pay the reasonable costs and disbursements of the independent solicitor and of any independent computer expert.

11. The independent solicitor is an important safeguard against abuse of the order. The independent solicitor must not be a member or employee of the applicant's firm of solicitors. The independent solicitor should be a solicitor experienced in commercial litigation, preferably in the execution of search orders. The NSW Law Society has been requested to maintain a list of solicitors who have indicated willingness to be appointed as an independent solicitor for the purpose of executing search orders, but it is not only persons on such a list who may be appointed. The responsibilities of the independent solicitor are important and ordinarily include the following:

- (a) serve the order, the notice of motion applying for the order (if applicable), the affidavits relied on in support of the application, and the originating process;
- (b) offer to explain, and, if the offer is accepted, explain the terms of the search order to the respondent;
- (c) explain to the respondent that he or she has the right to obtain legal advice;
- (d) supervise the carrying out of the order;
- (e) before removing things from the premises, make a list of them, allow the respondent a reasonable opportunity to check the correctness of the list, sign the list, and provide the parties with a copy of the list;
- (f) take custody of all things removed from the premises until further order of the Court;
- (g) if the independent solicitor considers it necessary to remove a computer from the premises for safekeeping or for the purpose of copying its contents electronically or printing out information in documentary form, remove the computer from the premises for that purpose, and return the computer to the premises within any time prescribed by the order together with a list of any documents that have been copied or printed out;
- (h) submit a written report to the Court within the time prescribed by the order as to the execution of the order; and
- (i) attend the hearing on the return day of the application, and have available to be brought to the Court all things that were removed from the premises. On the return day the independent solicitor may be required to release material in his or her custody which has been removed from the respondent's premises or to provide information to the Court, and may raise any issue before the Court as to execution of the order.

12. Ordinarily, the applicant is not permitted, without the leave of the Court, to inspect things removed from the premises or copies of them or to be given any information about them by members of the search party.

13. Ordinarily, a search order should be served between 9:00am and 2:00pm on a business day in order to permit the respondent more readily to obtain legal advice. However, there may be circumstances in which such a restriction is not appropriate.

14. A search order must not be executed at the same time as the execution of a search warrant by the police or by a regulatory authority.

15. If the premises are or include residential premises and the applicant is aware that when service of the order is effected the only occupant of the residential premises is likely to be any one or more of a female, a child under the age of 18 or a vulnerable person, the Court will give consideration to whether:

- (a) if the occupants are likely to include a female or child, the independent solicitor should be a woman or the search party should otherwise include a woman; and
- (b) if the occupants are likely to include a vulnerable person, the search party should include a person capable of addressing the relevant vulnerability.

16. Any period during which the respondent is to be restrained from informing any other person (other than for the purposes of obtaining legal advice) of the existence of the search order should be as short as possible and not extend beyond 4:30pm on the return day.

17. At the inter partes hearing of the application on the return day, the Court will consider the following issues:

- (a) what is to happen to any things removed from the premises or to any copies which have been made;
- (b) how any commercial confidentiality of the respondent is to be maintained;
- (c) any claim of privilege by the respondent;
- (d) any application by a party; and
- (e) any issue raised by the independent solicitor.

18. Appropriate undertakings to the Court will be required of the applicant, the applicant's solicitor and the independent solicitor, as conditions of the making of the search order. The undertakings required of the applicant will normally include the Court's usual undertaking as to damages. The applicant's solicitor's undertaking includes an undertaking not to disclose to the applicant any information that the solicitor has acquired during or as a result of execution of the search order, without the leave of the Court. Release from this undertaking in whole or in part may be sought on the return day.

19. If it is demonstrated that the applicant has or may have insufficient assets within the jurisdiction of the Court to provide substance for the usual undertaking as to damages, the applicant may be required to provide security for the due performance of that undertaking. The security may, for example, take the form of a bank's irrevocable undertaking to pay or a payment into Court. The example form of search order contains provision for an irrevocable undertaking.

20. An applicant ex parte for a search order is under a duty to the Court to make full and frank disclosure of all material facts to the Court. This includes disclosure of possible defences known to the applicant and of any financial information which may cast doubt on the applicant's ability to meet the usual undertaking as to damages from assets within Australia.

21. The order to be served should be endorsed with a notice which meets the requirements of UCPR rule 40.7.

22. The example form of search order refers to privilege in paragraphs 21 and 24. section 128A of the Evidence Act 1995 (Cth) and Evidence Act 1995 (NSW) govern objection to compliance on the self-incrimination ground in relation to a search order. In particular, subsections (3)ff of s 128A govern the procedure to be followed after objection is taken in accordance with paragraphs 21 and 24 of the example form of search order annexed to this Practice Note.

Dated: 16 June 2010.

J. J. SPIGELMAN, A.C.,
Chief Justice of New South Wales

Amendment history

16 June 2010: This Practice Note replaces the previous version of SC Gen 13 that was issued and commenced on 14 June 2006.

Example Form of Search Order

[Title of Proceeding]

PENAL NOTICE

TO: [name of person against whom the order is made]

IF YOU (BEING THE PERSON BOUND BY THIS ORDER):

(A) REFUSE OR NEGLECT TO DO ANY ACT WITHIN THE TIME SPECIFIED IN THE ORDER FOR THE DOING OF THE ACT; OR

(B) DISOBEY THE ORDER BY DOING AN ACT WHICH THE ORDER REQUIRES YOU TO ABSTAIN FROM DOING,

YOU WILL BE LIABLE TO IMPRISONMENT, SEQUESTRATION OF PROPERTY OR OTHER PUNISHMENT.

ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS YOU TO BREACH THE TERMS OF THIS ORDER MAY BE SIMILARLY PUNISHED.

TO: [name of person against whom the order is made]

This is a 'search order' made against you on [insert date] by Justice [insert name of Judge] at a hearing without notice to you after the Court was given the undertakings set out in Schedule B to this order and after the Court read the affidavits listed in Schedule C to this order.

THE COURT ORDERS:

INTRODUCTION

1. (a) the application for this order is made returnable immediately.
- (b) the time for service of the application, supporting affidavits and originating process is abridged and service is to be effected by [insert time and date].
2. Subject to the next paragraph, this order has effect up to and including [insert date] ('the return day'). On the return day at [insert time] am/pm there will be a further hearing in respect of this order before the Court.
3. You may apply to the Court at any time to vary or discharge this order; including, if necessary, by telephone to the Duty Judge (phone No. 9230 8025).
4. This order may be served only between [insert time] am/pm and [insert time] am/pm [on a business day].^[1]

5. In this order:

- (a) 'applicant' means the person who applied for this order, and if there is more than one applicant, includes all the applicants.
 - (b) 'independent computer expert' means the person (if any) identified as the independent computer expert in the search party referred to in Schedule A to this order.
 - (c) 'independent solicitor' means the person identified as the independent solicitor in the search party referred to in Schedule A to this order.
 - (d) 'listed thing' means any thing referred to in Schedule A to this order.
 - (e) 'premises' means the premises and any of the premises identified in Schedule A to this order, including any vehicles and vessels that are under the respondent's control on or about the premises or that are otherwise identified in Schedule A.
 - (f) 'search party' means the persons identified or described as constituting the search party in Schedule A to this order.
 - (g) 'thing' includes a document.
 - (h) 'you', where there is more than one of you, includes all of you and includes you if you are a corporation.
 - (i) any requirement that something be done in your presence means:
 - (A) in the presence of you or of one of the persons described in (6) below; or
 - (B) if there is more than one of you, in the presence of each of you, or, in relation to each of you, in the presence of one of the persons described in (6) below.
6. This order must be complied with by you by:
- (a) yourself; or
 - (b) any director, officer, partner, employee or agent of yourself; or
 - (c) any other person having responsible control of the premises.

7. This order must be served by, and be executed under the supervision of, the independent solicitor.

ENTRY, SEARCH AND REMOVAL

8. Subject to paragraphs 10 to 20 below, upon service of this order you must permit members of the search party to enter the premises so that they can carry out the search and other activities referred to in this order.
9. Having permitted members of the search party to enter the premises, you must:
 - (a) permit them to leave and re-enter the premises on the same and the following day until the search and other activities referred to in this order are complete;
 - (b) permit them to search for and inspect the listed things and to make or obtain a copy, photograph, film, sample, test or other record of the listed things;
 - (c) disclose to them the whereabouts of all the listed things in the respondent's possession, custody or power, whether at the premises or otherwise;

- (d) disclose to them the whereabouts of all computers, computer disks and electronic information storage devices or systems at the premises in which any documents among the listed things are or may be stored, located or recorded and cause and permit those documents to be printed out;
 - (e) do all things necessary to enable them to access the listed things, including opening or providing keys to locks and enabling them to access and operate computers and providing them with all necessary passwords;
 - (f) permit the independent solicitor to remove from the premises into the independent solicitor's custody:
 - (i) the listed things or things which reasonably appear to the independent solicitor to be the listed things and any things the subject of dispute as to whether they are listed things; and
 - (ii) the copies, photographs, films, samples, tests, other records and printed out documents referred to above; and
 - (g) permit the independent computer expert (if there is one) to search any computer and make a copy or digital copy of any computer hard drive and permit the independent computer expert (if any) or the independent solicitor to remove any computer hard drive and computer from the premises as set out in paragraphs 20 and 21 below.
13. Subject to paragraph 22 below, the independent solicitor must not inspect or permit to be inspected by anyone, including the applicant and the applicant's solicitors, any thing handed to the independent solicitor in accordance with subparagraphs 12(c) and (d) above and the independent solicitor must deliver it to the Court at or prior to the hearing on the return day.
14. During any period referred to in para 12 above, you must:
- (a) inform and keep the independent solicitor informed of the steps being taken;
 - (b) permit the independent solicitor to enter the premises but not to start the search;
 - (c) not disturb or remove any listed things; and
 - (d) comply with the terms of paragraphs 25 and 26 below.
15. Any thing the subject of a dispute as to whether it is a listed thing must promptly be handed by you to the independent solicitor for safekeeping pending resolution of the dispute or further order of the Court.
16. Before removing any listed things from the premises (other than things referred to in the immediately preceding paragraph), the independent solicitor must supply a list of them to you, give you a reasonable time to check the correctness of the list, and give you and the applicant's solicitors a copy of the list signed by the independent solicitor.
17. The premises must not be searched, and things must not be removed from the premises, except in the presence of you or of a person who appears to the independent solicitor to be your director, officer, partner, employee, agent or other person acting on your behalf or on your instructions.
18. If the independent solicitor is satisfied that full compliance with the immediately preceding paragraph is not reasonably practicable, the independent solicitor may permit the search to proceed and the listed things to be removed without full compliance.
19. The applicant's solicitors and the independent solicitor must not allow the applicant in person to inspect or have copies of any thing removed from the premises nor communicate to the applicant information about its contents or about anything observed at the premises until 4:30pm on the return day or other time fixed by further order of the Court.

RESTRICTIONS ON ENTRY, SEARCH AND REMOVAL

10. This order may not be executed at the same time as a search warrant (or similar process) is executed by the police or by a regulatory authority.
11. You are not required to permit anyone to enter the premises until:
- (a) the independent solicitor serves you with copies of this order and any affidavits referred to in Schedule C (confidential exhibits, if any, need not be served until further order of the Court); and
 - (b) you are given an opportunity to read this order and, if you so request, the independent solicitor explains the terms of this order to you.
12. Before permitting entry to the premises by anyone other than the independent solicitor, you, for a time (not exceeding two hours from the time of service or such longer period as the independent solicitor may permit):
- (a) may seek legal advice;
 - (b) may ask the Court to vary or discharge this order;
 - (c) (provided you are not a corporation) may gather together any things which you believe may tend to incriminate you or make you liable to a civil penalty and hand them to the independent solicitor in (if you wish) a sealed envelope or container; and
 - (d) may gather together any documents that passed between you and your lawyers for the purpose of obtaining legal advice or that are otherwise subject to legal professional privilege or client legal privilege, and hand them to the independent solicitor in (if you wish) a sealed envelope or container.

COMPUTERS

20. (a) If it is expected that a computer will be searched, the search party must include a computer expert who is independent of the applicant and of the applicant's solicitors ('the independent computer expert').
- (b) Any search of a computer must be carried out only by the independent computer expert.
 - (c) The independent computer expert may make a copy or digital copy of the computer hard drive and remove that copy or digital copy from the premises.
 - (d) The independent computer expert may search the computer or the copy or digital copy of the computer hard drive at the premises and/or away

from the premises for listed things and may copy the listed things electronically or in hard copy or both.

- (e) The independent computer expert must as soon as practicable and, in any event, prior to the hearing on the return day, deliver the copy or digital copy of the computer hard drive and all electronic and hard copies of listed things to the independent solicitor, together with a report of what the independent computer expert has done including a list of such electronic and hard copies.
- (f) The independent solicitor must, at or prior to the hearing on the return day, deliver to the Court all things received from the independent computer expert and serve a copy of the latter's report on the parties.
- (g) If no independent computer expert has been appointed, but the independent solicitor considers it necessary to remove a computer from the premises for safekeeping or for the purpose of copying its contents electronically and printing out information in documentary form, the independent solicitor may remove the computer from the premises for that purpose and cause that purpose to be achieved.
21. (a) This paragraph (21) applies if you are not a corporation and you wish to object to complying with paragraph 20 on the grounds that some or all of the information required to be disclosed may tend to prove that you:
- (i) have committed an offence against or arising under an Australian law or a law of a foreign country; or
 - (ii) are liable to a civil penalty.
- (b) This paragraph (21) applies if you are a corporation and all of the persons who are able to comply with paragraph 20 on your behalf and with whom you have been able to communicate, wish to object to your complying with paragraph 20 on the grounds that some or all of the information required to be disclosed may tend to prove that they respectively:
- (i) have committed an offence against or arising under an Australian law or a law of a foreign country; or
 - (ii) are liable to a civil penalty.
- (c) You must:
- (i) disclose so much of the information required to be disclosed to which no objection is taken; and
 - (ii) prepare an affidavit containing so much of the information required to be disclosed to which objection is taken, and deliver it to the Court in a sealed envelope; and
 - (iii) file and serve on each other party a separate affidavit setting out the basis of the objection.
- (b) provide the independent solicitor with a signed list of things which are claimed to be privileged or confidential and which you claim ought not to be inspected by the applicant.

PROVISION OF INFORMATION

23. Subject to paragraph 24 below, you must:

- (a) at or before the further hearing on the return day (or within such further time as the Court may allow) to the best of your ability inform the applicant in writing as to:
- (i) the location of the listed things;
 - (ii) the name and address of everyone who has supplied you or offered to supply you, with any listed thing;
 - (iii) the name and address of every person to whom you have supplied or offered to supply, any listed thing; and
 - (iv) details of the dates and quantities of every such supply and offer.
- (b) within [] working days after being served with this order, make and serve on the applicant an affidavit setting out the above information.

24. (a) This paragraph (24) applies if you are not a corporation and you wish to object to complying with paragraph 23 on the grounds that some or all of the information required to be disclosed may tend to prove that you:

- (i) have committed an offence against or arising under an Australian law or a law of a foreign country; or
- (ii) are liable to a civil penalty.

(b) This paragraph (24) also applies if you are a corporation and all of the persons who are able to comply with paragraph 23 on your behalf and with whom you have been able to communicate, wish to object to your complying with paragraph 23 on the grounds that some or all of the information required to be disclosed may tend to prove that they respectively:

- (i) have committed an offence against or arising under an Australian law or a law of a foreign country; or
- (ii) are liable to a civil penalty.

(c) You must:

- (i) disclose so much of the information required to be disclosed to which no objection is taken; and
- (ii) prepare an affidavit containing so much of the information required to be disclosed to which objection is taken, and deliver it to the Court in a sealed envelope; and
- (iii) file and serve on each other party a separate affidavit setting out the basis of the objection.

PROHIBITED ACTS

25. Except for the sole purpose of obtaining legal advice, you must not, until 4:30pm on the return day, directly or indirectly inform any person of this proceeding or of the contents of this order or tell any person that a proceeding has been or may be brought against you by the applicant.

INSPECTION

22. Prior to the return day, you or your solicitor or representative shall be entitled, in the presence of the independent solicitor, to inspect any thing removed from the premises and to:

- (a) make copies of the same; and

26. Until 4:30pm on the return day you must not destroy, tamper with, cancel or part with possession, power, custody or control of the listed things otherwise than in accordance with the terms of this order or further order of the Court.

COSTS

27. The costs of this application are reserved to the Judge hearing the application on the return day.

SCHEDULE A

Premises

The premises located at [insert address or addresses] including any vehicle or vehicles under the respondent's control on or about those premises.

Listed Things

- 1.
- 2.
- 3.

Search Party

1. The independent solicitor: [insert name and address]
2. The applicant's solicitor or solicitors:
 - (a) [insert name and address] [or description e.g. a partner or employed solicitor of A, B and Co].
 - (b) [insert name and address] [or description e.g. a partner or employed solicitor of A, B and Co].
 - (c) [insert name and address] [or description e.g. a partner or employed solicitor of A, B and Co].
3. Other members of the search party:
 - (a) [insert name and address] in the capacity of [e.g. an independent computer expert]
 - (b) [insert name and address] in the capacity of [insert capacity]

SCHEDULE B

UNDERTAKINGS GIVEN TO THE COURT

Undertakings given to the Court by the applicant:

- (1) The applicant undertakes to submit to such order (if any) as the Court may consider to be just for the payment of compensation (to be assessed by the Court or as it may direct) to any person (whether or not a party) affected by the operation of the order.
- (2) The applicant will not, without leave of the Court, use any information, document or thing obtained as a result of the execution of this order for the purpose of any civil or criminal proceeding, either within or outside Australia, other than this proceeding.
- (3) The applicant will not inform any other person of the existence of this proceeding except for the purposes of this proceeding until after 4:30pm on the return day.
- (4) If the applicant has not already done so, as soon as practicable the applicant will file a notice of motion for hearing on the return day and an originating process [in the form of the draft produced to the Court].
- [(5) The applicant will insure the things removed from the premises against loss or damage for an amount that reasonably appears to the applicant to be their full value.^[2]]

- [(6) The applicant will^[3]:

- (a) on or before [insert date] cause a written irrevocable undertaking to pay in the sum of \$[insert amount] to be issued from a bank with a place of business within Australia, in respect of any order the Court may make referred to in the undertaking as to damages contained in paragraph (1) above; and
- (b) immediately upon issue of the irrevocable undertaking to pay, cause a copy of it to be served on the respondent.]

Undertakings given to the Court by the applicant's solicitor

- (1) The applicant's solicitor will pay the reasonable costs and disbursements of the independent solicitor and of any independent computer expert.
- (2) The applicant's solicitor will provide to the independent solicitor for service on the respondent copies of the following documents:
 - (a) this order;
 - (b) the application for this order for hearing on the return day;
 - (c) the following material in so far as it was relied on by the applicant at the hearing when the order was made:
 - (i) affidavits (or draft affidavits)
 - (ii) exhibits capable of being copied (other than confidential exhibits);
 - (iii) any written submission; and
 - (iv) any other document that was provided to the Court.
 - (d) a transcript, or, if none is available, a note, of any exclusively oral allegation of fact that was made and of any exclusively oral submission that was put, to the Court; and
 - (e) the originating process, or, if none was filed, any draft originating process produced to the Court.
- (3) The applicant's solicitor will answer to the best of his or her ability any question as to whether a particular thing is a listed thing.
- (4) The applicant's solicitor will use his or her best endeavours to act in conformity with the order and to ensure that the order is executed in a courteous and orderly manner and in a manner that minimises disruption to the respondent.
- (5) The applicant's solicitor will not, without leave of the Court, use any information, document or thing obtained as a result of the execution of this order for the purpose of any civil or criminal proceeding, either within or outside Australia, other than this proceeding.
- (6) The applicant's solicitor will not inform any other person of the existence of this proceeding except for the purposes of this proceeding until after 4:30pm on the return day.
- (7) The applicant's solicitor will not disclose to the applicant any information that the solicitor acquires during or as a result of execution of the search order, without the leave of the Court.
- (8) The applicant's solicitor will use best endeavours to follow all directions of the independent solicitor.

Undertakings given to the Court by the independent solicitor

- (1) The independent solicitor will use his or her best endeavours to serve the respondent with this order and the other documents referred to in undertaking (2) of the above undertakings by the applicant's solicitor or solicitors.
- (2) Before entering the premises, the independent solicitor will:
 - (a) offer to explain the terms and effect of the search order to the person served with the order and, if the offer is accepted, do so; and
 - (b) inform the respondent of his or her right to take legal advice.
- (3) Subject to undertaking (4) below, the independent solicitor will retain custody of all things removed from the premises by the independent solicitor pursuant to this order until delivery to the Court or further order of the Court.
- (4) At or before the hearing on the return day, the independent solicitor will provide a written report on the carrying out of the order to the Court and provide a copy to the applicant's solicitors and to the respondent or the respondent's solicitors. The report will attach a copy of any list made pursuant to the order and a copy of any report received from an independent computer expert.
- (5) The independent solicitor will use best endeavours to ensure that members of the search party act in conformity with the order and that the order is executed in a courteous and orderly manner and in a manner that minimises disruption to the respondent, and will give such reasonable directions to other members of the search party as are necessary or convenient for the execution of the order.
- (6) The independent solicitor will not, without leave of the Court, use any information, document or thing obtained as a result of the execution of this order for the purpose of any civil or criminal proceeding, either within or outside Australia, other than this proceeding.
- (7) The independent solicitor will not inform any other person of the existence of this proceeding except for the purposes of this proceeding until after 4:30pm on the return day.

Undertakings given to the Court by the independent computer expert

- (1) The independent computer expert will use his or her best endeavours to act in conformity with the order and to ensure that the order, so far as it concerns the independent computer expert, is executed in a courteous and orderly manner and in a manner that minimises disruption to the respondent.
- (2) The independent computer expert will not, without leave of the Court, use any information, document or thing obtained as a result of the execution of this order for the purpose of any civil or criminal proceeding, either within or outside Australia, other than this proceeding.
- (3) The independent computer expert will not inform any other person of the existence of this proceeding except for the purposes of this proceeding until after 4:30pm on the return day.

- (4) The independent computer expert will use best endeavours to follow all directions of the independent solicitor.

SCHEDULE C

AFFIDAVITS RELIED ON

Name of Deponent	Date affidavit made
(1)	
(2)	
(3)	

NAME AND ADDRESS OF APPLICANT'S SOLICITORS

The Applicant's solicitors are: [Insert name, address, reference, fax and telephone numbers both in and out office hours].

END NOTES

- [1] Normally the order should be served between 9:00am and 2:00pm on a business day to enable the respondent more readily to obtain legal advice.
- [2] Depending on the nature of the things likely to be removed and their likely value, and the likely particular risks of their being lost or damaged, this undertaking or a more elaborate one may be required.
- [3] See Practice Note paragraph 19.

PRACTICE NOTE SC GEN 14

Supreme Court – Freezing Orders (also known as 'Mareva orders' or 'asset preservation orders')

Application

This Practice Note applies to the Court of Appeal and to the Common Law and the Equity Divisions of the Supreme Court.

Commencement

This Practice Note was issued on 16 June 2010 and commences on 1 July 2010.

Freezing Orders.

1. This Practice Note supplements Division 2 of Part 25 of the Uniform Civil Procedure Rules 2005 (UCPR) relating to freezing orders (also known as 'Mareva orders' after *Mareva Compania Naviera SA v International Bulkcarriers SA* (The Mareva) [1975] 2 Lloyd's Rep 509 or 'asset preservation orders').

2. This Practice Note addresses (among other things) the Court's usual practice relating to the making of a freezing order and the usual terms of such an order. While a standard practice has benefits, this Practice Note and the example form of order annexed to it do not, and cannot, limit the judicial discretion to make such order as is appropriate in the circumstances of the particular case.

3. Words and expressions in this Practice Note that are defined in UCPR rule 25.10 have the meanings given to them in that rule.

4. An example form of ex parte freezing order is annexed to this Practice Note. The example form may be adapted to meet the circumstances of the particular case. It may be

adapted for an inter partes freezing order as indicated in the footnotes to the example form (the footnotes and references to footnotes should not form part of the order as made). The example form contains provisions aimed at achieving the permissible objectives of the order consistently with the proper protection of the respondent and third parties.

5. The purpose of a freezing order is to prevent frustration or abuse of the process of the Court, not to provide security in respect of a judgment or order.

6. A freezing order should be viewed as an extraordinary interim remedy because it can restrict the right to deal with assets even before judgment, and is commonly granted ex parte.

7. The respondent is often the person said to be liable on a substantive cause of action of the applicant. However, the respondent may also be a third party, in the sense of a person who has possession, custody or control or even ownership, of assets which he or she may be obliged ultimately to disgorge to help satisfy a judgment against another person. Subrule 5(5) addresses the minimum requirements that must ordinarily be satisfied on an application for a freezing order against such a third party before the discretion is enlivened. The third party will not necessarily be a party to the substantive proceeding, (see *Cardile v LED Builders Pty Ltd* (1999) 198 CLR 380) but will be a respondent to the application for the freezing or ancillary order. Where a freezing order against a third party seeks only to freeze the assets of another person in the third party's possession, custody or control (but not ownership), the example form will require adaptation. In particular, the references to 'your assets' and 'in your name' should be changed to refer to the other person's assets or name (e.g. 'John Smith's assets', 'in John Smith's name').

8. A freezing or ancillary order may be limited to assets in Australia or in a defined part of Australia or may extend to assets anywhere in the world, and may cover all assets without limitation, assets of a particular class or specific assets (such as the amounts standing to the credit of identified bank accounts).

9. The duration of an ex parte freezing order should be limited to a period terminating on the return day of the motion, which should be as early as practicable (usually not more than a day or two) after the order is made, when the respondent will have the opportunity to be heard. The applicant will then bear the onus of satisfying the Court that the order should be continued or renewed.

10. A freezing order should reserve liberty for the respondent to apply on short notice. An application by the respondent to discharge or vary a freezing order will normally be treated by the Court as urgent.

11. The value of the assets covered by a freezing order should not exceed the likely maximum amount of the applicant's claim, including interest and costs. Sometimes it may not be possible to satisfy this principle (for example, an employer may discover that an employee has been making fraudulent misappropriations, but does not know how much has been misappropriated at the time of the discovery and at the time of the approach to the Court).

12. The order should, where appropriate, exclude dealings by the respondent with its assets for legitimate purposes, in particular:

- (a) payment of ordinary living expenses;

- (b) payment of reasonable legal expenses;
- (c) dealings and dispositions in the ordinary and proper course of the respondent's business, including paying business expenses bona fide and properly incurred; and
- (d) dealings and dispositions in the discharge of obligations bona fide and properly incurred under a contract entered into before the order was made.

13. Where a freezing order extends to assets outside Australia, the order should provide for the protection of persons outside Australia and third parties. Such provisions are included in the example form of freezing order.

14. The Court may make ancillary orders. The most common example of an ancillary order is an order for disclosure of assets. The annexed example form provides for such an order in paragraph 8 and for the privilege against self-incrimination in paragraph 9. section 128A of the Evidence Act 1995 (Cth) and Evidence Act 1995 (NSW) govern objection to compliance on the self-incrimination ground in relation to a freezing order. In particular subsections, (3)ff of s 128A govern the procedure to be followed after objection is taken in accordance with paragraph 9 of the example form of freezing order annexed to this Practice Note.

15. The rules of court confirm that certain restrictions expressed in *The Siskina* [1979] AC 210 do not apply in this jurisdiction. First, the Court may make a freezing order before a cause of action has accrued (a 'prospective' cause of action). Secondly, the Court may make a free-standing freezing order in aid of foreign proceedings in prescribed circumstances. Thirdly, where there are assets in Australia, service out of Australia is permitted under a new 'long arm' service rule.

16. As a condition of the making of a freezing order, the Court will normally require appropriate undertakings by the applicant to the Court, including the usual undertaking as to damages.

17. If it is demonstrated that the applicant has or may have insufficient assets within the jurisdiction of the Court to provide substance for the usual undertaking as to damages, the applicant may be required to support the undertaking by providing security. There is provision for such security in the example form of freezing order.

18. The order to be served should be endorsed with a notice which meets the requirements of UCPR rule 40.7.

19. An applicant for an ex parte freezing order is under a duty to make full and frank disclosure of all material facts to the Court. This includes disclosure of possible defences known to the applicant and of any information which may cast doubt on the applicant's ability to meet the usual undertaking as to damages from assets within Australia.

20. The affidavits relied on in support of an application for a freezing or ancillary order should, if possible, address the following:

- (a) information about the judgment that has been obtained, or, if no judgment has been obtained, the following information about the cause of action:
 - (i) the basis of the claim for substantive relief;
 - (ii) the amount of the claim; and
 - (iii) if the application is made without notice to the respondent, the applicant's knowledge of any possible defence;

- (b) the nature and value of the respondent's assets, so far as they are known to the applicant, within and outside Australia;
- (c) the matters referred to in UCPR rule 25.14; and
- (d) the identity of any person, other than the respondent, who, the applicant believes, may be affected by the order, and how that person may be affected by it.

Dated: 16 June 2010.

J. J. SPIGELMAN, A.C.,
Chief Justice of New South Wales

Amendment history

16 June 2010: This Practice Note replaces the previous version of SC Gen 14 that was issued and commenced on 14 June 2006.

Example Form of Search Order

[Title of Proceeding]

PENAL NOTICE

TO: [name of person against whom the order is made]

IF YOU:

(A) REFUSE OR NEGLECT TO DO ANY ACT WITHIN THE TIME SPECIFIED IN THIS ORDER FOR THE DOING OF THE ACT; OR

(B) DISOBEY THE ORDER BY DOING AN ACT WHICH THE ORDER REQUIRES YOU TO ABSTAIN FROM DOING, YOU WILL BE LIABLE TO IMPRISONMENT, SEQUESTRATION OF PROPERTY OR OTHER PUNISHMENT.

ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS YOU TO BREACH THE TERMS OF THIS ORDER MAY BE SIMILARLY PUNISHED.

TO: [name of person against whom the order is made]

This is a 'freezing order' made against you on [insert date] by Justice [insert name of Judge] at a hearing without notice to you after the Court was given the undertakings set out in Schedule A to this order and after the Court read the affidavits listed in Schedule B to this order^[1].

THE COURT ORDERS:

INTRODUCTION

1. (a) The application for this order is made returnable immediately.
- (b) The time for service of the application, supporting affidavits and originating process is abridged and service is to be effected by [insert time and date].^[2]
2. Subject to the next paragraph, this order has effect up to and including [insert date] ('the return day'). On the return day at [insert time] am/pm there will be a further hearing in respect of this order before the Court.^[3]
3. Anyone served with or notified of this order, including you, may apply to the Court at any time to vary or discharge this order or so much of it as affects the person served or notified.
4. In this order:
'applicant', if there is more than one applicant, includes all the applicants;

'you', where there is more than one of you, includes all of you and includes you if you are a corporation;
'third party' means a person other than you and the applicant;

'unencumbered value' means value free of mortgages, charges, liens or other encumbrances; and

if you are ordered to do or not to do something you must do it or not do it yourself or through directors, officers, partners, employees, agents or others acting on your behalf or on your instructions or with your encouragement or in any other way.

5. (a) If you are ordered to do something, you must do it by yourself or through directors, officers, partners, employees, agents or others acting on your behalf or on your instructions.
- (b) If you are ordered not to do something, you must not do it yourself or through directors, officers, partners, employees, agents or others acting on your behalf or on your instructions or with your encouragement or in any other way.

FREEZING OF ASSETS

[For order limited to assets in Australia]

6. (a) You must not remove from Australia or in any way dispose of, deal with or diminish the value of any of your assets in Australia ('Australian assets') up to the unencumbered value of AUD\$ ('the Relevant Amount').
- (b) If the unencumbered value of your Australian assets exceeds the Relevant Amount, you may remove any of those assets from Australia or dispose of or deal with them or diminish their value, so long as the total unencumbered value of your Australian assets still exceeds the Relevant Amount.

[If the Court makes a worldwide order, the following additional paragraph (c) also applies.]

- (c) If the unencumbered value of your Australian assets is less than the Relevant Amount, and you have assets outside Australia ('ex-Australian assets'):
 - (i) You must not dispose of, deal with or diminish the value of any of your Australian assets and ex-Australian assets up to the unencumbered value of your Australian and ex-Australian assets of the Relevant Amount; and
 - (ii) You may dispose of, deal with or diminish the value of any of your ex-Australian assets, so long as the unencumbered value of your Australian assets and ex-Australian assets still exceeds the Relevant Amount.

[For either form of order]

7. For the purposes of this order,
 - (1) your assets include:
 - (a) all your assets, whether or not they are in your name and whether they are solely or co-owned;
 - (b) any asset which you have the power, directly or indirectly, to dispose of or deal with as if it were your own (you are to be regarded as having such power if a third party holds or

- controls the asset in accordance with your direct or indirect instructions); and
- (c) the following assets in particular: the property known as [title/address] or, if it has been sold, the net proceeds of the sale; the assets of your business [known as [name]] [carried on at [address]] or, if any or all of the assets have been sold, the net proceeds of the sale; and any money in account [numbered account number] [in the name of] at [name of bank and name and address of branch].
- (2) the value of your assets is the value of the interest you have individually in your assets.

PROVISION OF INFORMATION^[4]

8. Subject to paragraph 9, you must:
- (a) at or before the further hearing on the return day (or within such further time as the Court may allow) to the best of your ability inform the applicant in writing of all your assets in [Australia] [world wide], giving their value, location and details (including any mortgages, charges or other encumbrances to which they are subject) and the extent of your interest in the assets;
- (b) within [] working days after being served with this order, swear and serve on the applicant an affidavit setting out the above information.
9. (a) This paragraph (9) applies if you are not a corporation and you wish to object to complying with paragraph 8 on the grounds that some or all of the information required to be disclosed may tend to prove that you:
- (i) have committed an offence against or arising under an Australian law or a law of a foreign country; or
- (ii) are liable to a civil penalty.
- (b) This paragraph (9) also applies if you are a corporation and all of the persons who are able to comply with paragraph 8 on your behalf and with whom you have been able to communicate, wish to object to your complying with paragraph 8 on the grounds that some or all of the information required to be disclosed may tend to prove that they respectively:
- (i) have committed an offence against or arising under an Australian law or a law of a foreign country; or
- (ii) are liable to a civil penalty.
- (c) You must:
- (i) disclose so much of the information required to be disclosed to which no objection is taken; and
- (ii) prepare an affidavit containing so much of the information required to be disclosed to which objection is taken, and deliver it to the Court in a sealed envelope; and
- (iii) file and serve on each other party a separate affidavit setting out the basis of the objection.
- (c) paying [\$......on] [your reasonable] legal expenses;
- (d) dealing with or disposing of any of your assets in the ordinary and proper course of your business, including paying business expenses bona fide and properly incurred; and
- (e) in relation to matters not falling within (a), (b) or (c), dealing with or disposing of any of your assets in discharging obligations bona fide and properly incurred under a contract entered into before this order was made, provided that before doing so you give the applicant, if possible, at least two working days written notice of the particulars of the obligation.
11. You and the applicant may agree in writing that the exceptions in the preceding paragraph are to be varied. In that case the applicant or you must as soon as practicable file with the Court and serve on the other a minute of a proposed consent order recording the variation signed by or on behalf of the applicant and you, and the Court may order that the exceptions are varied accordingly.
12. (a) This order will cease to have effect if you:
- (i) pay the sum of \$...... into Court; or
- (ii) pay that sum into a joint bank account in the name of your solicitor and the solicitor for the applicant as agreed in writing between them; or
- (iii) provide security in that sum by a method agreed in writing with the applicant to be held subject to the order of the Court.
- (b) Any such payment and any such security will not provide the applicant with any priority over your other creditors in the event of your insolvency.
- (c) If this order ceases to have effect pursuant (a), you must as soon as practicable file with the Court and serve on the applicant notice of that fact.

COSTS

13. The costs of this application are reserved to the judge hearing the application on the return day.

PERSONS OTHER THAN THE APPLICANT AND RESPONDENT

14. Set off by banks
- This order does not prevent any bank from exercising any right of set off it has in respect of any facility which it gave you before it was notified of this order.
15. Bank withdrawals by the respondent
- No bank need inquire as to the application or proposed application of any money withdrawn by you if the withdrawal appears to be permitted by this order.
- [For world wide order]
16. Persons outside Australia
- (a) Except as provided in subparagraph (b) below, the terms of this order do not affect or concern anyone outside Australia.
- (b) The terms of this order will affect the following persons outside Australia:
- (i) you and your directors, officers, employees and agents (except banks and financial institutions);

EXCEPTIONS TO THIS ORDER

10. This order does not prohibit you from:
- (b) paying [up to \$...... a week/day on] [your ordinary] living expenses;

- (ii) any person (including a bank or financial institution) who:
 - (A) is subject to the jurisdiction of this Court; and
 - (B) has been given written notice of this order or has actual knowledge of the substance of the order and of its requirements; and
 - (C) is able to prevent or impede acts or omissions outside Australia which constitute or assist in a disobedience breach of the terms of this order; and
 - (iii) any other person (including a bank or financial institution), only to the extent that this order is declared enforceable by or is enforced by a court in a country or state that has jurisdiction over that person or over any of that person's assets.
- (4) The applicant will pay the reasonable costs of anyone other than the respondent which have been incurred as a result of this order, including the costs of finding out whether that person holds any of the respondent's assets.
 - (5) If this order ceases to have effect^[5] the applicant will promptly take all reasonable steps to inform in writing anyone who has been notified of this order or who has reasonable grounds for supposing may act upon this order, that it has ceased to have effect.
 - (6) The applicant will not, without leave of the Court, use any information obtained as a result of this order for the purpose of any civil or criminal proceedings, either in or outside Australia, other than this proceeding.
 - (7) The applicant will not, without leave of the Court, seek to enforce this order in any country outside Australia or seek in any country outside Australia an order of a similar nature or an order conferring a charge or other security against the respondent or the respondent's assets.

[For world wide order]

17. Assets located outside Australia

Nothing in this order shall, in respect of assets located outside Australia, prevent any third party from complying or acting in conformity with what it reasonably believes to be its bona fide and properly incurred legal obligations, whether contractual or pursuant to a court order or otherwise, under the law of the country or state in which those assets are situated or under the proper law of any contract between a third party and you, provided that in the case of any future order of a court of that country or state made on your or the third party's application, reasonable written notice of the making of the application is given to the applicant.

SCHEDULE A

UNDERTAKINGS GIVEN TO THE COURT BY THE APPLICANT

- (1) The applicant undertakes to submit to such order (if any) as the Court may consider to be just for the payment of compensation (to be assessed by the Court or as it may direct) to any person (whether or not a party) affected by the operation of the order.
- (2) As soon as practicable, the applicant will file and serve upon the respondent copies of:
 - (a) this order;
 - (b) the summons or notice of motion to be relied on at the hearing on the return day;
 - (c) the following material in so far as it was relied on by the applicant at the hearing when the order was made:
 - (i) affidavits (or draft affidavits);
 - (ii) exhibits capable of being copied;
 - (iii) any written submission; and
 - (iv) any other document that was provided to the Court.
 - (d) a transcript, or, if none is available, a note, of any exclusively oral allegation of fact that was made and of any exclusively oral submission that was put, to the Court;
 - (e) the originating process, or, if none was filed, any draft originating process produced to the Court.
- (3) As soon as practicable, the applicant will cause anyone notified of this order to be given a copy of it.

- [(8) The applicant will:
 - (a) on or before [date] cause an irrevocable undertaking to pay in the sum of \$ to be issued by a bank with a place of business within Australia, in respect of any order the court may make pursuant to undertaking (1) above; and
 - (b) immediately upon issue of the irrevocable undertaking, cause a copy of it to be served on the respondent.]^[6]

SCHEDULE B^[7]

AFFIDAVITS RELIED ON

Name of Deponent

Date affidavit made

- (1)
- (2)
- (3)

NAME AND ADDRESS OF APPLICANT'S LEGAL REPRESENTATIVES

The applicant's legal representatives are:

[Name, address, reference, fax and telephone numbers both in and out of office hours and email]

END NOTES

- [1] The words 'without notice to you' and 'and after the Court has read the affidavits listed in Schedule B to this order' are appropriate only in the case of an ex parte order.
- [2] Paragraph 1 is appropriate only in the case of an ex parte order.
- [3] Paragraph 2 is appropriate only in the case of an ex parte order.
- [4] See Practice Note paragraph 14.
- [5] For example, if the respondent pays money into Court or provides security, as provided for in paragraph 12 of this Order.
- [6] See Practice Note paragraph 17.
- [7] Schedule B is appropriate only in the case of an ex parte order.

PRACTICE NOTE SC GEN 16

Supreme Court – Pre-judgment interest rates

Commencement

1. This Practice Note was issued on 16 June 2010 and commences on 1 July 2010.

Application

2. This Practice note applies to new and existing civil proceedings in the Court.

Introduction

3. The purpose of this Practice Note is to set the rate of pre-judgment interest that may be awarded under section 100 (1) and (2) of the Civil Procedure Act 2005.

Calculating pre-judgment interest

4. Section 100 of the Civil Procedure Act 2005 provides for the making of orders for the inclusion of interest in judgments.

5. Practitioners and litigants should expect that where, pursuant to section 100 (1) and (2) of the Civil Procedure Act 2005, interest in respect of a pre-judgment period is to be included in a judgment, the Court will have regard to the following rates, being rates agreed upon by the Discount and Interest Rate Harmonisation Committee established following a referral by the Council of Chief Justices:

- (a) in respect of the period from 1 January to 30 June in any year – the rate that is 4% above the cash rate last published by the Reserve Bank of Australia before that period commenced, and
- (b) in respect of the period from 1 July to 31 December in any year – the rate that is 4% above the cash rate last published by the Reserve Bank of Australia before that period commenced.

Dated: 16 June 2010.

J. J. SPIGELMAN, A.C.,
Chief Justice of New South Wales

Related information

Civil Procedure Act 2005

This Practice Note was issued on 16 June 2010 and commenced on 1 July 2010.

PRACTICE NOTE

Land and Environment Court of NSW
Pre-Judgment Interest Rates

Commencement

1. This Practice Note was issued on 22 June 2010 and commences on 1 July 2010.

Application

2. This Practice note applies to new and existing civil proceedings in the Court.

Introduction

3. The purpose of this Practice Note is to set the rate of pre-judgment interest that may be awarded under section 100 (1) and (2) of the Civil Procedure Act 2005.

Calculating pre judgment interest

4. Section 100 of the Civil Procedure Act 2005 provides for the making of orders for the inclusion of interest in judgments.

5. Practitioners and litigants should expect that where, pursuant to section 100 (1) and (2) of the Civil Procedure Act 2005, interest in respect of a pre-judgment period is to be included in a judgment, the Court will have regard to the following rates, being rates agreed upon by the Discount and Interest Rate Harmonisation Committee established following a referral by the Council of Chief Justices:

- (a) in respect of the period from 1 January to 30 June in any year – the rate that is 4% above the cash rate last published by the Reserve Bank of Australia before that period commenced, and
- (b) in respect of the period from 1 July to 31 December in any year – the rate that is 4% above the cash rate last published by the Reserve Bank of Australia before that period commenced.

Dated: 22 June 2010.

The Hon Justice BRIAN J. PRESTON,
Chief Judge,
Land and Environment Court of NSW

PRACTICE NOTE DC (CIVIL) NO. 15

District Court – Pre-judgment interest rates

Commencement

1. This Practice Note was issued on 22 June 2010 and commences on 1 July, 2010.

Application

2. This Practice Note applies to new and existing civil proceedings in the Court.

Introduction

3. The purpose of this Practice Note is to set the rate of pre-judgment interest that may be awarded under section 100 (1) and (2) of the Civil Procedure Act 2005.

Calculating pre-judgment interest

4. Section 100 of the Civil Procedure Act 2005 provides for the making of orders for the inclusion of interest in judgments.

5. Practitioners and litigants should expect that where, pursuant to section 100 (1) and (2) of the Civil Procedure Act 2005 interest in respect of a pre-judgment period is to be included in a judgment, the Court will have regard to the following rates, being rates agreed upon by the Discount and Interest Rate Harmonisation Committee established following a referral by the Council of Chief Justices:

- (a) in respect of the period from 1 January to 30 June in any year – the rate that is 4% above the cash rate last published by the Reserve Bank of Australia before that period commenced, and
- (b) in respect of the period from 1 July to 31 December in any year – the rate that is 4% above the cash rate last published by the Reserve Bank of Australia before that period commenced.

Dated: 22 June 2010.

The Hon Justice R. O. BLANCH,
Chief Judge

PROFESSIONAL STANDARDS ACT 1994

Notification Pursuant to Section 13

New South Wales Bar Association
Professional Standards Scheme

PURSUANT to section 13 of the Professional Standards Act 1994, I authorise the publication of the New South Wales Bar Association Scheme. The Scheme will commence on 1 July 2010.

JOHN HATZISTERGOS,
Attorney General

**THE NEW SOUTH WALES BAR ASSOCIATION
SCHEME**

Professional Standards Act 1994 (NSW)

Preamble

OCCUPATIONAL ASSOCIATION

The New South Wales Bar Association (ACN 000 033 652) is an Australian Public Company, Limited by Guarantee. The Association's current Scheme expires in January 2010.

The NSW Bar Association's website is
www.nswbar.asn.au

The occupational group represented by the Association is barristers holding a New South Wales practising certificate. The Scheme only applies to barristers who hold a New South Wales practising certificate, who are members of the Association and who hold approved professional indemnity insurance as provided for in the Scheme. The number of members eligible to be covered by the Scheme is approximately 2100.

The Association's objectives are outlined in clause 3 of the Constitution and include:

- to promote the administration of justice;
- to promote, maintain and improve the interests and standards of local practising barristers;
- to make recommendations with respect to legislation, law reform, rules of court and the business and procedure of courts;
- to seek to ensure that the benefits of the administration of justice are reasonably and equally available to all members of the community;
- to arrange and promote continuing legal education;
- to promote fair and honourable practice amongst barristers; to suppress, discourage and prevent malpractice and professional misconduct;
- to inquire into questions as to professional conduct and etiquette of barristers;
- to confer and cooperate with bodies in Australia or elsewhere representing the profession of the law;
- to encourage professional, educational, cultural and social relations amongst the members of the Bar Association; and
- to make donations to charities and such other objects in the public interest as determined from time to time by the Bar Council.

NATURE AND OPERATION OF THE SCHEME

The Scheme operates for the purpose of improving the occupational standards of barristers and to protect the

consumers of their services. The Scheme limits the civil liability of barristers to whom it applies. The Scheme is intended to operate in New South Wales, the Australian Capital Territory, the Northern Territory, Queensland, Victoria and Western Australia.

The liability limited by the Scheme includes, to the extent permitted by the Act, all civil liability arising (in tort, contract or otherwise) directly or vicariously from anything done or omitted by a member of the Association or to any person to whom the Scheme applies in acting in the performance of his or her occupation. The Scheme does not apply to liability for damages arising from any matter to which the Act does not apply, including, but not limited to, liability for damages arising from death or personal injury to a person, a breach of trust, fraud or dishonesty.

The Scheme does not affect damages which are below \$1.5 million. The Scheme limits liability for damages to \$1.5 million provided the person has insurance which is not less than \$1.5 million. To date, there has never been a successful claim against a NSW barrister that has reached \$1.5 million in damages.

RISK MANAGEMENT

The Association has adopted many risk management strategies, including:

- requirements for professional entry to practice at the Bar;
- continuing professional development in the areas of ethics and regulation of the profession; management; substantive law, practice and procedure, and evidence, advocacy, mediation and other barristers' skills;
- codes of ethical conduct;
- technical standards and guidance;
- advisory and support services;
- complaints and discipline systems; and
- claims monitoring.

The Bar Association will continue to report annually on the implementation and monitoring of its risk management strategies, the effect of those strategies and any changes made or proposed to be made to them.

COMPLAINTS AND DISCIPLINE

Scheme members are subject to a complaints and discipline system operating under the Legal Profession Act 2004 (NSW). All scheme members must comply with the provisions of the Legal Profession Act 2004 (NSW) and Legal Profession Regulation 2005.

STANDARDS OF INSURANCE

Scheme members are required to have approved professional indemnity insurance before they are issued with a practising certificate. The NSW Attorney General determines the statutory minimum level of professional indemnity insurance required to be taken out by barristers and also approves the professional indemnity insurance policies on offer by brokers each year. The professional indemnity insurance taken out by NSW barristers covers them for liability in all Australian States and Territories.

CLAIMS MONITORING

The Association will continue to request that the Attorney General's Order approving the policies for NSW barristers each year requires that the brokers/insurers provide the Association with claims data so that the Association can

continue to monitor claims made against its members. The Association will continue to maintain its long established relationship with the insurers. The Bar Association will continue to report annually to the Professional Standards Council on claims monitoring, tactics, performance measures and monitoring systems.

SCHEME ADMINISTRATION

Responsibility for administration of the scheme and ensuring that it complies with the requirements of the Professional Standards Act 1994 (NSW) and of the Professional Standards Council rests with the Executive Director; who is assisted on a day to day basis by the Association's Project Officer.

DURATION

The scheme will remain in force for a period of 5 years from its renewal unless it is revoked, extended or ceases in accordance with section 32 of the Professional Standards Act.

THE NEW SOUTH WALES BAR ASSOCIATION SCHEME

Professional Standards Act 1994 (NSW)

1. Occupational Association

1.1 The New South Wales Bar Association Scheme (the scheme) is a scheme under the Professional Standards Act 1994 (NSW) (the Act) of the New South Wales Bar Association (the Bar Association) whose business address is Selborne Chambers, 174 Phillip Street Sydney. The scheme applies in New South Wales, the Australian Capital Territory, the Northern Territory, Queensland, Victoria and Western Australia.

2. Persons to Whom the Scheme Applies (Participating Members & Other Persons)

- 2.1 The scheme applies to scheme members as defined in clause 2.2 of the scheme and persons defined in clause 2.3 of the scheme.
- 2.2 All members of the Bar Association who hold a NSW barrister's practising certificate issued by the Bar Association and who have professional indemnity insurance that complies with the standard approved by the NSW Attorney General under the Legal Profession Act 2004 (NSW).
- 2.3 Persons to whom the scheme applies by virtue of sections 18, 19, and 20 of the Act.
- 2.4 In New South Wales and Queensland, persons to whom the scheme applies by virtue of section 20A of the Act.

3. Limitation of Liability

- 3.1 Subject to clause 3.3 below, a person to whom the scheme applies against whom a cause of action relating to occupational liability is brought, is not liable in damages in relation to that cause of action for anything done or omitted on or after the commencement of the scheme above a monetary ceiling (a maximum amount of liability) of \$1,500,000.
- 3.2 For the purposes of the operation of the scheme in NSW 'occupational liability' has the same meaning as it has in the Act and excludes any liability which may not from time to time be limited pursuant to the

Act. Similarly, for the purposes of the operation of the scheme in other jurisdictions in which it applies i.e. ACT, Northern Territory, Queensland, Victoria and Western Australia, 'occupational liability' has the same meaning as it has in the corresponding legislation of those jurisdictions and excludes any liability which may not from time to time be limited pursuant to that legislation.

3.3 The person to whom the scheme applies must be able to satisfy the court that they have the benefit of:

- 3.3.1 an insurance policy insuring them against that occupational liability, and
- 3.3.2 an insurance policy under which the amount payable in respect of the occupational liability relating to that cause of action is not less than the maximum amount of liability specified in the scheme in relation to the person to whom the scheme applies at the time at which the act or omission giving rise to the cause of action occurred.

4. Duration

- 4.1 The scheme will remain in force for a period of 5 years from its commencement in New South Wales unless:
 - 4.1.1 it is revoked, extended or ceases in accordance with section 32 of the Act, or
 - 4.1.2 it is extended for a period of up to 12 months in accordance with section 32 of the Act.
- 4.2 The scheme will remain in force for a period of five years from its commencement in the ACT, Northern Territory, Queensland, Victoria and Western Australia, unless it is extended, terminated or otherwise ceases in accordance with the law of each of those respective jurisdictions.

5. Commencement

- 5.1 The scheme is intended to commence on 1 July 2010 in New South Wales, the ACT, Northern Territory, Queensland, Victoria and Western Australia and in accordance with the respective law of each jurisdiction. In the event the Scheme, or a Notice relating to the Scheme, is published in the Gazette of any jurisdiction after 1 July 2010, the Scheme will commence on such day 2 months after the date of its publication in that jurisdiction.

SUBORDINATE LEGISLATION ACT 1989

Children and Young Persons (Care and Protection)
(Child Employment) Regulation 2010

IN accordance with section 5 of the Subordinate Legislation Act 1989, notice is given of the intention to make a new Regulation under the Children and Young Persons (Care and Protection) Act 1998, to be known as the Children and Young Persons (Care and Protection) (Child Employment) Regulation 2010.

The Regulation will provide administrative support to the Children's Guardian to assist in monitoring paid employment of children up to 15 years old for entertainment or exhibition work, up to 16 years old for modelling and between the ages of 14 years 9 months and 15 years for door to door sales.

The Children's Guardian has prepared a Regulatory Impact Statement for public comment. A copy of the Regulatory Impact Statement and a draft proposed Regulation may be obtained from the Children's Guardian, telephone (02) 8219 3600 or from the Children's Guardian's website at www.kidsguardian.nsw.gov.au.

Written comments and submissions are invited and will be accepted by mail, fax or email as set out below:

Children's Guardian
Level 13, 418A Elizabeth Street
Surry Hills NSW 2010
Fax: (02) 8219 3699
Email: kids@kidsguardian.nsw.gov.au

Submissions close at 5 pm on 23 July 2010.

SUBORDINATE LEGISLATION ACT 1989

Proposed Draft Motor Dealers Regulation 2010

Invitation to comment

THE Subordinate Legislation Act 1989 generally provides for the automatic repeal of statutory rules (regulations) after they have been in force for five years. The Motor Dealers Regulation 2004 is due for repeal on 1 September 2010. In order to ensure that the requirements of the Act can continue to apply it is proposed that the Regulation be remade with some minor amendments. A proposed draft Motor Dealers Regulation 2010 is being released for public comment along with a Regulatory Impact Statement which discusses the costs and benefits of the proposed draft Regulation.

The primary objective of the proposed draft Regulation is to ensure that the Motor Dealers Act 1974 continues to provide for the granting of motor dealer licences, the keeping of certain records and place certain obligations on motor dealers.

Copies of the Regulatory Impact Statement and proposed draft Regulation can be obtained from the Fair Trading website on www.fairtrading.nsw.gov.au or by telephoning NSW Fair Trading (02) 9895 0791.

Comments and submissions can be e-mailed (preferred), mailed or faxed by 28 July 2010 to:

Email: policy@services.nsw.gov.au
Motor Dealers Regulation 2010
Fair Trading Policy Division
NSW Fair Trading
PO Box 972
Parramatta NSW 2124
Fax: (02) 9338 8990

SYDNEY CRICKET GROUND AND SPORTS GROUND TRUST

2010 ELECTION OF TWO (2) TRUSTEES

FOLLOWING the close of the poll at Noon, Tuesday, 15 June 2010 and the completion of the count on Wednesday, 16 June 2010 the following candidates were declared elected:

CATCHPOLE, Ken
McNALLY, James

COLIN BARRY,
Returning Officer and
Electoral Commissioner for New South Wales

TRANSPORT ADMINISTRATION ACT 1988

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land and
Interests in Land for the Purposes of the
Transport Infrastructure Development Corporation

THE Transport Infrastructure Development Corporation, with the approval of Her Excellency the Governor with the advice of the Executive Council, declares that the freehold interest described in Schedule 1 and the easement interest described in Schedule 2, Schedule 3, Schedule 4, Schedule 5 and Schedule 6 of this notice hereto is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Transport Infrastructure Development Corporation as authorised by the Transport Administration Act 1988.

Dated this 23rd day of June 2010.

CHRIS LOCK,
Chief Executive Officer

SCHEDULE 1

All that piece or parcel of land situated at Glenfield, in the Local Government Area of Campbelltown, Parish of Minto, County of Cumberland and State of New South Wales, being part of Lot 9 in Deposited Plan 833516, shown coloured red in Plan of Acquisition number SWRL766309 having a total area of 5,200 square metres or thereabouts, a copy of which held in the office of the Transport Infrastructure Development Corporation and said to be in the possession of J.C. and F.W Kennett Pty Ltd, but excluding:

1. K218859 Easement for Co-Axial Cable 3.66 wide affecting the part of Lot 9 within described shown so burdened in DP 833516.
2. 2375529 Pipeline Easement 5 metres wide and variable width affecting the parts(s) of Lot 9 in DP 833516 shown so burdened in DP 499058.

SCHEDULE 2

A right of access on the terms set out in Schedule 7 over all that piece or parcel of land situated at Glenfield, in the Local Government Area of Campbelltown, Parish of Minto, County of Cumberland and State of New South Wales, being part of Lot 9 in Deposited Plan 833516 shown coloured green in Plan of Acquisition number SWRL766309, a copy of which held in the office of the Transport Infrastructure Development Corporation and said to be in the possession of J.C. and F.W Kennett Pty Ltd (Lot Burdened), but excluding:

1. K218859 Easement for Co-Axial Cable 3.66 wide affecting the part of Lot 9 within described shown so burdened in DP 833516.
2. 2375529 Pipeline Easement 5 metres wide and variable width affecting the part(s) of Lot 9 in DP 833516 shown so burdened in DP 499058 (sheet 6).

SCHEDULE 3

A right of access on the terms set out in Schedule 7 over all that piece or parcel of land situated at Glenfield, in the Local Government Area of Liverpool, Parish of Minto, County of Cumberland and State of New South Wales, being part of Lot 5 in Deposited Plan 833516 shown coloured green in Plan

of Acquisition number SWRL766309 a copy of which held in the office of the Transport Infrastructure Development Corporation and said to be in the possession of J.C. and F.W Kennett Pty Ltd, Figela Pty Ltd and Helen Louise Kennett (Lot Burdened) but excluding:

1. K218860 Easement for Co-Axial Cable 3.66 wide affecting the part of the land within described shown so burdened in the title diagram.
2. E499673 Caveat by Minister Administering the Environmental Planning and Assessment Act 1979.
3. E499674 Caveat by Minister Administering the Environmental Planning and Assessment Act 1979.
4. E499675 Caveat by Minister Administering the Environmental Planning and Assessment Act 1979
5. E675189 Caveator Consented.
6. I810469 Caveator Consented.

SCHEDULE 4

A right of access on the terms set out in Schedule 7 over all that piece or parcel of land situated at Glenfield, in the Local Government Area of Liverpool, Parish of Minto, County of Cumberland and State of New South Wales, being part of Lot 103 in Deposited Plan 1143827 (Certificate of Title 22/230435) shown coloured green in Plan of Acquisition number SWRL766309 a copy of which held in the office of the Transport Infrastructure Development Corporation and said to be in the possession of Figela Pty Ltd (Lot Burdened) but excluding:

1. DP 228551 right of carriageway appurtenant to the land above described affecting the parts of Lot 7 in DP228551, 30 feet wide designated (1), (2) and (3).
2. E499673 Caveat by Minister Administering the Environmental Planning and Assessment Act 1979.
3. E675189 Caveator Consented.
4. AF106573 Easement for support variable width affecting the site designated (D) in the title diagram.

SCHEDULE 5

A right of access on the terms set out in Schedule 7 over all that piece or parcel of land situated at Glenfield, in the Local Government Area of Liverpool, Parish of Minto, County of Cumberland and State of New South Wales, being part of Lot 104 in Deposited Plan 1143827 (Certificate of Title 50/229438) shown coloured green in Plan of Acquisition number SWRL766309 a copy of which held in the office of the Transport Infrastructure Development Corporation and said to be in the possession of J.C. and F.W Kennett Pty Ltd (Lot Burdened) but excluding:

1. B346454 Right of way appurtenant to the land above described affecting land shown as right of way 20ft wide in DP 228551.
2. L181426 Right of carriageway 6.86 wide affecting the part of the land within described designated (C) in the title diagram.
3. E499674 Caveat by Minister Administering the Environmental Planning and Assessment Act 1979.
4. AF106573 Easement for support variable width affecting the site designated (D) in the title diagram.

SCHEDULE 6

A right of access on the terms set out in Schedule 7 over all that piece or parcel of land situated at Glenfield, in the Local Government Area of Campbelltown, Parish of Minto, County of Cumberland and State of New South Wales, being part of Lot 3 in Deposited Plan 735524 shown coloured green in Plan of Acquisition number SWRL766309, a copy of which held in the office of the Transport Infrastructure Development Corporation and said to be in the possession of Figela Pty Ltd (Lot Burdened) but excluding:

1. DP 266752 Easement for underground mains 1 wide affecting the part(s) shown so burdened in DP 266752.

SCHEDULE 7

1. In this easement:
 - a) "Prescribed Authority" means Transport Infrastructure Development Corporation and all successors, assigns and transferees.
 - b) "Burdened Owner" means every person which is at any time entitled to the estate or interest in the lot burdened including any freehold or leasehold estate or interest in possession of the lot burdened or any part of it, and all successors assigns and transferees.
 - c) "Authorised Users" means all persons or entities at any time authorised by the Prescribed Authority.
 - d) "Easement Site" means the area shown on the Plan being 9 metres wide and variable.
2. The Transport Infrastructure Development Corporation and all successors, assigns and transferees may:
 - a) By any reasonable means including by vehicle, machinery, foot or otherwise pass and repass across the lot burdened, but only within the area of the Easement Site for the purposes of exercising or performing any of its powers, authorities, duties or functions and to get to and from any other land, structure or destination in the vicinity of the Easement Site, and
 - b) Do anything necessary for that purpose, including but not limited to:
 - entering the lot burdened;
 - taking anything on to the lot burdened, and
 - carrying out work within the Easement Site, including but not limited to constructing, placing, repairing, maintaining or replacing, trafficable surfaces, driveways or structures.
3. In exercising the powers in Clause 2, the Prescribed Authority must:
 - a) ensure all work is done properly, and
 - b) cause as little inconvenience as is reasonably practicable to the Burdened Owner and any occupier of the lot burdened, and
 - c) cause as little damage as it is reasonably practicable to the lot burdened and any improvement on it, and
 - d) restore the lot burdened as nearly as is practicable to its former condition and make good any collateral damage.
4. If the Prescribed Authority or its Authorised Users use of the Easement Site results in the Burdened Owner being obliged to pay to NSW Department of Environment, Climate Change and Water ("DECCW") any additional

Waste Levies then the Prescribed Authority must repay to the Burdened Owner the amount of any such additional Waste Levies incurred and paid solely as a result of the Prescribed Authority or its Authorised Users use of the Easement Site.

5. So as to enable the calculation of the amount of additional Waste Levies payable by the Burdened Owner solely as a result of the Prescribed Authority or its Authorised Users use of the Easement Site:

- a. the Prescribed Authority will use two (2) temporary Weighbridges;
- b. the Prescribed Authority will keep accurate and separate records in relation to the materials weighed at the Weighbridges in a form required by clause 12 of the Waste Regulations ("Register") until the Weighbridges are decommissioned by the Prescribed Authority;
- c. the Prescribed Authority will provide the Burdened Owner with a copy of the Register on quarterly basis (every three months) until the Weighbridges are decommissioned by the Prescribed Authority;
- d. If the Burdened Owner is of the view that the Register indicates that additional Waste Levies will be payable by the Burdened Owner solely as a result of the Prescribed Authority or its Authorised Users use of the Easement Site, then it must give the Prescribed Authority details of the additional Waste Levies which it regards as incurred solely as a result of the Prescribed Authority or its Authorised Users use of the Easement Site.
- e. On receipt of any such notice, the Prescribed Authority and the Burdened Owner must negotiate in good faith to determine the amount of additional Waste Levies incurred solely as a result of the Prescribed Authority or its Authorised Users use of the Easement Site.

6. Clauses 4 and 5 above do not apply in relation to the use of any construction materials that are purchased or acquired from the Burdened Owner or L.A. Kennett Enterprises Pty Ltd.

7. Clauses 4 and 5 will cease to apply to this easement upon the date on which the Prescribed Authority notifies the Burdened Owner that the Weighbridges have been decommissioned by the Prescribed Authority or on 31 December 2011, whichever occurs first.

8. From 31 December 2011 the Easement Site will reduce in width from 9 metres wide and variable to 5 metres wide and variable. The position of the centreline of the Easement Site will not change as a consequence of the reduction in width of the Easement Site from 9 metres wide and variable to 5 metres wide and variable.

TIDC Reference: 771868_2

SYDNEY WATER ACT 1994

WITH the advice of the Executive Council, I, Professor Marie Bashir, AC, CVO, Governor of the State of New South Wales, hereby amend the Sydney Water Corporation operating licence so that it is in the form described hereunder, with the amendments to take effect upon the expiration of the disallowance period referred to in subsection 16 (2) of the Sydney Water Act 1994 or 1 July 2010, whichever is the later.

Signed at Sydney this 26th day of May 2010.

MARIE BASHIR,
Governor



Independent Pricing and Regulatory Tribunal

Sydney Water Corporation Operating Licence 2010-2015

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1.1 Objectives of the licence

The objective of the licence is to enable and require Sydney Water to lawfully provide the services within its area of operations. Consistent with this objective, the licence requires Sydney Water to:

- (a) meet the objectives and other requirements imposed on it in the Act and other relevant legislation
- (b) comply with the quality and performance standards in the licence
- (c) recognise the rights given to customers and consumers
- (d) be subject to audits of compliance with the licence.

1.2 Licence authorisation

- (a) The licence is granted to enable and require Sydney Water to provide, construct, operate, manage and maintain efficient, co-ordinated and commercially viable systems for providing the services throughout the area of operations.
- (b) Sydney Water must ensure that its systems and services comply with the quality and performance standards required in the licence and the *Reporting manual* or required to be developed under the licence and the *Reporting manual*.

1.3 Maintenance of stormwater drainage system

Sydney Water must provide, operate, manage and maintain a stormwater drainage system as described in section 14(1)(b) of the Act, except to the extent that the Minister is satisfied under sections 14(4) and 14(5) of the Act that satisfactory arrangements have been made for the service to be provided by another appropriate body, including a council (within the meaning of the *Local Government Act 1993* (NSW)).

1.4 Duration of licence

The term of the licence is five years from the commencement date.

[Note: Section 17 of the Act allows the Governor to renew the licence for a maximum of five years at a time.]

1.5 Licence amendment

- (a) Subject to the Act and clause 1.5(b), the licence may be amended by the Governor by notice in the NSW Government Gazette.
- (b) Before notice of the proposed amendment to the licence is tabled in Parliament under section 16 of the Act, the Minister must give Sydney Water reasonable notice of the proposed amendment to enable it to comply with the amendment if it takes effect.

[Note: Section 16 of the Act requires that, in addition to the above procedure, in order for an amendment to the licence to take effect, written notice of the proposed amendment must be laid before Parliament and either 15 sitting days of each House of Parliament must have passed after the proposed amendment was tabled without a notice of motion being given to disallow the proposed amendment or, if such a notice has been given, it has lapsed, been withdrawn or defeated.]

1.6 Connection of services

- (a) Subject to Sydney Water continuing to comply with any applicable law, Sydney Water must ensure that drinking water and wastewater services are available on request for connection to any property situated in the area of operations.
- (b) Connection to Sydney Water's drinking water and wastewater services is subject to any conditions Sydney Water may lawfully determine to ensure safe, reliable and financially viable supply to properties in the area of operations in accordance with the licence.

1.7 Non-exclusive licence

The licence does not prohibit another person from providing services in the area of operations that are the same as, or similar to, the services, if the person is lawfully entitled to do so.

1.8 Compliance with other applicable laws

Sydney Water must comply with its obligations under all applicable laws that are relevant to the services it provides or to the performance of its obligations under the licence.

[Note: Sydney Water has obligations under a number of laws including:

The Act

The SOC Act

The IPART Act

Protection of the Environment Operations Act 1997

Public Health Act 1991

Fluoridation of Public Water Supplies Act 1957

Water Act 1912

Water Management Act 2000

Environmental Planning and Assessment Act 1979

Energy and Utilities Administration Act 1987]

1.9 Pricing

Sydney Water must set the level of fees, charges, and other amounts payable for its Services subject to the terms of the licence, the Act and the maximum prices and methodologies for Services determined from time to time by IPART under the *IPART Act*.

2.1 Drinking water

- (a) Sydney Water must manage drinking water quality to the satisfaction of NSW Health in accordance with the *Australian Drinking Water Guidelines* (unless NSW Health specifies otherwise).

[Note: It is generally expected that Sydney Water will be required to comply with the *Australian Drinking Water Guidelines* but, where NSW Health consider it appropriate, the application of these guidelines can be varied or amended to take account of Sydney Water's circumstances and/ or drinking water quality policy and practices within NSW.]

- (b) Sydney Water must prepare, to the satisfaction of NSW Health, a *Five Year Drinking Water Quality Management Plan* covering the entire five year term of the licence. The *Five Year Drinking Water Quality Management Plan* must be in operation by 31 December 2010 and include strategies for the comprehensive management of the quality of drinking water in Sydney Water's water supply system in accordance with the *Australian Drinking Water Guidelines* (unless NSW Health specifies otherwise).
- (c) The *Five Year Drinking Water Quality Management Plan* is to be revised for the period 1 July 2015 to 30 June 2020. Sydney Water must provide a draft revised *Five Year Drinking Water Quality Management Plan* to NSW Health by 31 December 2014.
- (d) Sydney Water is to implement procedures and processes for the appropriate management of the drinking water supply system under its control in light of its knowledge of the entire drinking water supply system (from the source to the consumer). Sydney Water must have adequate systems and processes in place to manage drinking water quality taking into account planning and risk management and their implementation across the entire drinking water supply system.

[Note: Under clause 2.1(d) Sydney Water is to demonstrate that the outcomes of joint processes (such as risk assessments with bulk

suppliers) are implemented effectively where their implementation relates to a part of the drinking water supply system that is within Sydney Water's control. Outcomes that do not lie within Sydney Water's area of responsibility in the system are not covered by this obligation. Sydney Water is to demonstrate that relevant training, operating, maintenance and incident response procedures have been developed with due consideration to upstream and downstream conditions and impacts.]

- (e) Sydney Water must comply with the fluoridation plant operating targets set out in the *Fluoridation Code*.
- (f) Sydney Water must report on drinking water quality monitoring in the manner and form outlined in the *Reporting manual*.

2.2 Recycled water (including stormwater)

Sydney Water must manage recycled water quality in accordance with:

- (a) the *Australian Guidelines for Water Recycling* (unless NSW Health specifies otherwise) to the satisfaction of NSW Health
- (b) any other guidelines specified by NSW Health to the satisfaction of IPART.

[Note: Under clause 2.2(a) Sydney Water will generally be required to comply with the *Australian Guidelines for Water Recycling*. However, where NSW Health considers it appropriate, it may vary or amend the application of these guidelines to take account of the circumstances of specific recycled water services provided by Sydney Water and/or recycled water quality policy and/or practices within NSW.

Under clause 2.2(b) NSW Health may require Sydney Water to comply with a NSW guideline for a specific scheme such as DECCW's *Environmental Guidelines for Use of Effluent by Irrigation*. In these circumstances IPART may seek the views of the agencies responsible for these specific guidelines or other technical experts to assess compliance with this clause.]

- (c) Sydney Water must report on recycled water quality monitoring in the manner and form outlined in the *Reporting manual*.

2.3 Changes to management of water quality

- (a) Sydney Water must notify NSW Health of any proposed changes to its processes for:
 - (1) managing or
 - (2) reporting to NSW Health in relation to

Drinking water quality under clause 2.1 or recycled water quality under clause 2.2 where such changes may have a material impact on public health.

- (b) Sydney Water must obtain NSW Health's approval for any changes notified under clause 2.3(a) before implementing them.

[Note: Under clause 10.2 of the licence, Sydney Water must provide NSW Health with a copy of any water quality monitoring reports and any other information requested by NSW Health in relation to water quality.]

3.1 Asset management obligation

3.1.1 Managing assets

Sydney Water must ensure that its assets are managed consistently with the asset management framework described in clause 3.1.2.

3.1.2 Asset management framework

Sydney Water's asset management framework must demonstrate:

- (a) robust and transparent methodologies for determining and prioritising licensing and other regulatory requirements and current and future service levels as well as identifying the infrastructure needed to achieve those service levels and requirements
- (b) robust, transparent and consistent processes, practices and programs to ensure sustainable delivery of service levels and regulatory requirements, based on sound risk management, including:
 - (1) asset inventory
 - (2) asset planning incorporating both business and technical risk assessments
 - (3) maintenance of adequate records and robust and reliable data
 - (4) asset replacement, rehabilitation, augmentation, creation/acquisition and/or substitution (asset and non asset substitutions)
 - (5) management of service provision, including contracts
 - (6) monitoring and condition assessment
 - (7) proactive and reactive maintenance
 - (8) operations

- (9) training and resourcing
 - (10) contingency planning covering both emergency management and business continuity
 - (11) asset rationalisation and disposal
- (c) robust and transparent decision making processes that balance acceptable risk with cost and service provision to achieve prudent, efficient and effective operating and capital investment
 - (d) an approach that achieves the lowest cost of service delivery through the effective life cycle management of the asset base
 - (e) robust and transparent processes of review and continuous improvement in asset management.

3.2 Notification of significant changes to asset management framework

Sydney Water must advise IPART of any significant changes to processes and methodologies established in accordance with clause 3.1.2 which may have a material impact on the asset management framework.

3.3 System performance standards

- (a) For the purposes of this clause 3.3 (except in relation to uncontrolled sewerage overflows under clause 3.3.3), each separately billed or separately occupied part of a multiple occupancy property is considered to be a separate property.
- (b) For the purposes of uncontrolled sewerage overflows under clause 3.3.3, each multiple occupancy property is counted as a single property.
- (c) In the case of any ambiguity in the definition or application of any system performance standards, IPART's interpretation or assessment of the system performance standards will prevail.

3.3.1 Water pressure standard

- (a) Water pressure standard

Sydney Water must ensure that no more than 6,000 properties experience a water pressure failure in a financial year in its drinking water supply system.

- (b) Water pressure failure
 - (1) A Property is taken to have experienced a water pressure failure at each of the following times:
 - (A) when a person notifies Sydney Water that the property has experienced a water pressure failure and that water pressure failure is confirmed by Sydney Water or
 - (B) when Sydney Water's systems identify that the property has experienced a water pressure failure.
 - (2) A property will not be taken to have experienced a water pressure failure only because of a short term operational problem (such as a main break) which is remedied within four days of its occurrence or from abnormal demand (such as demand during fire fighting).
 - (3) Clause 3.3.1(b)(1) does not limit the circumstances in which a property will have experienced a water pressure failure.

3.3.2 Water continuity standard

- (a) Water continuity standard

Sydney Water must ensure that:

 - (1) no more than 40,000 Properties experience an unplanned water interruption exceeding five hours in a financial year and
 - (2) no more than 14,000 Properties experience three or more unplanned water interruptions of more than one hour duration in a financial year,

in its drinking water supply system.
- (b) Unplanned water interruption
 - (1) In determining whether a property experiences an unplanned water interruption a best estimate is to be applied from the best available data, taking account of water pressure data where that data is available.
 - (2) A property is taken to have experienced a separate unplanned water interruption for each period of five hours or more that the unplanned water interruption exists.

- (3) Clause 3.3.2(b)(2) does not limit the circumstances in which a property will have experienced an unplanned water interruption under clause 3.3.2(b)(1).

3.3.3 Sewage overflow standard

Sydney Water must ensure that:

- (a) no more than 14,000 properties (other than public properties) experience an uncontrolled sewage overflow in dry weather in a financial year and
- (b) no more than 175 properties (other than public properties) experience three or more uncontrolled sewage overflows in dry weather in a financial year.

3.4 Service quality and system performance indicators

- (a) Sydney Water must maintain record systems that are sufficient to enable it to measure accurately its performance against the service quality and system performance indicators.
- (b) In the case of any ambiguity in the definition or application of any indicators, IPART's interpretation or assessment of the indicators will prevail.

3.5 Response time for water main breaks

- (a) Sydney Water's response to water main breaks and leaks (in the trunk and reticulation components of Sydney Water's drinking water supply system between water treatment plants and a property), as measured from the time Sydney Water receives notification of a break or leak to the time Sydney Water stops the loss of water, will be as follows:
 - (1) Priority 6 breaks/leaks 90% of jobs within three hours
 - (2) Priority 5 breaks/leaks 90% of jobs within six hours
 - (3) Priority 4 breaks/leaks 90% of jobs within five days
- (b) Categorisation of Priorities 4, 5 and 6 is set out in Schedule 3.

3.6 Priority Sewerage Program

- (a) Sydney Water must continue with the planning and delivery of the Priority Sewerage Program such that wastewater services are provided to the requisite number of lots in the following areas by the dates specified below:
- (1) Agnes Banks and Londonderry by 31 December 2012
 - (2) Glossodia, Freeman's Reach and Wilberforce by 31 December 2012
 - (3) Yellow Rock and Hawkesbury Heights by 31 December 2012
 - (4) Appin by 30 June 2015.
- (b) If either Sydney Water or a licensee under the *Water Industry Competition Act 2006* provides wastewater services to a significant development (as determined by the Minister) in an adjoining area to one of the following areas in the Priority Sewerage Program:
- (1) Austral and West Hoxton
 - (2) Wilton or
 - (3) Menangle and Menangle Park.

Then Sydney Water must deliver the Priority Sewerage Program in that area such that wastewater services are made available to customers within 24 months of wastewater services being available to service the significant development.

- |
- (c) Clause 3.6(b) does not apply where a licensee under the *Water Industry Competition Act 2006* provides wastewater services to the relevant area of the Priority Sewerage Program.
 - (d) Sydney Water must complete planning for, and begin construction on, the provision of wastewater services to the requisite number of lots in the Cowan and Bargo areas of the Priority Sewerage Program by the end of the term of the licence. The construction work to be commenced by the end of the term of the licence must include the augmentation of the sewage treatment plant at Picton required to facilitate the implementation of the Priority Sewerage Program in the Bargo area.
 - (e) Should delays caused by consent authorities impair Sydney Water's ability to meet the timeframes set out in this clause 3.6, Sydney Water must write to the Minister to advise of the reasons for the delay.
 - (f) Sydney Water must provide an annual report on its progress in implementing the Priority Sewerage Program to IPART in accordance with the *Reporting manual*.

4.1 Customer Contract

- (a) Section 54 of the Act requires that the terms and conditions of a customer contract are set out in Sydney Water's operating licence. Sydney Water's *Customer Contract* is set out in Schedule 2 (**Customer Contract**).

[Note: Division 7 of Part 6 of the Act contains various provisions in relation to the *Customer Contract*.]

- (b) The *Customer Contract* sets out the rights and obligations of customers and Sydney Water in relation to the services provided through systems required under the licence. These rights and obligations are in addition to the rights and obligations conferred by the Act and any other law.
- (c) A copy of the *Customer Contract*, and any variations to it must be posted on Sydney Water's website for downloading by any person free of charge and provided to customers free of charge upon request.

4.2 Pamphlet

4.2.1 Explaining the *Customer Contract*

Sydney Water must prepare a pamphlet that:

- (a) provides a brief explanation of the *Customer Contract*
- (b) summarises the key rights and obligations of customers under the *Customer Contract*
- (c) refers to the types of account relief available for customers experiencing financial hardship
- (d) contains a list of Sydney Water's contact numbers in its area of operations.

4.2.2 Explaining variation to *Customer Contract*

The pamphlet prepared under clause 4.2.1 must be updated when changes are made to the *Customer Contract* and must be disseminated by Sydney Water free of charge to:

- (a) customers, at least once annually with their quarterly or other bills
- (b) any other person on request.

4.3 Consumers

Sydney Water's obligations under the *Customer Contract* relating to complaint handling and complaint resolution procedures are extended to consumers as if the consumers were a party to the relevant *Customer Contract*.

4.4 Practices and procedures relating to customer hardship, debt, water flow restriction and disconnection for non-payment

- (a) Sydney Water must have in place and comply with procedures relating to customer hardship, debt, water flow restriction and disconnection. These procedures must include:
 - (1) a customer hardship policy for residential customers, that helps residential customers in financial difficulty better manage their current and future bills
 - (2) a payment plan for residential customers who are responsible for paying their bill and who are, in Sydney Water's opinion, experiencing financial difficulty
 - (3) conditions for disconnection of supply or water flow restriction in accordance with the disconnection procedure set out in the *Customer Contract*
 - (4) provisions for self-identification, identification by community welfare organisations and identification by Sydney Water of residential customers experiencing financial difficulty.
- (b) Sydney Water must set out the procedures relating to customer hardship, debt, water flow restriction and disconnection referred to in clause 4.4(a) in the *Customer Contract*.
- (c) Sydney Water must provide information on its procedures relating to customer hardship, debt, water flow restriction and disconnection free of charge to:

- (1) residential customers, at least once annually with their quarterly or other bills
 - (2) residential customers who are identified as experiencing financial difficulty
 - (3) any other person who requests it.
- (d) Sydney Water must publish its procedures relating to customer hardship, debt, water flow restriction and disconnection on its website.
- (e) Sydney Water must advise residential customers of their rights, including any rights to have a complaint or dispute referred to the Energy and Water Ombudsman NSW for resolution.

4.5 Customer councils and Customer Council Charter

4.5.1 Customer councils

- (a) In accordance with the Act, Sydney Water must have in place and regularly consult with a customer council to enable community involvement in issues relevant to the performance of Sydney Water's obligations under the licence. Sydney Water may have one or more customer councils.
- [Section 15 of the Act requires that the licence set out the terms and conditions for Sydney Water to establish and consult with one or more customer councils].
- (b) Sydney Water must consult with the Customer Council, in accordance with the terms of the relevant Customer Council Charter, on:
- (1) the interests of customers and consumers of Sydney Water
 - (2) the *Customer Contract*
 - (3) such other key issues related to Sydney Water's planning and operations as Sydney Water may determine.
- (c) Sydney Water must appoint the members of a customer council, consistent with the licence.
- (d) At all times, the membership of a customer council must include a representative for the interests of at least each of the following:
- (1) business and consumer groups
 - (2) low income households

- (3) people living in rural and urban fringe areas
 - (4) residential consumers
 - (5) environmental groups
 - (6) local government
 - (7) people from culturally and linguistically diverse backgrounds.
- (e) Sydney Water must provide a customer council with information within its possession or under its control (other than information or documents over which Sydney Water or another person claims confidentiality or privilege) necessary to enable that customer council to discharge the tasks assigned to it.

4.5.2 Customer Council Charter

- (a) In consultation with members of each customer council, Sydney Water must maintain a customer council charter (Customer Council Charter) that addresses:
- (1) the role of the Customer Council
 - (2) selection criteria on how members will be drawn from the community
 - (3) how the Customer Council will operate
 - (4) induction processes for new members
 - (5) a description of the type of matters that will be referred to the Customer Council
 - (6) procedures for the conduct of Customer Council meetings, including the appointment of a chairperson and the requirement to invite on an annual basis a co-chair of the Customer Council from customer representatives
 - (7) communicating the outcome of the Customer Council's work to the public, including the publication of meeting agenda and minutes on Sydney Water's website;
 - (8) procedures for tracking issues raised and ensuring appropriate follow-up of those issues
 - (9) funding and resourcing of the Customer Council by Sydney Water including sitting fees and expenses for members.

- (b) Either Sydney Water or the Customer Council may propose any amendments to the Customer Council Charter. However, such amendments will not be effective until they have been approved by both Sydney Water and the Customer Council.

5.1 Internal dispute resolution process

- (a) Sydney Water must establish and maintain internal complaint handling procedures for receiving, responding to and resolving complaints by customers and consumers against Sydney Water.
- (b) The internal complaints handling procedures of Sydney Water must be based on the *Australian Standard AS/ISO 10002: 2004 MOD Customer Satisfaction – Guidelines for Complaint Handling*, as amended or replaced from time to time.
- (c) Sydney Water must make available to customers and consumers information concerning its internal complaints handling procedures which explains how to make a complaint and how the complaint handling procedure works.
- (d) Sydney Water must provide information of the nature described in clause 5.1(c) to customers through their quarterly, or other, bills at least once annually.

5.2 External Dispute Resolution Scheme

- (a) Sydney Water must establish or be a member of an industry based dispute resolution scheme for the resolution by a dispute resolution body of disputes between Sydney Water and its customers and between Sydney Water and consumers.

[Note: The industry based dispute resolution body at the commencement date of the licence is EWON – the Energy & Water Industry Ombudsman of New South Wales.]

- (b) Any industry based dispute resolution scheme so established by Sydney Water is subject to the Minister's approval.
- (c) Sydney Water must:

- (1) prepare a pamphlet that explains how the dispute resolution scheme operates and how it can be accessed
- (2) provide that pamphlet to customers through their quarterly or other bills, at least once annually.

6.1 Environment management

- (a) Sydney Water must maintain an environmental management system certified to AS/NZS ISO 14001:2004 (as updated from time to time) to manage environmental risk of its business and service delivery.
- (b) Sydney Water must prepare a five year environment plan in accordance with the environmental management system in clause 6.1(a) by 30 September 2010. The Five Year Environment Plan must:
 - (1) include Sydney Water's environmental objectives
 - (2) contain details of Sydney Water's program to meet the environmental objectives including targets and timetables
 - (3) endorse the principles of ecologically sustainable development
 - (4) be integrated into Sydney Water's business plans
 - (5) be posted on Sydney Water's website for downloading by any person free of charge. A copy of the plan must be provided to any member of the public free of charge upon request.
- (c) Sydney Water must complete an annual progress report in accordance with the *Reporting manual*, outlining details of Sydney Water's progress with the environmental objectives, targets and timetable.
- (d) Each year Sydney Water must review the Five Year Environment Plan by consulting with DECCW and peak environmental non-governmental organisations to determine whether any changes to the Five Year Environment Plan are required in the subsequent year and the nature of those amendments.

6.2 Environmental indicators

Sydney Water must:

(a) monitor, record and compile data on the environmental performance indicators; and

(b) report on the environmental performance indicators,

in accordance with its obligations under the *Reporting manual*.

[Note: Under section 14(1)(d) of the Act, the licence must require Sydney Water to compile indicators of the direct impact on the environment of its activities (1) to enable preparation of an annual report on its performance and (2) to provide information for a year to year comparison in relation to its performance in this area.]

7.1 Water usage level

- (a) Sydney Water must reduce the quantity of drinking water it draws from all sources to a level of water usage equal to, or less than, 329 litres per person per day (the water usage level) by 30 June 2011.
- (b) Thereafter, Sydney Water must continue to maintain the water usage level for the remainder of the term of the licence, to be measured at 30 June each year.
- (c) In calculating water usage for the purposes of the water usage level, Sydney Water may make reasonable adjustments to account for the effects of weather on water usage using a methodology approved by IPART.

[Note: Sydney Water intended to review its climate correction model during 2009–10. IPART will review this model and approve it if acceptable.]

- (d) If Sydney Water fails to meet the water usage level in a particular year, Sydney Water must demonstrate, to the satisfaction of IPART, that it would not have been reasonable to meet the water usage level in that year.
- (e) Sydney Water must undertake a review of the water usage level as part of the end of term review of this licence.

7.2 Water leakage

- (a) Sydney Water must ensure that the level of water leakage from its drinking water supply system (the **water leakage level**) does not exceed 105 megalitres per day.
- (b) When calculating the water leakage level each year, Sydney Water must use the assumptions and methodology approved by IPART.
- (c) Sydney Water must complete a review by 31 December 2011 to determine the economic water leakage level and submit a report on this

review to IPART. The review must be conducted in a manner acceptable to IPART.

- (d) Following submission of the report from Sydney Water under clause 7.2(c), IPART must provide a recommendation to the Minister as to the economic water leakage level.
- (e) Following review of the report submitted to IPART under clause 7.2(c) and consideration of IPART's recommendation under clause 7.2(d), the Minister may adjust the water leakage level.

7.3 Water efficiency programs

- (a) Sydney Water must undertake and promote water efficiency programs.
- (b) Sydney Water must give due consideration to water efficiency and other water conservation measures as part of planning the future provision of its services, including addressing water leakage.

7.4 Water recycling program (including stormwater)

- (a) Sydney Water must promote, foster and encourage the production and use of recycled water in the area of operations.
- (b) Sydney Water must:
 - (1) meet any target relating to the production and/or use of recycled water set by the Minister from time to time consistent with the objectives of the Metropolitan Water Plan
 - (2) implement any particular recycled water schemes indicated by the Minister so as to meet any target in clause 7.4(b)(1) above.
- (c) Sydney Water is not required to undertake any recycled water scheme where it is not financially viable to do so.

7.5 Water conservation strategy document and annual report

- (a) Sydney Water must prepare and submit to IPART and the Minister by 31 December 2010 a five year water conservation strategy document covering the term of the licence. The Five Year Water Conservation Strategy document must include details of:
 - (1) strategies relating to water leakage
 - (2) strategies relating to recycled water

- (3) strategies relating to water efficiency
 - (4) how the water conservation strategies outlined in paragraphs (a)(1) – (a)(3) above contribute to the objectives and targets outlined in the Metropolitan Water Plan.
- (b) The Five Year Water Conservation Strategy document must provide an analysis of current and future programs and projects being undertaken, and expected to be undertaken, by Sydney Water. In particular, the Five Year Water Conservation Strategy document must outline Sydney Water's water conservation objectives, targets and timetable for the entire term of the licence.
- (c) Sydney Water must provide an annual report on its progress in implementing its water conservation strategies in accordance with the *Reporting manual*. The annual report must include an explanation of how work done for the purpose of implementing the water conservation strategies undertaken during the year contribute to the objectives and targets outlined in the Metropolitan Water Plan.
- (d) The following documents must be placed on Sydney Water's website:
- (1) the annual report on Sydney Water's progress in implementing its water conservation strategies required under clause 7.2(c)
 - (2) the Five Year Water Conservation Strategy document.

8.1 Compliance audits

IPART may undertake an audit on the compliance of Sydney Water with:

- (a) the licence
- (b) the *Reporting manual*
- (c) any matters required by the Minister.

8.2 Ad Hoc Audits

IPART may undertake ad hoc audits at the direction of the Minister.

8.3 Reporting in relation to compliance audit

Where a compliance audit has identified non-compliance with the licence, in addition to any other action that is taken or required to be taken, the Minister may require Sydney Water to promptly advertise publicly, and notify customers and consumers of, the areas in which its performance has not complied with the licence, the reasons why and the measures that will be taken by it to address the non-compliance. Such advertisements and notices must be in a form reasonably acceptable to IPART.

8.4 Costs of annual audit

Sydney Water must pay to the Treasurer the cost (as certified by IPART) involved in and in connection with carrying out each annual audit.

[Note: section 33A of the Act provides for Sydney Water to pay the cost of the audit.]

8.5 Provision of information

- (a) Sydney Water must provide IPART, and any person appointed or approved by IPART to conduct a compliance audit, with all information within its possession or under its control necessary to the conduct of the compliance audit, including whatever information is reasonably requested by IPART or the person appointed or approved by IPART.
- (b) The information sought under clause 8.5(a) must be made available within a reasonable time of it being requested.
- (c) For the purposes of any compliance audit, Sydney Water must, within a reasonable time of being required by IPART, or a person appointed or approved by IPART to conduct the compliance audit, permit IPART or that person to:
 - (1) have access to any works, premises or offices occupied by Sydney Water
 - (2) carry out inspections, measurements and tests on, or in relation to, any such works, premises or offices
 - (3) take on to any such premises, works or offices any other persons or equipment as necessary for the purposes of performing the compliance audit or verifying any report on the compliance audit
 - (4) inspect and make copies of, and take extracts from, any books and records of Sydney Water that are maintained in relation to the performance of Sydney Water's obligations under the licence
 - (5) discuss matters relevant to the compliance audit or any report on the compliance audit with Sydney Water's employees.
- (d) If Sydney Water contracts out any of its activities to third parties (including a subsidiary) it must take all reasonable steps to ensure that, if required by IPART, any such third parties provide information and do the things specified in this clause 8 that extend to Sydney Water as if that third party were Sydney Water.
- (e) For the purpose of any compliance audit, information over which confidentiality or any form of privilege is claimed by Sydney Water or a subsidiary or third party must be provided to IPART or the person appointed or approved by IPART to conduct the compliance audit, subject to IPART or that person entering into reasonable arrangements to ensure that the confidential or privileged information remains confidential or privileged.

- (a) Sydney Water must comply with its reporting obligations set out in the *Reporting manual* and must report to IPART in accordance with the *Reporting manual*.
- (b) Sydney Water must provide to NSW Health a copy of any report referred to in the *Reporting manual* relating to water quality monitoring.
- (c) Sydney Water must maintain record systems that are sufficient to enable it to accurately report in accordance with clause 9(a).

10.1 IPART

- (a) Sydney Water must comply with any reasonable request by IPART for information relating to the performance by Sydney Water of its obligations under clause 9.
- (b) As part of its obligations under clause 10.1(a), Sydney Water must provide IPART with physical and electronic access to the records kept by Sydney Water that enable it to comply with clause 9.
- (c) Sydney Water must provide IPART with such information as IPART reasonably requires to enable it to conduct any reviews of the licence or obligations under the licence as may be required by the Minister.

10.2 NSW Health

Sydney Water must comply with any request by NSW Health for information relating to water quality. The information provided under this clause must be in the manner and form specified by NSW Health.

[Note: Under section 10H of the *Public Health Act 1991* the Director General of NSW Health may require Sydney Water to produce certain information.]

(a) In accordance with the Act, Sydney Water must maintain a memorandum of understanding with each of the following:

- (1) the Water Administration Ministerial Corporation (**WAMC**)
- (2) NSW Health
- (3) DECCW

for the term of the licence.

[Note: Section 35 of the Act requires Sydney Water to enter into separate memoranda of understanding with certain regulatory agencies, being the Water Administration Ministerial Corporation, the Director-General of NSW Health and DECCW. If Sydney Water and those regulatory agencies are not able to agree on a term of the memorandum of understanding, the view of the regulatory agency prevails. Section 36 deals with public exhibition of memoranda of understanding.]

(b) The purpose of a memorandum of understanding is to form the basis for co-operative relationships between the parties to the memorandum. In particular:

- (1) the memorandum of understanding with NSW Health is to recognise the role of NSW Health in providing advice to the Government of NSW in relation to:
 - (A) the management of the supply of drinking water to ensure it is safe to drink
 - (B) the management of the supply of recycled water in respect of its fitness for purpose and effects on health
- (2) the memorandum of understanding with DECCW is to recognise DECCW as the environmental regulator of the State and to commit Sydney Water to environmental obligations
- (3) the memorandum of understanding with the WAMC, is to recognise the role of WAMC in regulating water access, use and management and Sydney Water's right to use water vested in the WAMC.

- |
- (c) Clause 11(a) does not limit the persons or regulatory agencies with whom Sydney Water may have a memorandum of understanding.

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- (a) On or about 1 January 2014 a review of the licence, which will entail public consultation, will be undertaken by the licence reviewer:
- (1) to determine whether the licence is fulfilling its objectives
 - (2) in relation to any matter requiring to be reviewed by the licence
 - (3) to determine the terms of any renewal of the licence.
- (b) Sydney Water must, on the direction of the Minister, make available to the public on request and for downloading from its website, and free of charge, the report prepared by the licence reviewer at the conclusion of the review.

Any notice or other communication given under the licence must be made in writing addressed to the intended recipient at the address shown below or the last address notified by the recipient.

Sydney Water Corporation	IPART
The Managing Director Sydney Water Corporation 1 Smith Street Parramatta NSW 2150	The Chief Executive Officer Independent Pricing and Regulatory Tribunal Level 8, 1 Market Street Sydney NSW 2000

14.1 Definitions

Act means the *Sydney Water Act 1994*.

Ad hoc audit means an audit of Sydney Water that may be conducted at any time on the requirement of the Minister, by IPART, or a person appointed or approved by IPART to assess Sydney Water's compliance with the licence or in connection with any other matter required by the Minister.

Annual audit means an operational audit of Sydney Water to assess Sydney Water's compliance with the licence which is conducted annually by IPART, or a person appointed or approved by IPART.

Annual Audit Report means the report on an annual audit which IPART is required to present to the Minister under section 32 of the Act.

Area of operations means the area of operations specified in section 10(1) of the Act, a description of which is set out in Schedule 1.

[Note: Sydney Water has the same area of operations that Sydney Water Corporation Limited had immediately before it ceased to be a company State Owned Corporation. Section 10(1) requires that an operating licence contain a schedule that details the area of operations to which the operating licence applies.]

Assets mean the land, structures, plant, equipment, corporate and business systems of Sydney Water, which cause, allow, or assist the delivery of its services.

Australian Drinking Water Guidelines means the document entitled *Australian Drinking Water Guidelines 2004* published by the National Health and Medical Research Council and the Natural Resource Management Ministerial Council of Australia and New Zealand (as amended or updated from time to time).

Australian Guidelines For Water Recycling means the document entitled *Australian Guidelines For Water Recycling: Managing Health and Environmental Risks (Phase 1)* and published by the Environment Protection and Heritage Council, the Natural Resource Management Ministerial Council and the Australian Health Ministers' Conference in November 2006 (as amended or updated from time to time).

Commencement date is the date by law on which the licence commences.

Complaint means an expression of dissatisfaction made to Sydney Water, related to its products or services, or the complaints-handling process itself, where a response or resolution is explicitly or implicitly expected.

Compliance audit means either an annual audit or an ad hoc audit.

Consumer means any person who consumes or uses the services and includes, but is not limited to, a tenant or occupier.

Controlled sewage overflow is a sewage overflow that is directed by Sydney Water via a designed structure to a predetermined location such as a stormwater system or waterway in order to prevent overloaded or blocked sewers from discharging at sensitive locations, on private property or within buildings thus endangering public health or causing a public nuisance.

Customer means any person who is taken to have entered into a *Customer Contract* under section 55 of the Act, or to have entered into a contract on terms relating to the imposition of charges under sections 64 or 65 of the Act.

Customer Contract means the *Customer Contract* as defined in clause 4.1(a).

Customer Council Charter means the customer council charter as defined in clause 4.5.2(a).

DECCW means the Department of Environment, Climate Change and Water NSW.

Drinking water means water intended primarily for human consumption but which has other personal, domestic or household uses such as bathing and showering.

Energy and Water Ombudsman NSW means the NSW industry complaints scheme for the water industry of that name and any successor to that scheme.

Environmental performance indicators means the environmental performance indicators as set out in the *Reporting manual*.

Five Year Drinking Water Quality Management Plan means the plan for the management of drinking water quality that Sydney Water is required to prepare under clause 2.1(b) of the licence.

Five Year Environment Plan means the environmental plan that Sydney Water is required to prepare under clause 6.1(b) of the licence.

Five Year Water Conservation Strategy Document means the strategy document for water conservation that Sydney Water is required to prepare under clause 7.5(a) of the licence.

Fluoridation Code has the meaning given to that expression in the *Fluoridation of Public Water Supplies Regulation 2007*.

IPART means the Independent Pricing and Regulatory Tribunal of NSW constituted by the *IPART Act*.

IPART Act means the *Independent Pricing and Regulatory Tribunal Act 1992 (NSW)*.

Licence means this *Operating Licence* granted under section 12 of the Act to Sydney Water or any renewal of it, as in force for the time being.

Licence reviewer means IPART, unless the Minister otherwise determines.

Metropolitan Water Plan means the latest version of the NSW Government's published plan to ensure a sustainable and secure water supply for greater Sydney.

Minister means the Minister responsible for administering those provisions of the Act relating to the licence.

NSW Health means the NSW Department of Health.

Priority Sewerage Program means the program (incorporating the principles of least cost technology) for improving wastewater services in unsewered areas described in Schedule 4 to the licence.

Property means any real property to which either or both of the following conditions apply:

- (a) the real property is connected to Sydney Water's drinking water supply system, Sydney Water's wastewater system or Sydney Water's recycled water system and a charge for the services provided by one or more of those systems is levied on the owner of the real property;
- (b) the real property is within a declared stormwater drainage area for which a stormwater charge is imposed by Sydney Water upon the owner of real property in that area.

Public property means real property vested in or under the control of a Minister of the Crown or public authority excluding so much of such real property as is leased, licensed or used for private purposes.

Recycled water means water which, upon appropriate treatment, is suitable for its intended re-use application, other than for use as drinking water.

Reporting manual means the reporting manual entitled *Reporting manual for - Sydney Water Corporation* and published by IPART (as updated from time to time).

Service quality and system performance indicators means the service quality and system performance indicators set out in the *Reporting manual*.

Services means the following services of Sydney Water permitted by the licence and any applicable law and as varied by order of the Governor under section 10(2) of the Act:

- (a) storing and supplying water (including recycled water)
- (b) providing wastewater services
- (c) providing stormwater drainage services
- (d) disposing of Wastewater.

Sewage overflow is the discharge of untreated or partially treated sewage from any part of Sydney Water's Wastewater system which may occur in dry weather or in wet weather.

SOC Act means the *State Owned Corporations Act 1989*.

Subsidiary has the meaning given to that expression in the SOC Act.

[Note: Section 3(1) of the *State Owned Corporations Act 1989* defines a subsidiary to mean 'a body corporate that is a subsidiary of a State Owned Corporation as determined in accordance with the *Corporations Act 2001* of the Commonwealth and (in relation to a statutory SOC) includes a body corporate that would be such a subsidiary if the statutory SOC were a company SOC'.]

Sydney Water means the Sydney Water Corporation constituted as a corporation by the Act.

Uncontrolled sewage overflow is a sewage overflow that is not a controlled sewage overflow and will be taken to have commenced on the earlier of the following:

- (a) when a person notifies Sydney Water that a property (which may include a public property) has experienced a sewage overflow which Sydney Water confirms is an uncontrolled sewage overflow
- (b) when Sydney Water's systems (which may include modelling undertaken by Sydney Water) identify that a property (which may include a public property) has experienced an uncontrolled sewage overflow.

Unplanned water interruption is an event which:

- (a) commences when the supply of drinking water at the first cold water tap of a property is interrupted without the customer or consumer having received prior notice of that interruption from Sydney Water (and includes an interruption resulting from damage caused by a person, other than Sydney Water, or from a power failure)

- (b) ceases when a normal supply of drinking water is restored to the property referred to in paragraph (a).

Wastewater means an effluent stream comprising elements such as sewage, trade waste discharges and grey water.

Water pressure failure means a situation in which a property experiences a pressure of less than 15 metres for a continuous period of 15 minutes or more measured at the point of connection of the property to Sydney Water's water supply system, usually at the point of connection known as the 'main tap'.

14.2 Interpretation

- (a) In the licence, unless the contrary intention appears:
- (1) the word person includes an individual, a body corporate, an unincorporated body or other entity and one or more of each of them
 - (2) headings are for convenience only and do not affect the interpretation of the licence;
 - (3) notes do not form part of the licence but may be used to assist with interpretation if there is an ambiguity;
 - (4) words importing the singular include the plural and vice versa;
 - (5) a reference to a law or legislation (including the Act) includes regulations made under the law or legislation;
 - (6) a reference to regulations includes ordinances, codes, licences, orders, permits and directions;
 - (7) a reference to a law or regulation includes consolidations, amendments, variations, re-enactments, or replacements of any of them;
 - (8) a reference to a person includes a reference to the person's executors, administrators, successors, substitutes (including, but not limited to, persons taking by novation) and assigns;
 - (9) a reference to a year means a calendar year that ends on 31 December;
 - (10) a reference to a financial year means a period of 12 months commencing on 1 July and ending on next following 30 June;

- (11) a reference to a clause or schedule is to a clause or schedule to the licence
- (12) a reference to a quarter is a period of three months beginning on 1 July, 1 October, 1 January or 1 April in a year.
- (b) If any part of the licence is prohibited, void, voidable, illegal or unenforceable, then that part is severed from the licence but without affecting the continued operation of the remainder of the licence.
- (c) A reference in the licence to any organisation, association, society, group or body will, in the event of it ceasing to exist or being reconstituted, renamed or replaced or if its powers or functions are transferred to any other entity, body or group, refer respectively to any such entity, body or group, established or constituted in lieu thereof or succeeding to similar powers and functions.
- (d) A reference in the licence to a document (original document) is a reference to the original document as amended or revised or, where the original document is replaced, to the replacing document, or the document that most closely approximates the original document.
- (e) Except where a contrary intention appears in the licence, where there is disagreement between Sydney Water and IPART as to the proper interpretation of any term of the licence, the matter must be referred to the Minister for resolution by the Minister.
- (f) Information provided to IPART under the licence may be used by IPART for the purpose of an investigation or report under the IPART Act in relation to Sydney Water, or in the discharge of any function lawfully conferred on IPART.

Area of operations means:

- the local government areas specified below
- the islands in Sydney Harbour
- the deemed areas described below
- any area of land within an area declared or deemed to be a special area under section 21 of the *Water Board Act 1987* which is deemed to be a controlled area by section 88(3) of the Act;
- any area of land within a special area, deemed special area or controlled area which was continued in force by virtue of Part 2, Schedule 9 of the Act as at the date Sydney Water was established as a statutory state-owned corporation
- any areas declared from time to time to be controlled in accordance with section 88 of the Act

as adjusted by any variation to the area of operations made by the Governor in accordance with section 10 of the Act.

Local government areas

Ashfield	Manly
Auburn	Marrickville
Bankstown (City)	Mosman
Blacktown (City)	North Sydney
Blue Mountains (City)	Parramatta (City)
Botany	Penrith (City)
Burwood	Pittwater
Camden	Randwick
Campbelltown (City)	Rockdale
Canada Bay	Ryde
Canterbury	Shellharbour
Fairfield (City)	Sutherland
Hawkesbury (City)	Strathfield
Holroyd	Sydney (City)
Hornsby	The Hills
Hunter's Hill	Warringah
Hurstville (City)	Waverley
Kiama	Willoughby
Kogarah	Wingecarribee (Part)
Ku-ring-gai	Wollondilly
Lane Cove	Wollongong (City)

Leichhardt
Liverpool (City)

Woollahra

Deemed areas

Any land under the waters of Port Jackson and adjoining the boundaries of the City of Sydney upon which there is erected any wharf, pier, jetty, building, or other structure will be deemed to be within the area of operations of Sydney Water.

[Note: Under section 10(1) of the Act, the area of operations for Sydney Water is the same as the area current for the Water Board as at the date of corporatisation. The area of operations for the Water Board was identical in extent to the area of operations proclaimed under the *Metropolitan Water Wastewater & Drainage Board Act 1924*.]

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Sydney Water provides water, wastewater, and some stormwater services to people in Sydney, the Illawarra and the Blue Mountains.

Sydney Water's key objectives are protecting public health, protecting the environment, and operating as a successful business.

This *Customer Contract* outlines your rights and obligations as a customer and sets out the minimum standards of customer service that you can expect. It is our service guarantee to our customers. It also outlines Sydney Water's rights and obligations to help us meet our key objectives.

For more information about Sydney Water and the services we provide visit sydneywater.com.au or call us on 13 20 92.

1.1 Words used in this contract

Some of the words used in this contract have a special meaning. The meanings are set out in the definitions in Part 15 at the end of this contract.

1.2 Understanding the contract

There are a number of provisions in Part 15 at the end of this contract that may assist you in interpreting the contract.

2.1 What is a *Customer Contract*?

This contract is between us, Sydney Water and you, the customer.

This contract provides the terms under which we provide, where available, water, wastewater, and stormwater drainage services to you. This contract also sets out rights and obligations including your rights in any dispute with us.

This contract is a legally enforceable document and is a requirement of the Act.

This contract is summarised in a separate brochure called the customer contract in brief. Copies of this brochure are available on our website or by contacting us.

2.2 Who is covered by this contract?

You are our customer and covered by relevant clauses of this contract if:

- you are the owner of property within our area of operations that is connected to a water main or wastewater system owned by us and that connection has been authorised or approved by us
- you receive water and/or wastewater services from us.

If you have a contract for the supply of water and/or wastewater services from a supplier licensed under the *Water Industry Competition Act 2006*, this contract only applies to you for the services you receive from us.

You are also our customer and covered by this contract (except parts 3, 6, 10 and clauses 8.1, 8.2 and 8.3.) if:

- you are the owner of property that is within a declared stormwater drainage area or
- you are liable to pay us charges for the services we provide.

You may be entitled to an exemption from service charges based on the use of your land.

2 What is a Customer Contract and who is covered by it?

2.3 Other agreements with us

If you have a separate agreement with us (for example a trade waste, sewer mining, stormwater harvesting or recycled water agreement), this contract will apply so far as it is not inconsistent with that agreement.

We may enter a separate agreement with you to provide different levels of service where possible. Before entering a separate agreement with you, we will provide you with an estimate of the costs to supply you with the service requested and advise you if the service that we have agreed to provide is below the standards set out in this contract.

2.4 When does this *Customer Contract* commence?

This contract commences on 1 July 2010, or on the date when water supply or wastewater services to your premises are transferred to Sydney Water from a supplier licensed under the *Water Industry Competition Act 2006*, whichever is sooner.

On its commencement this version of the contract replaces any previous customer contract between you and us.

Any rights and liabilities that have accrued under any previous contract with us are not affected by the commencement of this contract.

3.1 Water supply services

3.1.1 Supply of water

We will supply a customer with water to meet a customer's reasonable needs except:

- in the case of planned or unplanned interruptions, under clauses 3.4.2 and 3.4.3
- in the case of restrictions under clause 3.4.4
- where we are entitled to restrict or discontinue supply under clause 6
- in the case of events beyond our reasonable control.

To receive recycled water from us, your property must be within a Sydney Water recycled water area or you must enter into a separate agreement with us.

If you are supplied with recycled water, we will give you information on the standard requirements for its safe use at the time we commence supply to you. We are not responsible for your use of recycled water contrary to the information we provide.

3.1.2 Drinking water quality

The drinking water we supply a customer will comply with the health, taste and odour related guidelines provided in the *Australian Drinking Water Guidelines 2004* as specified by NSW Health, and any other taste and odour related guidelines, as required by the *Operating Licence*.

3.1.3 Recycled water quality

The recycled water system and the recycled water we supply a customer will comply with the *Australian Guidelines for Water Recycling 2006* (Phase 1 Managing Health & Environmental Risks) NWQMS as agreed by NSW Health.

3.1.4 Drinking water pressure

We will ensure that the drinking water we supply to your property is at a minimum of 15 metres head of pressure at the point of connection to Sydney Water's system. This is recognised as suitable for residential and non-residential users.

3 What services does Sydney Water provide?

3.1.5 Health or special needs

Your health provider will notify us if you require a water supply to operate a life support machine or for other special health needs. You may be eligible for an allowance on your water usage charge.

3.2 Wastewater services

3.2.1 Supply of wastewater services

If your property is connected to our wastewater system, we will supply you with wastewater services to meet your reasonable needs for the discharge of domestic wastewater except:

- where we are entitled to discontinue supply under clause 6
- in the case of planned interruptions and unplanned interruptions, under clauses 3.4.2 and 3.4.3
- in the case of events beyond our reasonable control.

3.2.2 Wastewater overflow

We will make every reasonable effort to minimise the incidence of wastewater overflows on your property due to a failure of our wastewater system.

If there is a wastewater overflow on your property due to the failure of our wastewater system, we will ensure that:

- inconvenience and damage to you is minimised
- the affected area is suitably and promptly cleaned up at our cost and in a way that minimises the risk to human health
- any rebates due to you under clauses 7.2 and 7.3 are paid.

3.2.3 Blockage of your private wastewater system

If a blockage occurs in your private wastewater system, you are responsible for arranging the blockage to be cleared by a licensed plumber or drainer.

If the blockage occurs in our wastewater system we will clear the blockage at our cost. However, you may be liable to pay to the extent you have contributed to the blockage.

3.2.4 Trade wastewater

You may discharge trade wastewater into our wastewater system only if you have obtained our written permission and entered into an agreement with us.

3 What services does Sydney Water provide? |

We will give you our written permission and enter into an agreement with you only if we are able to accept, transport and process trade wastewater that you discharge in full compliance with applicable safety and environmental laws, the *Operating Licence* and the Act.

You can contact us to obtain further information on the guidelines and standards for a trade waste permission.

3.2.5 Pressure sewer system connection

When we provide a pressure sewer system, (that we own, install and maintain), you must provide us at your expense, with continuous and regular electricity to run any necessary pump and ancillary equipment. The pump and ancillary equipment is dedicated to only serving your property.

For the equipment that we own and maintain, you must comply with the *Home owner's manual* for pressure sewer systems, that we provide.

3.2.6 Sewer mining and stormwater harvesting

You may extract wastewater from our wastewater system or stormwater from our stormwater system only if you have obtained our written permission and entered into an agreement with us.

You may contact us for further information.

3.3 Stormwater drainage services

We will provide you with a service to transport stormwater through stormwater drainage systems under our control if your property is within a Sydney Water declared stormwater drainage area.

If your property is within a declared stormwater drainage area we will charge you the fee for this service set by the Independent Pricing and Regulatory Tribunal of NSW (IPART).

We can provide information to assist you in determining whether your land is within a declared stormwater drainage area and whether Sydney Water stormwater pipes or channels are located within or adjacent to your property.

We will notify you if an area is newly declared a stormwater drainage area and it affects your property.

3.4 Factors affecting service

3.4.1 Repairs and maintenance

3 What services does Sydney Water provide?

If we undertake any work on or adjacent to your property, we will leave the affected area and immediate surrounds as near as possible to its original state which existed prior to the works being undertaken, unless we have agreed to a different arrangement with you.

3.4.2 Unplanned interruptions

If there is an unplanned interruption to your water supply service or wastewater service, we will minimise the inconvenience to you by:

- restoring the service as quickly as possible.
- providing as much information as practicable on a 24 hour leaks and faults telephone service (see clause 11.4). The service will advise you how long the interruption is likely to last, and how to obtain supplies of water, where applicable.
- providing access to emergency supplies of water where reasonably practicable and necessary having regard to the particular circumstances.

3.4.3 Planned interruptions

We may need to arrange planned interruptions to your water supply services and wastewater services to allow for planned or regular maintenance of our water or wastewater system.

We will inform you of the time and duration of any planned interruption, at least two days in advance if you are a residential customer, and seven days in advance if you are a non-residential customer unless, you agree to another period.

We will use our best endeavours to ensure the planned interruption is no longer than five hours in one continuous period.

3.4.4 Water restrictions

At the discretion of the Minister or Government, we may interrupt or limit water supply services to you or place conditions on water use. You must comply with the supply conditions during this time.

We will publish in major newspapers throughout our area of operation and on our website supply conditions. These may include:

- restrictions on the use of water, including the purpose for which water may be used
- a variation of charges consistent with the Act and *Operating Licence*
- other conditions that we consider appropriate, including the period or likely period of restrictions or limitations on supply and usage of water.

We will also make every reasonable effort to notify you in your next account of supply conditions.

4.1 Responsibility to pay the account

You must pay us the amount of your account by the date specified on your account, unless you have made other payment arrangements with us.

4.2 Publication of charges

We will publish, and provide you up to date information on our charging policies and current charges. This information will be provided to you on request.

4.3 Concessions

You are eligible for a government funded pension concession if you hold one of the recognised pensioner concession cards. You must apply to us for the concession and establish your eligibility.

If you are eligible for the concession, we will ensure that it is granted from the commencement of the next quarterly charging period after your application for a concession was lodged.

To obtain information on whether you are eligible for a concession, contact us. On request, we will provide information about concessions in languages other than English.

4.4 Your account

4.4.1 When will your account be sent

We will issue you an account for the services that we provide. Residential customers will be sent an account on a quarterly basis, unless otherwise agreed.

Non-residential customers with high water usage and wastewater disposal may be sent an account on a monthly basis.

4 What you pay

We will provide a statement to you of all charges for the previous 12 months on request, free of charge.

4.4.2 What information is on your account

We will ensure that your account contains details of:

- the account period to which it applies
- the total amount due
- the usage and service fees
- other fees and charges payable
- the date payment is due
- your postal address and account number
- the address of the property at which the charges in the account have been incurred
- options for the method of payment
- a comparison of your water usage where available
- contact numbers for account enquiries, leaks and faults, and text telephone (TTY) services
- the payment assistance available
- information in community languages about the availability of interpreter services and the phone number for these services.

4.4.3 How accounts are sent

We will send your account to the postal address you nominate.

If you do not nominate a postal address, the account will be sent to:

- the property to which the services are available or provided
- your last known postal address.

On your request we may send your account electronically.

Your account will be considered delivered to you if it is sent by one of these means.

4.4.4 How payment can be made

We will provide a range of payment options including in person, by mail, via the internet or by direct debit.

4.4.5 Overdue account balances

We may charge you interest on overdue account balances at the rate applicable under the relevant Act.

4.5 Undercharging

If your account is less than what you are required to pay us (that is, we have undercharged you) as a result of our error, we may adjust your next account to charge the undercharged amount as a separate item.

If the undercharging is due to you providing false information or there has been an unauthorised connection or you have breached this contract or Act, you must pay the correct amount on request. We will state the amount to be paid as a separate item in your next account.

4.6 Overcharging

If your account is greater than what you are required to pay us (that is, we have overcharged you) due to our error, we will apply a credit to your next account after we become aware of the error.

4.7 Account disputes

If there is an unresolved dispute concerning an amount of money to be paid by you, we will not seek the amount from you until the dispute has been resolved in our favour.

You are obliged to pay the undisputed amount by the due date.

4.8 Wastewater usage charge

The wastewater usage charge applies to non-residential customers only. We will determine a wastewater discharge factor that is used to calculate wastewater service charges.

Where a discharge factor is varied the revised charge will apply from the beginning of the next billing period. We will notify you of any change to your discharge factor.

4.9 How prices are determined

We may vary charges from time to time, but only in accordance with our *Operating Licence*, the Act and the maximum prices, guidelines and methodologies determined or issued by IPART.

4 What you pay

4.10 Notification of price variations

We will publish any variations to our charges and provide details on your account. The variation will commence on:

- the first day of the next quarter; or
- any other date we nominate after we have published the change.

4.11 Other costs and charges

4.11.1 Dishonoured or declined payments

If payment of your account is dishonoured or declined, we may charge you the dishonoured or declined payment fee set by IPART.

We may refuse to accept personal cheques for a specific payment where two dishonoured cheques have been provided. We may refuse future payments by personal cheques from you if you have a history of presenting cheques that are dishonoured.

4.11.2 Costs for installing and connecting services

You must pay the installation costs of a connection from your property to our water, wastewater or stormwater system.

Connection to our water, wastewater or stormwater system must be approved by us and comply with the conditions we set to ensure the safe and reliable supply of services. The connection must be undertaken by an accredited installer, licensed plumber or drainer and in accordance with plumbing, drainage or other regulations or standards that may apply.

4.11.3 Charges for other matters

We may charge you a fee for any other services you request from us. You should contact us for further details of any ancillary service charges.

We may also charge you other fees, charges and amounts where we are entitled to do so under the Act.

5.1 Payment difficulties and account relief

If you are experiencing financial hardship you should contact us and we will provide you with information about schemes available to assist you. All reasonable effort will be taken by us to provide assistance to you.

If you are experiencing financial hardship, you have the right to:

- be treated sensitively on a case by case basis, by us
- receive information from us on alternative payment arrangements
- deferred payment for a short period of time
- negotiate an amount you can afford on an agreed instalment plan. If you are a non-residential customer these arrangements will be based on reasonable commercial considerations and market conditions
- access to a language interpreter, if required, at no cost to you

Additionally, if you are a residential customer experiencing financial hardship, you will be offered a range of programs that may assist you including:

- access to a 'flexipay' card that allows payment of smaller, regular amounts, which may fit better with your income cycle
- information from us about an accredited welfare agency for payment assistance
- payment assistance scheme vouchers issued by an accredited welfare agency
- other appropriate government concession programs
- financial counselling services.

If you enter into a payment plan arrangement with us, we will:

- enable you to make payments by instalments, in advance or arrears
- inform you of the following:
 - the period, or periods of the payment plan
 - the amount and frequency of each instalment
 - if you are in arrears, the completion date of the payment plan required to pay the arrears

5 What can I do if I am unable to pay my account?

- if you choose to pay in advance, the basis on how the instalments are calculated
- provide for instalments to be calculated having regard to your consumption needs, your capacity to pay and the amount of any arrears you are required to pay
- ensure that your arrears are cleared over a period of time and your debt does not continue to grow
- provide you with procedures that are fair and reasonable for dealing with the financial difficulty.

If you are experiencing financial hardship and have entered into a payment arrangement with us and honour that arrangement, we will:

- not take any legal action to enforce the debt or disconnection or restriction of the supply of water to your property
- waive interest on the overdue amount for the period of the arrangement.

6.1 Disconnection or restriction of supply for non-payment

If you fail to pay your account by the due date and have failed to make alternative arrangements for payment, we may disconnect or restrict the supply of water to your property in accordance with our practices and procedures relating to customer hardship, debt, water flow restriction and disconnection for non payment below.

6.2 Notice of disconnection or restriction of supply of water for non-payment

If you fail to pay your account by the due date we will send you a reminder/overdue notice. The reminder notice will:

- state that payment is immediately due
- state that you should contact us if you are having difficulty making payment and we will provide you with an explanation of alternative payment options, including payment arrangements
- advise you of your right to raise your concerns with the water industry ombudsman if you are not satisfied with a decision made by us.

If you fail to comply with the reminder/overdue notice, we will send you a disconnection notice advising you that:

- your account is significantly overdue
- you must pay the account within seven days otherwise we may take action to restrict or disconnect the supply of water to your property or legal action to recover the amount outstanding
- you may incur additional costs relating to us disconnecting or restricting the supply of water and/or taking legal action to recover the amount outstanding
- the supply of water to your property may be restricted or disconnected without further notice
- you have the right to raise your concerns with the water industry ombudsman if you are not satisfied with a decision made by us
- you should contact us if you are having difficulty making payment and we will provide you with an explanation of alternative payment options including payment arrangements.

6 Disconnection or restriction of water and wastewater services

We may restrict or disconnect the supply of water to you if:

- at least seven days have elapsed since we issued the disconnection notice
- we have attempted to make further contact with you about the non-payment by means of either a telephone call, mail or visit
- you have agreed to alternate payment options, but have failed to make the agreed payments.

We will advise you of when the restriction or disconnection will take place.

In addition to clause 6.5, we will not restrict water flow or disconnect supply for a failure to make due payment of money owed to us where:

- you have applied for assistance under the payment plan operated by us and you are complying with the agreed terms
- you have notified us that you have sought assistance from a welfare agency and that assistance is imminent.

The notices referred to in this clause will be sent to you in the same manner in which accounts are sent to you under clause 4.4.3.

If you receive an account for a new billing period that contains an overdue amount from a previous billing period, we may disconnect or restrict supply on the arrears after issuing you with the appropriate notices relating to the overdue amount as described in this section.

Information on our practices and procedures relating to customer hardship, debt, water flow restriction and disconnection will be sent to you annually with your quarterly or other bills and is also available on our website.

6.3 Disconnection or restriction for other reasons

We may also disconnect or restrict the supply of services to your property in the following circumstances:

- if private works for the supply of water or wastewater to your property are defective
- you have breached this contract, the Act or any other agreement with us, concerning the use or taking of water
- you fail to rectify a defective service as per clause 8.5 of this contract
- if sewer mining or stormwater harvesting facilities are not authorised by us or do not comply with applicable laws
- you discharge trade wastewater into our wastewater system without our written approval or you do not comply with the requirements of our written approval

6 Disconnection or restriction of water and wastewater services

- where you fail to ensure access to our meter. Prior to taking this step, we will use our best endeavours to contact you to arrange reasonable access, leave a notice requesting access and provide you with a disconnection warning
- if you are connected to a pressure sewer system that is maintained by Sydney Water and you do not comply with your *Home owner's manual*
- if a serious health or environmental risk is posed by the discharge of chemicals into our wastewater system
- if you have not installed a backflow prevention containment device if required to do so by us
- if you have not correctly installed or maintained your backflow prevention containment device or have failed to provide an annual test report by the due date
- you use your recycled water in a manner inconsistent with its intended purpose or in a manner contrary to the information we provide on its safe use
- where we are entitled or required to restrict or to discontinue supply by direction of the Minister or under an applicable law.

6.4 Minimum flow rate during restriction

If we restrict the supply of water to you, we will provide a flow sufficient for health and hygiene purposes. If you believe that the restriction will cause a health hazard you should contact us and we will consider increasing the flow.

6.5 Limitations on disconnection or restriction

Under no circumstances will we restrict or disconnect the supply of water to your property:

- without providing reasonable notice to the occupier of the property that we intend to restrict the supply
- without giving you the notices under clause 6.2 except when an order is issued under a relevant Act
- without providing the occupier with information on our practices and procedures relating to customer hardship, debt, water flow restriction and disconnection for non-payment
- if a related complaint is being considered for resolution by Sydney Water or the water industry ombudsman
- on a Friday, weekend, on a public holiday or the day before, or after 3 pm on a week day
- without advising the occupier that in some circumstances the Act permits a tenant to pay outstanding charges and deduct them from rents otherwise payable

6 Disconnection or restriction of water and wastewater services

- without providing the occupier reasonable opportunity to pay the account.

6.6 Disconnection by a customer

You may disconnect your property from our water or wastewater system provided that:

- you have complied with all applicable health, environmental and local council regulatory requirements
- you have given us information we may reasonably require
- you have given us 10 days written notice
- the disconnection is undertaken by a licensed plumber or drainer and conducted in accordance with plumbing, drainage or other regulations or standards that may apply.

On disconnecting your property, we may recover any equipment that Sydney Water installed on the property and may continue to charge you a service charge. You may apply to us to be exempted from this charge.

6.7 Restoration of water supply after restriction or disconnection

Following restriction of water supply or disconnection we will provide you with information to enable you to make arrangements for the reconnection of supply or restoration of normal water flow.

When the reason for the disconnection or restriction of supply no longer exists or if there is mutual agreement to restore supply, we will restore your supply:

- on the same day, if you pay or we agree to other arrangements before 3 pm on any business day
- on the next business day if you pay or we agree to other arrangements after 3 pm.

When the conditions for restoration are met after 3 pm, we may restore supply on the same day but you may be asked to pay an after hours reconnection fee.

7.1 Notification

If you notify us of a failure by us to comply with this contract or our activities result in inconvenience, damage or loss to you or your property we will promptly advise you of:

- your right to a rebate under clauses 7.2, 7.3 or 7.4
- redress options available under clause 7.5
- how we may rectify your problem
- how to seek compensation from us under clause 7.6.

If your property is in an area that experiences recurring wastewater overflows or interruptions due to a lack of capacity in our wastewater system we will provide you with written information on redress at least annually.

7.2 Rebates

We will provide a rebate to you, for an occurrence of the following:

- Planned interruption.

Where your water and/or wastewater services are interrupted for over five hours and we have provided you the notice required under clause 3.4.3, you are entitled to an automatic rebate of 10% of your quarterly water and /or wastewater service charge, subject to a minimum payment of \$30. You will be eligible for this rebate for each and every event that you experience.

- Unplanned interruption

Where your water and/or wastewater services are interrupted for over five hours and we have not provided you the notice required under clause 3.4.3, you are entitled to an automatic rebate of 10% of your quarterly water and/or wastewater service charge subject to a minimum payment of \$30. You will be eligible for this rebate for each and every event that you experience. If you experience three or more unplanned water interruptions in a 12-month period the rebate outlined in clause 7.4 will apply.

7 Redress

- Low water pressure

Where your drinking water is below 15 metres head of pressure at the point of connection for a continuous period of 15 minutes, unless as a result of a supply interruption, you will be eligible for a rebate of 10% of your quarterly water service charge, subject to a minimum payment of \$30. This rebate will be payable for one event each quarter. A rebate will be granted automatically when you are identified through our monitoring.

- Wastewater overflow

If you experience a wastewater overflow on your property due to a failure of our wastewater system, you are entitled to a rebate of 10% of your quarterly wastewater service charge, subject to a minimum payment of \$50. If you experience two or more events in a 12-month period the rebate outlined in clause 7.3 will apply.

- Dirty water

If we do not provide you with clean water suitable for normal domestic purposes, you may be entitled to a rebate of \$20 or twice the dollar value of the average maximum daily consumption of your property, whichever is greater.

If the cause of the problem is identified in your water system the rebate will not apply.

- ▼ Boil water alert

If NSW Health issues a 'boil water alert' due to contamination of drinking water caused by us, you are entitled to a rebate of \$30.

We will pay the rebate in your next account where possible.

7.3 Rebates for recurring wastewater service disruption or internal wastewater overflows

If you experience two or more wastewater service disruptions or internal wastewater overflows on your property in a 12 month period due to capacity constraints in our system, you will be entitled to a rebate after the second event equal to the whole wastewater service charge less any concessions for the next four quarters.

7.4 Rebates for recurring unplanned water interruptions

If you experience three or more unplanned water service interruptions over one hour to your property in a 12 month period, you will be entitled to a rebate after the third event equal to the whole water service charge less any concessions for the next four quarters.

7.5 Redress

In addition to our obligation to pay a rebate under clauses 7.2, 7.3, and 7.4, we may provide one of the following forms of redress:

- reinstatement
- repair
- rectification
- construction of works
- providing alternative supplies of water
- emergency accommodation
- payment for damages as set out in clause 7.6.

If you are unsatisfied with the form of redress we provide you, you may request additional redress from us. We will consider your request in accordance with the timeframes in clause 12.1 as if your request were a complaint.

7.6 Claim for damages

In the event of physical loss or damage to you or your property that may be as a result of our activities or our failure to comply with this contract, the *Operating Licence* or Act, we may compensate you for any loss suffered.

You should make your initial claim to your insurance company. If your loss is not covered by an insurance policy you may notify us for consideration.

All claims must be submitted in writing on an incident notification form that is available by contacting us. You must specify the nature of the problem and the type of compensation sought.

We will within five working days of receiving your claim:

- acknowledge receipt of your claim
- advise you of the name and contact details of our representative who is able to inform you of the progress of your claim.

We will undertake investigations into the circumstances surrounding the claim/incident and provide a response time for making a decision in regard to your claim.

You will be provided with a written assessment of your claim within the response time indicated. The assessment will outline the reasons for the decision in regard to your claim and the type of compensation to be provided, if any.

7 Redress

If you are not satisfied with our decision, you have the right to seek review of your claim under clause 12.2 or you may seek an external review under clause 12.4.

7.7 Limitation of liability

The only promises we make about the goods and services we provide under this contract, and the only conditions and warranties included in this contract are:

- those set out in this document
- those that the law (for example, the *Trade Practices Act 1974*) say are included.

However, where we are liable to you because of a breach of a condition or warranty that the law says is included in this contract, our liability is to the extent permitted by law, limited to:

- replacing the goods and services to which the breach relates
- at our option, paying you the cost of replacing those goods, or having the services supplied again.

The limitation of our liability does not affect rights you have under a law that applies to us that says we cannot exclude or limit our liability.

8.1 Water pipes

If you are a property owner, you own and are responsible for maintaining all of the pipes and fittings between our water system and the buildings and/or taps on your property. This is referred to as your water system.

As a property owner, you are responsible for any damage caused by a failure of your water system.

If you notify us of a failure, we will repair your water system between our water system and the water meter. If the water meter lies over one metre along the pipe inside your property boundary, we will provide this service up to one metre inside the property boundary. If there is no water meter, we will repair your water system up to one metre within your property boundary closest to our water main. Your property includes any easement within which your meter or private service may be situated.

If you prefer that we do not repair a failure in your water system, you must have the fault repaired by a licensed plumber in accordance with the plumbing, drainage or other regulations or standards that may apply.

We are not responsible for the repair of:

- illegal services and water services installed contrary to appropriate codes, regulations and standards
- fire services
- backflow prevention devices
- water services connecting to privately owned water mains such as in some community title subdivisions or shared private services
- faults caused by your wilful or negligent damage.

We will also not meet the costs of installing new private services or modifying, upsizing or relocating existing private services.

We are not responsible for installing, maintaining or annual testing of backflow prevention containment devices on properties, except where the device is integrated into the water meter supplied by Sydney Water.

8 Responsibilities for maintenance

8.2 Your wastewater system

You are responsible for maintaining all wastewater pipes and fittings between your property and the connection with our wastewater system. This is referred to as your wastewater system. The point of connection with our wastewater system may be outside your property. If you do not know where the point of connection is, you should contact us for information on where to obtain a diagram.

You are responsible for the repair of illegal services installed contrary to appropriate codes, regulations and standards.

8.3 Pressure sewer systems

If you are connected to a pressure sewer system owned and installed by Sydney Water, then you and Sydney Water share the maintenance of the system.

You are responsible for maintaining all electrical circuitry between your electricity meter and our control/alarm panel.

Sydney Water is responsible for maintaining the collection tank, the pump and the electrical circuitry between the control/alarm panel and the sewer collection tank where the deterioration or failure is due to normal use in accordance with the *Home owner's manual*.

8.4 Joint private water or wastewater service

If you share a private joint water or wastewater service you are responsible for the cost of its maintenance. The apportionment of costs incurred in its maintenance is a matter between you and others who share it.

8.5 Stormwater connections, coverings and bridges

You are responsible for the maintenance of any connections between your property and our stormwater channel, pipe or culvert.

We are not responsible for the maintenance of any coverings, bridges or similar structures within your property that cover or cross our stormwater channels, pipes or culverts unless they are owned by us.

8.6 Water efficiency

You may install water efficient plumbing fixtures, appliances and equipment, such as those recommended under the Water Efficiency Labelling and Standards Scheme.

You may install water saving devices, for example:

- that collect and use rainwater for your own use
- a composting toilet that does not require connection to our water or wastewater system.

You must comply with plumbing regulations and health, environmental and local council requirements when installing water saving devices. Approval may be required from your local council.

On request, we will provide you information on how to use water efficiently.

8.7 Defective work

If we become aware of any defective or unauthorised work to your water, wastewater or stormwater drainage service that impacts or poses a risk to the operation of our water, wastewater or stormwater system, we will request the defect to be fixed within a reasonable time.

If you do not comply with the notice, we may undertake to restrict your water supply or disconnect your wastewater connection until it is fixed. We may also undertake to remedy the defective or unauthorised work and you may be charged the reasonable costs incurred by us in undertaking this work.

8.8 Giving notice of system failures

You should inform us if you become aware of any failure of our water, wastewater or stormwater system. If you notify us of an interruption to your water supply, a burst or leak in our water system, a disruption to the wastewater drainage from your property or an overflow or leakage from our system, we will ensure that the problem is attended to as soon as practicable.

8.9 Building work

You must not undertake building, landscaping or construction work that is adjacent to or over our water, wastewater or stormwater system, which may damage, interfere with or obstruct access to our systems without first obtaining our consent.

Approvals for building, landscaping or construction that involve connection to our system or building over or adjacent to our system are to be requested from us in advance of any activity being undertaken on the property.

Properties with an existing water service must be metered during the building period. The meter must be accessible (as described in clause 10.4) at all times.

8 Responsibilities for maintenance

8.10 Connections to services

Connections to our water, wastewater or stormwater systems are to be made using the services of a Sydney Water accredited installer, licensed plumber or drainer and in accordance with plumbing, drainage or other regulations or standards that may apply.

8.11 Altering and unauthorised connection or use

You must not:

- wrongfully take, use or divert any water supplied by us
- wrongfully interfere with the operation of a meter or prevent a meter from registering the quantity of water supplied by us
- wrongfully discharge any substance into a system owned by us.

You must obtain our consent before carrying out any activity that may alter, cause destruction of, damage or interfere with our water, wastewater or stormwater systems.

8.12 Removal of trees

If a tree on your property is obstructing or damaging our water, wastewater or stormwater system, or is reasonably likely to do so, we may require the removal of the tree at your cost.

We will give you 14 days notice in writing requiring you to remove the tree. You may with our consent and at your cost, take steps to eliminate the cause of damage or interference to our water, wastewater or stormwater system, without removing the tree.

We will reimburse you for reasonable expenses incurred in removing the tree if:

- you could not have reasonably known that the planting of the tree would result in the damage or interference
- an easement did not exist in favour of our system when the tree was planted.

If you fail to comply with the notice to remove the tree, by the specified date, then we may remove the tree and recover the costs of removal from you.

We cannot require a tree to be removed that is the subject of a protection or conservation order under the *Heritage Act 1977*, the *National Parks and Wildlife Act 1974* or any applicable law.

9.1 Access to Sydney Water's systems

You must ensure that we have safe access to your property to:

- maintain our water, wastewater and stormwater systems
- to ensure that this *Customer Contract* or the Act is being complied with
- for other purposes set out in the Act or other applicable laws
- to read a meter.

9.2 Identification

When we enter your property, our staff or contractors will carry identification that will be shown to you (or to any person present at the time of access).

9.3 Notice of access

We will give you, or the occupier of your property, two days written notice specifying the date, and approximate time of our entry onto your property, unless you agree to a shorter notice period.

We will not give you written notice in cases where:

- entry is required urgently
- the purpose is to read, fit, exchange or maintain a meter
- giving notice would defeat the purposes of entry
- we intend to conduct a water restriction investigation on your property
- we conduct a general property inspection such as meter, plumbing or a backflow device inspection.

9.4 Impact on customer's property

If we enter your property we will ensure that we:

- cause as little disruption or inconvenience as possible

9 Entry onto a customer's property

- remove all rubbish and equipment we have brought on to the property
- unless otherwise agreed, leave the property, as near as possible, in the condition, that it was found on entry.

You may be entitled to compensation from us under the Act for damage incurred by our entry to your property.

10.1 Measuring water supplied

Unless we otherwise agree, a meter will measure the quantity of water that we supply you. You will be charged for the quantity of water measured by the water meter, unless the meter is faulty and we are required to adjust what we charge you under clause 10.3.

If a meter is stopped or damaged, an estimated usage will be calculated on a basis that is representative of your usage pattern.

Where no satisfactory basis exists to adjust a usage charge, we will negotiate with you a mutually agreeable adjustment of charges based on an estimated reading.

When the price for water or wastewater usage is varied on a date that falls within your meter reading period, we will apply the new price on a pro rata basis.

We will endeavour to provide an actual meter reading once every 12 months, inclusive of meter readings taken by you on our behalf.

10.2 Installing and maintaining a water meter

We will supply you with a meter of our choice. You must not remove a water meter from your property without our consent.

We may require you to meter each individual property. Your plumber or designer should check our published requirements during the planning stage.

An approved backflow prevention containment device appropriate to the property's hazard rating is to be fitted directly on the outlet side of the master meter. Residential properties with low hazards serviced by either a 20 mm or 25 mm water meter are exempt from this requirement.

You are required to pay for the meter's plumbing installation and ensure that it is installed either by a licensed plumber or us. Your plumber should check our published requirements before locating the meter.

10 Water meter reading, installation, testing and maintenance

The installed meter remains our property and we will maintain it. We may charge you for the cost of repair or replacement of the meter and its assembly if it is wilfully or negligently damaged by you.

We may charge you an unmetered service charge, if there is no meter or other instrument measuring the supply of water to your property.

We may require that you fit a meter to your fire service. This will be a requirement under your building approval with us.

10.3 Meter testing

If you consider that the meter is not accurately recording water passing through it, you may request that we test it. We will advise you of the meter reading results and make available a written report on your request.

If the test shows that the meter is over recording, by over three per cent of the actual quantity of water passing through it, we will:

- repair or replace the meter; and
- refund any charge paid by you for the test; and
- adjust your account by calculating the measurement error on a basis that is representative of your consumption pattern.

10.4 Access to the water meter

We may enter your property without notice for the purposes of reading, testing, inspecting, maintaining and replacing the meter.

You must ensure that the meter is accessible for meter reading and meter maintenance purposes. The meter and the visible pipe connected should be clear of concrete, plants, trees bushes and other obstructions.

If you have not provided reasonable and safe access to your meter, we may bill you on an estimate of your usage and may also recover the cost of the attempted meter reading.

If you have not provided reasonable and safe access to your meter for a reading on two or more occasions, we may:

- relocate the meter
- seek access at a time suitable to you, which may incur an additional fee
- make other arrangements with you.

If you intend to relocate your meter, you should engage a licensed plumber at your cost. Your plumber should check our published requirements before relocating the meter.

10.5 Meter replacement

We will replace the meter at no cost to you if the meter:

- is found to be defective
- if it can no longer be reasonably maintained
- is replaced as part of a meter replacement program.

We will attempt to notify you at the time of replacement and advise you that a new meter has been installed. A mutually acceptable time will be negotiated with non-residential customers for the replacement of meters.

11.1 Telephone enquiries

If you have a phone enquiry, relating to an account, payment options, concession entitlements or other information about our services, you may contact us on 13 20 92 between 8.30 am and 5.30 pm, Monday to Friday, excluding public holidays.

Our contact phone number is provided on your account, in the phone directory and on our website.

If your enquiry cannot be answered immediately, we will provide a response to your enquiry within five working days of receiving it.

11.2 Internet enquiries

You can find information on a range of topics on our website site at sydneywater.com.au under 'Ask Sydney Water'. You can ask questions and be provided with a response.

11.3 Written enquiries

You can also email or write to us.

Email enquiries should be sent to on.tap@sydneywater.com.au and written enquiries sent to: Sydney Water PO Box 399 Parramatta 2124.

We will reply to your written enquiry within five working days of receiving it by mail, where your matter cannot be responded to sooner by phone or face-to-face contact.

11.4 Leaks and faults assistance

In the event of a leak, burst water main near your property, a wastewater overflow, an unplanned interruption to supply, or a water quality or water pressure problem, we provide a 24-hour leaks and faults phone service.

11 Who can I speak to if I have any questions or want to
make enquiries?

Our leaks and faults phone number is listed on your account, in the telephone directory and on our website.

11.5 Interpreter and TTY Service

We provide an interpreter service for people from non-English speaking backgrounds and a TTY service for the hearing impaired at our cost.

12.1 Customer complaints

If you have a complaint about our service or our compliance with this contract, the Act or *Operating Licence*, you should first contact us, either by telephone, in person or by writing to us.

We will address your complaint promptly by providing:

- a face to face or telephone response within two working days where you have made a face to face or phone contact and the matter cannot be dealt with immediately
- a written or email response within five working days where you have made a written or email complaint and the matter cannot be responded to sooner by phone or face-to-face contact.

The response will provide you with our intended course of action and/or identify when the action will be taken. We will also provide the name of a contact person for follow up enquiries.

12.2 Complaints review

If you are not satisfied with the solution offered or action taken by us, you may have the complaint reviewed by a Sydney Water manager.

The manager will:

- clarify your complaint and the outcome sought
- ensure that the matter has been properly investigated
- advise you of the estimated timeframe for our proposed action
- communicate to you our final decision
- outline the relevant facts and regulatory requirements where appropriate
- indicate what we will do to address the issue
- notify you of your rights to external review, if you are still not satisfied with our decision.

12 If I am unhappy with the service provided by Sydney Water what can I do?

12.3 Resolution of disputes

A dispute will be considered finalised if we provide you with a substantive response that:

- resolves the dispute to your satisfaction or indicates how the dispute will be resolved to your satisfaction or
- provides an explanation of the relevant policy and/or regulatory requirements and why no further action is proposed in relation to the dispute or
- provides a date when the issue will be resolved if the complaint relates to future planned operational or capital work or
- 28 working days have passed since receiving our response and you have not sought a further review by us or lodged a claim in an external dispute resolution forum.

We will extend the 28 working days by a reasonable period if:

- within those 28 days you have requested an extension or
- after the 28 days you demonstrate that, because of special circumstances, you were unable to seek an extension within the 28 days.

Where a further communication from you or your representative is received, this shall be regarded as a new enquiry or complaint.

12.4 External dispute resolution

You have the right to seek external resolution of a dispute that has not been resolved by us to your satisfaction.

12.4.1 The Energy and Water Ombudsman, New South Wales (EWON)

You have the right to refer a complaint or dispute arising under this contract to EWON.

EWON is an independent dispute resolution body that can investigate and resolve many disputes you have with us under this contract.

Disputes that may be referred to EWON include disputes about: supply of service, your account, credit or payment services, restriction or disconnection. Full details are available from EWON.

EWON's services are available to you without cost.

You may choose whether or not to accept EWON's decision. If you decide to accept it, then it will be final and binding on us.

12.4.2 Consumer, Trader and Tenancy Tribunal (CTTT)

12 If I am unhappy with the service provided by Sydney Water what can I do?

The CTTT may hear and determine consumer claims relating to services supplied by us under this contract.

12.4.3 Other legal avenues

You may also have recourse to the courts.

13.1 Involving customers in service planning

To enable community involvement on issues relevant to our programs, services and decision-making processes, we have a customer council.

Further information on the role and functions of the Customer Council may be obtained by contacting us.

13.2 Providing information

We will respond in a timely and open manner to requests for information consistent with normal commercial practices and relevant legislation, including the *Freedom of Information Act 1989* and the *Government Information (Public Access) Act 2009*.

13.3 Privacy

We will treat your personal information according to the provisions of the *NSW Privacy and Personal Information Act 1998*.

To the extent permitted by law, we may exchange information about your creditworthiness, credit standing, credit history or credit capacity with credit reporting agencies, other credit providers, other suppliers, or our agents, contractors and franchisees.

We may recover from you our reasonable costs associated with debt recovery under this contract.

14.1 Termination of this contract

This contract, or relevant clauses of this contract, will terminate between you and us if you cease to be covered by all or part of this contract as described in clause 2.2.

The termination of this contract does not affect any rights or obligations of you or us that accrue prior to termination.

If this contract, or part of the contract, terminates because you have requested that some or all of the services that we provide to your premises be transferred to a supplier licensed under the *Water Industry Competition Act 2006*, we will comply with the Transfer Code of Conduct established under that Act to affect the transfer.

14.2 Variation of this contract

We may also vary this contract as permitted by the Act.

Section 59 of the Act provides that a variation of the *Customer Contract* must be published in a daily newspaper circulating in the area of operation at least six months before the variation becomes effective, or a shorter period of notice approved by the Minister. A copy of the notice must also be given to the customer. This requirement to give notice of variations to the terms of the contract, does not apply to variations in charges and fees made in accordance with a determination of IPART.

Variations to this contract will be available on our website for down loading free of charge.

15.1 Definitions

Act	<i>Sydney Water Act 1994</i> and any regulations in force under it.
Area of operation	The areas of operations specified in section 10(1) of the Act, and described in Schedule 1 of the <i>Operating Licence</i> .
Backflow prevention containment device	A device to prevent the reverse flow of water from potentially polluted source, into the drinking water supply system.
Charging period	Any period for which your account was calculated.
Complaint	An expression of dissatisfaction made to Sydney Water or its contractors related to its products or the complaint handling process itself, where a response or resolution is explicitly or implicitly expected.
Customer Council	A customer council established by us under section 15 of the Act and clause 4.5 of the <i>Operating Licence</i> .
Disconnection	The stopping (either temporarily or permanently) of our supply of services to your property.
Dispute	A disagreement between Sydney Water and a customer or consumer that is not frivolous or vexatious.
Drinking water	Water that is intended for human use and consumption and free of harmful chemicals and disease-causing organisms.
Drought	A prolonged period of low rainfall resulting in actual or potential water shortage.
Enquiry	A written or verbal approach by a customer which can be satisfied by providing written or verbal information, advice, assistance, clarification, explanation or referral about a matter.

15 Definitions and interpretations

Financial hardship	A situation where a customer desires to pay an account, but is unable to pay all or some of the account by the due date.
Maintenance	Includes repairs and replacement, and where relevant testing and Inspection.
Meter	The device used to measure the water use on the property. This includes any remote reading equipment and associated wiring, power, plumbing and servicing equipment.
Non-residential customer	A customer who is not a residential customer. Customer is defined in 2.2.
Operating Licence	The licence granted to us under section 12 of the Act.
Owners' corporation	The collective group of owners of a strata plan.
Payment assistance arrangement	Means any of the types of assistance described in clause 5.
Personal information	Any information held by us that relates to the supply of services by us, where your individual identity is apparent or can be reasonably ascertained from the information.
Planned interruption	An interruption initiated by us to allow maintenance to be undertaken of which notice has been given to you.
Pressure sewer system	A system where individual pumps are located in collection tanks and installed on your property. The wastewater is then pumped to the main wastewater network.
Private joint water service	A private joint water service exists where two or more properties share the same private water pipes. Private joint water services have one connection to the water main and then extend through each property's plumbing fixtures. Customers with a private joint water service share and own the service in common with each property owner and are jointly responsible for its condition.
Property	Any real property that is connected to, or for which a connection is available to, our water supply system or our wastewater system or is within a declared stormwater drainage area. This also includes strata titled properties.
Recycled water area	A community or communities supplied with recycled water through a pipe network separate from the drinking water system.

Residential customer	A customer who owns real property that is used as a principal place of residence.
Restriction	A direct intervention in the supply system by Sydney Water in order to reduce flow to a customer's property.
Service charge	A charge for being connected to the water and/or wastewater and/or stormwater drainage system.
Sewer mining	Sewer mining is the process of tapping into a wastewater pipe (either before or after the wastewater treatment plant) and extracting wastewater that is then treated and used as recycled water.
Stormwater services	The services we are permitted to provide by the <i>Operating Licence</i> and any applicable law in respect to providing stormwater drainage systems.
Stormwater systems	The stormwater drainage channels, pipes, detention structures, and stormwater quality improvement devices and other equipment that we must provide, manage, operate and maintain under the Act to provide stormwater services.
Third party access	Where a third party uses the services provided by monopoly water industry infrastructure (generally pipes, pumps and reservoirs) to transport water or wastewater between their customers and their treatment facilities (or another point at which water is inserted or wastewater extracted).
Trade wastewater	Any liquid, and any substances contained in it, which may be produced at the premises in a non-residential activity, and any vehicle transporting wastewater, including septic effluent and wastewater from ships and boats. It includes run off from contaminated open areas. Trade wastewater does not include domestic wastewater from premises connected to Sydney Water's wastewater system. The term trade waste and trade wastewater as used in this document are inter-changeable.
Unplanned interruption	An interruption that is caused by a fault in our water system or a fault that is our maintenance responsibility, and no notice has been given to you.
Wastewater	Also known as sewage, wastewater includes the water you flush down your toilet, water that drains from your bathtub, sink, washing machine and many other sources.

15 Definitions and interpretations

Wastewater overflow	A discharge of untreated or partially treated wastewater from our wastewater system. These overflows may occur in wet or dry weather.
Wastewater service	The services we are permitted to provide by the <i>Operating Licence</i> and any applicable law in respect to <ul style="list-style-type: none"> • providing wastewater services and • disposing of wastewater.
Wastewater system	The wastewater pipes and treatment plants and other equipment that we must provide, manage, operate and maintain under the Act to provide wastewater services and disposal of wastewater.
Wastewater usage discharge factor	A wastewater usage discharge factor is a measure of the volume of wastewater discharged to the wastewater system expressed as a percentage of water delivered to the property via all Sydney Water drinking water meters.
Water service	The services we are permitted to provide by the <i>Operating Licence</i> and any applicable law in respect to storing and supplying water.
Water system	The water mains, pipes, treatment plants and other equipment that we must provide, manage, operate and maintain under the Act to supply and store water.
We, our or us	Sydney Water Corporation, established under the Act, including its officers, employees, agents and contractors.
You or your	Our customer.

15.2 Interpretation

A person includes an individual, a body corporate, an unincorporated body or other entity.

The law includes legislation, regulations, licences, orders, mandatory codes, permits and directions.

A working day is a day other than a Saturday, Sunday or public holiday in New South Wales.

The singular includes the plural and vice versa.

If there is any inconsistency between this contract and any law, the law will prevail to the extent of the inconsistency.

The reference to document, instrument or law includes any amendments, revisions, renewals or reprints from time to time.

Where a word is defined, any other grammatical form of that word has a corresponding meaning.

Response level	Nature of leak	Leakage descriptor
Priority 6	A leak that: <ul style="list-style-type: none"> a) is to result or results in a major loss of water b) is to cause or causes damage to property or c) is to pose or poses immediate danger to the environment or people. 	A high flow of water causing an immediate danger to people, property or the environment. An example of a Priority 6 leak is water gushing or spurting from the ground and resulting in a major loss of water.
Priority 5	A leak that: <ul style="list-style-type: none"> a) is to result or results in the moderate loss of water b) is to cause or causes service disruption to a customer or customers c) is to threaten or may threaten damage to property or d) is to pose or poses a potential risk to the environment or people. 	A moderate flow of water representing a risk to people, property or the environment. An example of a Priority 5 leak is a leak that results in a moderate loss of water. A leak classified as a Priority 5 would be running at a rate greater than the full flow of a garden tap.
Priority 4	A leak that: <ul style="list-style-type: none"> a) is to result or results in a minor loss of water b) is to cause or causes a limited service disruption to customers, ie lower pressure than normal or a reported minor leak on a roadway and c) is not a danger to the environment or people. 	A low flow of water that does not represent a risk to people, property or the environment. An example of a Priority 4 leak is a leak which results in a minor loss of water. A leak classified as a Priority 4 would be running at a rate less than the full flow of a garden tap.

The following areas are included in the Priority Sewerage Program:

Priority Sewerage Program lots – Sydney Water area of operations	
Area	Estimated number of lots
Stage 2 areas	
Agnes Banks, Londonderry	284
Appin, Douglas Park, Wilton	1,150
Bargo, Buxton	1,246
Yanderra	200
Cowan	239
Glossodia, Freeman's Reach, Wilberforce	1,660
Hawkesbury Heights, Yellow Rock	349
Austral, West Hoxton	135
Galston, Glenorie	633
Nattai	31
Scotland Island	378
Carry over from Stage 1	
Menangle, Menangle Park	226
Total	6,531

PRIVATE ADVERTISEMENTS

COUNCIL NOTICES

INVERELL SHIRE COUNCIL

Roads Act 1993, Section 16

Dedication of Land as Public Road

NOTICE is hereby given pursuant to section 16 of the Roads Act 1993, that Inverell Shire Council dedicates the land described in the schedule below as public road. PAUL J. HENRY, General Manager, Inverell Shire Council, PO Box 138, Inverell NSW 2360.

SCHEDULE

That parcel of land described as a Right of Way being 40.235 metres by 8.715 metres adjoining Lot 3, DP 152786 forming part of the land of Allotment 6, Section 1, Crown Grant Serial 154, Folio 1703, dated 24.8.1859, Parish and Town of Inverell, County of Gough, as shown shaded grey on the accompanying plan.



[5304]

MID-WESTERN REGIONAL COUNCIL

THIS erratum is to advise that the notice advertised in the Private Advertisements – Council Notices section of the *NSW Government Gazette* on 4 June 2010 (Folios 2355-2356) under Mid-Western Regional Council being for Crown road transfer to Council, is to be withdrawn. This notice was previously gazetted on 28 May 2010, Folio 2291. [5305]

MID-WESTERN REGIONAL COUNCIL

Roads Act 1993, Section 9

Dedication of Land as Public Road

NOTICE is hereby given that the Mid-Western Regional Council, by resolution of Council, dated 20 June 2007, has resolved to dedicate the land described hereunder as public road pursuant to section 9 of the Roads Act 1993. WARWICK BENNETT, General Manager, Mid-Western Regional Council, 86 Market Street, Mudgee NSW 2850.

SCHEDULE

- Lot 104, Deposited Plan 1124638 at Lue, Parish of Bara, County of Phillip
- Lot 105, Deposited Plan 1124638 at Lue, Parish of Bara, County of Phillip
- Lot 108, Deposited Plan 1124638 at Lue, Parish of Bara, County of Phillip
- Lot 109, Deposited Plan 1124638 at Lue, Parish of Bara, County of Phillip

WARWICK BENNETT, General Manager, PO Box 156, 86 Market Street, Mudgee NSW 2850, tel.: (02) 6378 2850, fax.: (02) 6378 2815, email: council@midwestern.nsw.gov.au.

[5306]

NEWCASTLE CITY COUNCIL

Roads Act 1993, Section 16

Declaration of Land as Public Road

NOTICE is hereby given that pursuant to section 16, Roads Act 1993, that Newcastle City Council dedicates as public road the land described below.

Dated at Newcastle, 10 March 2010. LINDY HYAM, General Manager, Newcastle City Council, PO Box 489, Newcastle NSW 2300.

Description

The residue land comprised in Certificate of Title Volume 996, Folio 111, Parish Newcastle, County Northumberland, Locality New Lambton; namely those parts of Russell Road, Curzon Road and Carrington Road as well as Curzon Lane and Ridge Lane depicted in DP 4942. [5307]

PORT MACQUARIE-HASTINGS COUNCIL

Roads Act 1993, Section 10

Dedication of Land as Public Road

NOTICE is hereby given that Port Macquarie-Hastings Council in pursuance of section 10 of the Roads Act 1993 dedicates the land held by it and described in the Schedule below to the public as road. ANDREW ROACH, General Manager, Port Macquarie-Hastings Council, corner Lord and Burrawan Streets, Port Macquarie NSW 2444.

SCHEDULE

- Lot 4, Deposited Plan 1094444, Parish and County of Macquarie being land situated on Major Innes Road at Port Macquarie. [5308]

TWEED SHIRE COUNCIL

Roads Act 1993, Section 10

Dedication of Land as Public Road

NOTICE is hereby given that the Tweed Shire Council, by resolution of Council dated 20 April 2010 has resolved to dedicate the land described hereunder as public road pursuant to section 10 of the Roads Act 1993. MIKE RAYNER, General Manager, Tweed Shire Council, PO Box 816, Murwillumbah NSW 2484.

SCHEDULE 1

Lot 1, DP 1148830. [5309]

TWEED SHIRE COUNCIL

Roads Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

TWEED SHIRE COUNCIL declares with the approval of Her Excellency the Governor that the land described in the schedule below, excluding any mines or deposits of minerals in the land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for public road.

Dated at Murwillumbah this 23rd day of June 2010. MIKE RAYNER, General Manager, Tweed Shire Council, PO Box 816, Murwillumbah NSW 2484.

SCHEDULE A

Lot 1, DP 1148830. [5310]

UPPER LACHLAN SHIRE COUNCIL

Roads Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

UPPER LACHLAN SHIRE COUNCIL declares with the approval of Her Excellency the Governor that the land described in the Schedule below, excluding; any mines or deposits of minerals in the land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for public road.

Dated at Crookwell this 9th day of June 2010. J. K. BELL, General Manager, Upper Lachlan Shire Council, PO Box 10, Crookwell NSW 2583, tel.: (02) 4830 1000

SCHEDULE

Lot 25, DP 1144914. [5311]

GOSFORD CITY COUNCIL

Water Management Act 2000

Service Charges for 2010/11

IN accordance with section 315 and 316 of the Water Management Act 2000, Gosford City Council does hereby determine the fees and charges set out in sections 1 to 4 below for the period 1 July 2009 to 30 June 2010 based on determination of the authority set out in A, B and C below:

- A. The amount of money estimated by the Authority that is proposed to be raised by way of service charges levied uniformly on all land that is capable of being connected to the Authority's water supply pipes, sewerage service discharge pipes is and with the stormwater drainage area is \$44,600,000 for the period 1 July 2010 to 30 June 2011.
- B. All land that is capable of being connected to the Authority's water supply pipes and sewerage service discharge pipes is classified for the purposes of levying service charges on the basis of the following factors:
 - (i) Whether the land is residential or non residential; and
 - (ii) The nature and extent of the water and sewerage services connected to each individual allotment.
- C. Service charges shall be uniformly levied on the following basis:
 - (i) the nominal size of the water service supply pipe supplying water to the land or to which, in the opinion of the Authority, it is reasonably practicable for water to be supplied to the land, expressed as a charge determined by the nominal diameter of the service connection attaching to the Authority's meter;
 - (ii) by charge following an assessment of the cost of supplying water and sewerage services by the Authority; and
 - (iii) where water pressure requires larger sizes of service connections a charge as assessed by the Authority.

GOSFORD CITY COUNCIL

Water, Sewerage and Stormwater Drainage Service Charges for 2010/11

1 Water Charges*Water Service Charges for a Metered Residential Property or a Metered Non Residential Property**

<i>Basis of Charge Water Service Charge (per year) Meter Size</i>	<i>*Maximum charge for the period 1 July 2010 to 30 June 2011 \$</i>
20mm	93.68
25mm	146.37
40mm	374.71
50mm	585.49
65mm	989.47
80mm	1,498.84
100mm	2,341.94
150mm	5,269.35
200mm	9,367.74
For meter diameter sizes not specified above, the following formula applies: (meter size) ² x 20mm charge/400	

* All Water Service Charges are to have the Climate Change Fund Contribution of \$15.57 added.

Water Service Charge for Vacant Land

<i>Basis of Charge</i>	<i>Maximum charge for the period 1 July 2010 to 30 June 2011</i>
Water service charge (per year)	\$93.68

2 Sewerage Charges*Sewerage Service Charge for a Residential Property*

<i>Charge</i>	<i>Maximum charge for the period 1 July 2010 to 30 June 2011</i>
Sewerage service charge (per year)	\$482.90

Sewerage Service Charge for a Non Residential Property

<i>Basis of Charge</i>	<i>Maximum charge for the period 1 July 2010 to 30 June 2011</i>
Sewerage service charge (per year)	\$482.90

Sewerage Service Charge for a Non Residential Property

<i>Basis of Charge Sewerage Service Charge (per year) Meter Size</i>	<i>Maximum charge for the period 1 July 2010 to 30 June 2011 \$</i>
20mm	361.03
25mm	564.11
40mm	1,444.13
50mm	2,256.44
65mm	3,813.38
80mm	5,776.49
100mm	9,025.77
150mm	20,307.98
200mm	36,103.07
For meter diameter sizes not specified above, the following formula applies: (meter size) ² x 20mm charge/400	

The minimum amount payable by a Non Residential customer is \$482.90 per year.

Sewerage Service Charge for Vacant Land

Basis of Charge	Maximum charge for the period 1 July 2010 to 30 June 2011
Sewerage service charge (per year)	\$482.90

3 Stormwater Drainage Charges*Stormwater drainage charge for Residential Properties, Non Residential Properties, Vacant Land and Unmetered Properties*

<i>Basis of Charge</i>	<i>Maximum charge for the period 1 July 2010 to 30 June 2011</i>
Stormwater drainage charge (per year)	\$74.87

4 Developer Charges

Water and sewerage developer charges for 2010/11 have been inflated by the CPI provided by IPART in accordance with Determination No. 9, 2000.

Water and sewerage developer charges

<i>Basis of Charge Development Servicing Area</i>	<i>Maximum charge for the period 1 July 2010 to 30 June 2011</i>	
	Water	Sewer
		\$
Redevelopment	2,224	3,543
Redevelopment DO	734	1,169
Gosford City Centre	2,757	4,670
Gosford City Centre DO	910	1,541
Erina	2,658	3,938
Erina DO	877	1,300
Erina Township	3,242	6,532
Erina Township DO	1,070	2,155
Kariong	2,828	4,085
Kariong DO	933	1,348
Kincumber	3,032	3,906
Kincumber DO	1,000	1,289
Lisarow	3,433	4,668
Lisarow DO	1,133	1,540
Narara	3,430	5,831
Narara DO	1,132	1,924
Niagara Park	3,849	3,671
Niagara Park DO	1,270	1,212
Springfield	2,981	6,217
Springfield DO	984	2,052
Wyoming (per ha.)	22,400	37,635
Wyoming DO (per ha.)	7,392	12,419

1 DO indicates dual occupancy

[5312]

LACHLAN SHIRE COUNCIL

Naming of Roads

COUNCIL, resolved to endorse the following road names in accordance with Section 162 of the Roads Act 1993. Any road not listed is still under consideration. The Lachlan Shire Council Road Map may be viewed at the Lachlan Shire Council Chambers, Condobolin.

<i>Road No.</i>	<i>Previous/Known Road Name</i>	<i>New Road Name</i>
MR 231	Lake Cargelligo - Wyalong Road	Wyalong Road
MR 347	Albert - Trangie Road	Dandaloo Road
MR 371	Rankin Springs Road	Rankins Springs Road
MR 377	South Forbes Road	Lachlan Valley Way
MR 411	Euabalong Road	Lachlan Valley Way
MR 423	Murrin Bridge Road	Lachlan Valley Way
MR 501	Hillston Road	Lachlan Valley Way
MR 57 N	Nyngan Road - (Tullamore to Nyngan) (MR 61E to Tullamore)	The Bogan Way Fifield Road
MR 57 S	Condobolin - Wyalong Road	The Gipps Way
MR 61 E	Parkes Road	Henry Parkes Way
MR 61 N	Nymagee Road	Henry Parkes Way
MR 7513	Condobolin - Lake Cargelligo Road	Lake Cargelligo Road
MR 7514	Nyngan (Alt) Road	Nyngan Road
MR 7521	Kiacatoo Road	Kiacatoo Road
SR 1	Bradbrooks Road	Wonga Road
SR 10	Albert - Tottenham Road	Meadowview Road
SR 100	Scrubby Lane	Scrubby Lane
SR 1006	Begargo - Brotheroney Road - (SR230 to MR321) (MR231 to MR371)	Brotheroney Road Begargo Road
SR 101	Corinella Road	Corinella Road
SR 102	Euglo - Manna Road	Clargo Road
SR 1029	4 Corners - Palesthan Road - (SR1187 to SR56) (SR56 to MR7521) (SR230 to MR231 incl. SR164) (Tullibigeal to MR231) (MR231 to Boundary)	Glenderry Road Kiargathur Road Tullibigeal Road Sims Road Kikoira Road
SR 103	Burcher - Cowal Road	Lake Cowal Road
SR 106	Wamboyne Dip Road	Fitzgerald Road
SR 107	Deans Road	Deans Road
SR 109	Condobolin - Ungarie Road	Ungarie Road
SR 11	Tottenham - Mairavaile - Mineral Hill Road	Moira Vale Road
SR 110	Euglo Trig Road	Euglo Trig Road
SR 111	Shepards Road	Shepards Road
SR 112	Barrons Road	Barrons Road
SR 113	Selems Road	Selems Road
SR 1139	Weja - Washpool Road	Weja Road
SR 114	Sandy Camp Road	Sandy Camp Road
SR 114 A	Barbers Road	Barbers Road
SR 1144	Burcher - Weelah Road	Weelah Road
SR 1145	Burcher - Bena Road	Burcher Road
SR 115	Elsmore Road	Elsmore Road
SR 1151	Fifield - Kadungle Road - (Fifield to SR 43) (SR 43 to Boundary)	Back Tullamore Road Kadungle Road

<i>Road No.</i>	<i>Previous/Known Road Name</i>	<i>New Road Name</i>
SR 116	Wilkins - Regan Road	Wilkins Lane
SR 1169	Bobadah Road	Bobadah Road
SR 118	Smith and Devlins Lane	Devlins Lane
SR 1187	Condobolin - Tallebung Road	Palisthan Road
SR 119	Gulgo - Milby Road	Gulgo Lane
SR 120	Tullibigeal - Crown Camp Road	Merribogie Road
SR 121	Euglo - Crown Camp Road	Camp Road
SR 122	Wallaces Road	Wallaces Road
SR 123	Crown Camp - Ungarie Road	Stidwells Lane
SR 124	Cookaburragong/Crown Camp Road	Crown Camp Road
SR 125	Pellows Road	Pellows Road
SR 126	Crown Camp - Banner Road	Clarries Lane
SR 129	Bahrs Road	Bahrs Road
SR 13	Miravaile - Woodlands Road	Millridge Road
SR 130	Kynota - West Milby Road	West Milby Road
SR 131	Hodges Road	Hodges Road
SR 133	Tyacks Road	Whymarks Lane
SR 134	Toliman Road	Toliman Road
SR 1347	Melrose - Albert Road	Albert Road
SR 135	Wardry Bus Road	Wardry Bus Road
SR 137	Nolls Road - (Nth MR7513) (MR7513 to SR161 incl. SR161) (SR161 to SR120)	Nolls Road Bygalore Road Wongalea Road
SR 138	Tullibigeal - Yaddra Road	Yaddra Road
SR 139	Borapine School Road	Borapine Road
SR 14	Tigers Camp Creek Road	Tigers Creek Road
SR 140	Borapine School Bus Road	Singh Road
SR 141	Kynota - Borapine Road	Kynota Road
SR 142	Yarran - Dundoo Road	Yarran Road
SR 143	Wagambegal - Narden Road	Fife Road
SR 144	Wagambegal - Tullibigeal Road	Burgooney Road
SR 145	Curriba - Tullibigeal Road	Imries Lane
SR 146	Curriba Road - (SR145 to SR1029)	Glasgows Lane
SR 147	Yalgogrin Road	Four Corners Road
SR 149	Gubbata - Tuggerback Road	Gubbata Road
SR 15	Radfords - Hylea Road	Belmore Road
SR 150	Gubbata - Tuggerback Road	Slant Road
SR 151	Sansns Road	Mudda Rocks Road
SR 152	Burgooney - Hannan Road	Thomas Lane
SR 153	Gormans Hill Road	Gormans Hill Road
SR 154	Tuggerback Road	Tuggerabach Road
SR 155	Monument Flats Road	Monument Flats Road
SR 156	Weja - Monument Flats Road	Banool Road
SR 157	Ridleys Road	Hillgrove Road
SR 158	Weja - Thullo Road	Thullo Road
SR 16	Kaludah Road	Kaludah Road
SR 160	Tulli - Weja Road	Sunnyside Road
SR 161	Bygalore - Forestvale Road	Bygalore Road

<i>Road No.</i>	<i>Previous/Known Road Name</i>	<i>New Road Name</i>
SR 162	Weja - Ugalong Road	Ugalong Road
SR 163	Murphys Road	Murphys Road
SR 164	Towers Road - (SR230 to MR231 incl. SR1209)	Tullibigeal Road
SR 165	Bryants Road	Bryants Road
SR 166	Reardons Lane	Burkes Lane
SR 169	Carruthers Road	Carruthers Road
SR 17	Albert - Woodlands Road	Glenoma Road
SR 170	Thomlinsons Road	Thomlinsons Road
SR 171	Doyle - Phillips Road	Phillips Road
SR 172	Burgess (Leadbitters) Road	Inverheln Road
SR 173	Block Road	Block Road
SR 176	Salters Road	Salters Road
SR 177	Trig Hill Road	Trig Hill Road
SR 179	Kings Road	Kings Lane
SR 18	Wyles Road	Hillside Road
SR 180	O'Reillys Road	O'Reillys Road
SR 181	Wargambegal - Tuggerback Road	Wargambegal Road
SR 182	Wonga Road	Recreation Road
SR 183	Cargelligo - Killawarra Road	Killawarra Road
SR 186	Booth Road	Booth Road
SR 187	Skipworth Road	Skipworth Road
SR 188	Wargambegal - Trigalong Road	Gleasons Road
SR 19	Middlefield - Tottenham Road	Middlefield Road
SR 190	Cargelligo - Yaddra - Wardry Road	Wilgadale Road
SR 192	Trigalong River Road	Trigalong River Road
SR 193	Lake River Road	River Road
SR 194	Lake - Uabba Road	North Uabba Road
SR 195	Elwins Road	Elwins Road
SR 197	Crawfords Road	Crawfords Road
SR 198	Fairs Road	Fairs Road
SR 199	Daylight Road	Bootoowa Road
SR 20	McColls Road	Braalghy Road
SR 200	Bootowa - Naradhan Road	Morris Lane
SR 201	Begargo - Contarlo Road	Keeleys Lane
SR 202	Garryowen - Naradhan Road	Quinanes Lane
SR 203	Bushrangers Road	Alexanders Lane
SR 204	Begargo Creek Road	Bartholomews Lane
SR 205	Contarlo - Naradhan Road	Naradhan Road
SR 206	Bootowa - Daylight Road	Mt Daylight Road
SR 207	Kynmoor Road	Kynwoor Road
SR 208	Uabba - Monia Gap Road	Brewer Lane
SR 209	Orrs Road	Orrs Road
SR 21	Landsdale Lane	Boree Road
SR 210	O'Kanes Road	Harts Lane
SR 212	Hoopers Road	Hoopers Road
SR 213	Pillinger Drive	Pillinger Drive
SR 214	Nillsons Road	Nilssons Lane

<i>Road No.</i>	<i>Previous/Known Road Name</i>	<i>New Road Name</i>
SR 216	Haase Road	Haase Road
SR 218	Kelly's Road	Kellys Road
SR 220	Smith - Keils Road	Smiths Road
SR 222	Erin Vale Road	Erin Vale Road
SR 223	Blackers Road	Blackers Road
SR 224	Bartholomew's Road	Goldings Lane
SR 225	Andersons Road	Andersons Road
SR 227	Sligars Raod	Korrawong Lane
SR 23	4 Corners - Middlefield Road	Jumble Plains Road
SR 230	Lachlan Valley Way	Lachlan Valley Way
SR 25	Tullamore - Kerriwah Road	Kerriwah Road
SR 250		Hadleigh Downs Road
SR 251	Bennetts Road	Queens Plains Road
SR 252	Gardens Road	Lone Wilga Road
SR 253	Strudwicks Road	Strudwicks Road
SR 254	Native Dog Creek Road	Native Dog Road
SR 255	Tottenham Tip Road	Tottenham Tip Road
SR 256	Bolam's Road	Bolams Road
SR 257	Tottenham Cemetery Road	Racecourse Road
SR 26	Babathnil - Yethera Road	Yethera Road
SR 261	Bulbodney Creek Road	Bulbodney Creek Road
SR 262	McCarthy's Road	Bushome Road
SR 263	Middlefield - Goobang Road	Tarbolton Road
SR 264	Day's Road	Bellevue Road
SR 268	Brydens Road	Linton Lane
SR 269	Yarrangrove Road	Yarrangrove Road
SR 27	Radfords Road	Radfords Road
SR 270	Simpsons - Cadara Road	Cadara Road
SR 271	Wilds Road	Curran Park Road
SR 272	Logans Road	Logans Road
SR 273	Golf Club Road (Tottenham)	Malcom Mawson Drive
SR 274	Lunaria Road	Lunaria Lane
SR 275	Thompsons Road	Thompsons Road
SR 276	McRaes Road	Avoca Road
SR 277	Albert Golf Club Road	Golf Club Road
SR 278	Keens Road	Bilgola Road
SR 28	Gibsons Road	East Woodlands Road
SR 29	Cajildry Road	Cajildry Road
SR 3	Tabratong Crossing Road	Tabratong Crossing Road
SR 301	Kelvin Grove Bus Road - (inc. SR40)	Hockey Road
SR 302	Jones - Hellyars Road	Gooma Road
SR 303	Hewitts Road	Gleninga Road
SR 304	Smiths Road	Wyoming Road
SR 305	Bensons Road	Bensons Road
SR 306	Kirks Road	Kirks Road
SR 307	Gilgais Road	Gilgais Road
SR 308	Craig End - McDonalds Road	Moonbah Lane

<i>Road No.</i>	<i>Previous/Known Road Name</i>	<i>New Road Name</i>
SR 309	Walkers Hill Road	Walkers Hill Road
SR 31	O'Days Road	O'Deas Road
SR 310	Mayamley Mine Road	Myamley Mine Road
SR 317	Mowabla Tank Road	Micabil Road
SR 318	Boona - Cornella Road	Bonny Doon Lane
SR 319	Mount Tilga Road	Mount Tilga Road
SR 32	O'Shannesey's Road	Rose Hill Lane
SR 321	Mowabla Tank - Jerula Road	Craig End Lane
SR 33	Peitschs Road	Pietschs Road
SR 330	Mamie Road	Mamre Road
SR 333	Rosedale Road	Rosedale Road
SR 334	Jones Road	Wylona Road
SR 336	Earls Road	Earls Road
SR 337	Glenlee Road	Glenlee Road
SR 338	Hassans Lane	Hassans Lane
SR 339	Oppy Lane	Oppy Lane
SR 34	Fifield - Wilmatha Road	Wilmatha Road
SR 340	Silo Road	Silos Road
SR 341	Jones Road	Jones Lane
SR 342	Worthington Lane	Worthington Lane
SR 343	Willis Lane	Willis Lane
SR 344	Browns Lane	Browns Lane
SR 345	Forest Lane	Forest Lane
SR 346	Airport Lane	Airport Road
SR 347	Gum Bend Lake Road	Gum Bend Road
SR 349	Holmes Lane	Potts Lane
SR 35	Larkins Road	Larkings Road
SR 356	Dunn - Neils Road	Dunneil Road
SR 357	Clesons Road	Clemsons Lane
SR 358	Berrys Road	Berrys Road
SR 36	Fidocks Road	Lorraine Lane
SR 360	Howarths Road	Sunrise Lane
SR 361	Sunderlands Road	Shanklin Lane
SR 364	Currs - Murrumbogie Road	Murrumbogie Lane
SR 365	Harrisons Road	Harrisons Road
SR 368	Reakes Road	Reakes Road
SR 369	Boymirri Road	Boymirri Road
SR 37	Yambora Road	Yambora Road
SR 372	Woods Road	Woods Road
SR 373	Hopes Road	Hopes Road
SR 376	Mission (Willow Bend) Road	Willow Bend Road
SR 377	Nolls Lane	Waitohi Lane
SR 378	Stock Bridge Road	Stock Bridge Road
SR 379	Tullamore – Dandaloo Road	Alagala Road
SR 38	4 Corners - Tullamore Road	Wattle View Lane
SR 39	Kerriwah - Sarsfield Road	Sarsfield Road
SR 4	Tott - Nyngan Road	Currawong Road

<i>Road No.</i>	<i>Previous/Known Road Name</i>	<i>New Road Name</i>
SR 40	4 corners - Sarsfield Road - (inc. SR301; SR301 to SR37)	Hockey Road
SR 402	Cornells Road	Cornells Road
SR 403	Alexanders Road	Worlands Road
SR 404	Norris Road	Norris Road
SR 406	Hills Road	Hills Road
SR 407	Swansons Road	Swansons Road
SR 408	Wallders Road	Deacons Lane
SR 409	McDonalds Road	Delladale Lane
SR 41	Boona Mount. - Tullamore Road	Red Heart Road
SR 410	Bena Cemetery Road	Bena Cemetery Road
SR 411	Schultz Road	Schultz Road
SR 412	Millview Road	Millview Road
SR 415	Denise Drive	Denise Drive
SR 42	Gobondery Road - (MR57N to SR43) (SR43 to Boundary)	Cinnati Lane Gobondery Road
SR 43	Fifield - Tullamore Road	Back Tullamore Road
SR 44	Melrose - Gillenbine Road	Melrose Plains Road
SR 47	Mineral Hill Road	Mineral Hill Road
SR 49	Myamley - Miravale Road	Myamley Road
SR 5	Tottenham - Landsdale - Mudall Road	Landsdale Road
SR 50	Tinda Tank - Nymagee Road	Vermont Hill Road
SR 51	Eremeran Road	Eremeran Road
SR 53	Palesthan - Mobile Tank Road	Mumbil Tank Road
SR 54 A	Casky's Road	Arundel Road
SR 55	Tinda Tank - Cugong Road	Needlewood Road
SR 56	Cugong Road	Bimbella Road
SR 58	Mowable - Miabil Road	Mowabla Road
SR 59	North River Road	North River Road
SR 6	Landsdale Road	Billandary Road
SR 60	Springvale Road	Springvale Road
SR 60A	Earls Lane	Lara Lane
SR 61	Elswick Road	Esmore Lane
SR 62	New Elswick Road	Carlisle Road
SR 63	Fifield - Carlisle Road - (off MR 57N)	Mines Road
SR 64	Fifield - Trundle Road	Platina Road
SR 65	Jenkins Road	Euligal Lane
SR 66	Fifield - Yarrabandi Road - (SR70A-SR67) (SR67-SR78)	Ootha Road Bloomfield Road
SR 68	Sebastpol Road	Sebastopol Road
SR 69	Mathews Road	Mathews Road
SR 7	Carolina Mine Road	Carolina Mine Road
SR 70	Murrumbogie - Ootha Road	Burando Road
SR 73	Berrymans Road	Reynella Road
SR 75	Pattons - Ahearns Road	Ridgelands Road
SR 76	Doberers Road	Timmins Lane
SR 77	Derriwong - GooBang Creek Road	Goobang Creek Road
SR 78	Fifield - The Troffs Road	The Troffs Road
SR 79	Halls Road	Gillenbine Road

<i>Road No.</i>	<i>Previous/Known Road Name</i>	<i>New Road Name</i>
SR 80	Byong Road	Byong Road
SR 82	Watts Road	Grassdale Lane
SR 83	Blowes Road	Blowes Road
SR 85	North Forbes Road	North Forbes Road
SR 86	Gunnings Road	Gunnings Road
SR 87	Hubbards Road	Hubbards Road
SR 88	Fairholme - Ootha Road	Fairholme Road
SR 89	Avondale Road	Avondale Road
SR 9	Tottenham Farm Settlement Road	Tottenham Settlement Road
SR 90	Condobolin - Grassmere Road	Grassmere Road
SR 92	Longingettin Road	Longingettin Road
SR 93	Bandalong Road	Bandalong Road
SR 94	Cadow Road (Diggers)	Diggers Road
SR 95	Cookaburragong - Grassmere Road	Cookaburragong Road
SR 96	Ludlows Lane	Ludlows Lane
SR 97	Driftway Road	Driftway Road
SR 98	Manna Forest Road	Manna Forest Road

[5313]

WENTWORTH SHIRE COUNCIL

Road Naming

NOTICE is hereby given that Wentworth Shire Council in pursuance of section 162 of the Roads Act 1993 and the Roads Regulation 2008 has named the roads hereunder following notification and advertising.

<i>Suburb</i>	<i>Current Name</i>	<i>From</i>	<i>To</i>	<i>Road Name</i>
Curlwaa	Calder Highway	Silver City highway	Abbotsford Bridge	Abbotsford Road
Buronga	Unnamed	West Road	Caravan Park	Caravan Park Road
Buronga	Unnamed	West Road	Pitman Avenue West	Bridge Road

Authorised by resolution of Council on May 19th 2010. Peter Kozlowski, General Manager, Wentworth Shire Council, Adelaide Street, Wentworth NSW 2680.

[5314]

WYONG SHIRE COUNCIL

Water Management Act 2000

Statement of Charges for 2010/2011

IN accordance with section 501 (1) of the Local Government Act 1993 Council may make and levy an annual charge for the following services:

- Water supply services
- Sewerage services
- Drainage services

WATER SUPPLY, SEWERAGE AND DRAINAGE SERVICE CHARGES

Being constituted as a Water Supply Authority under the Water Management Act 2000 all of Council's water, drainage and sewerage charges are subject to approval by the Minister for Water following determination by the Independent Pricing and Regulatory Tribunal (IPART).

Water, drainage and sewerage charges for 2010/11 are as per IPART's Water – Determination and Final Report - May 2009.

Pension Rebates – Water and Sewerage Service Charges

In accordance with Part 8, Division 5 of the Water Management (Water Supply Authorities) Regulation 2004 Council provides a reduction of 50% of the water service charges levied up to a maximum of \$87.50 and a further reduction of 50% of sewerage service charges levied up to a maximum of \$87.50. Of these reductions 55% is reimbursed by the New South Wales Government.

WATER CHARGES

The proposed charges for water supply are as follows:

Water Service Charge – Metered Services

<i>Nominal Pipe/Meter Size (mm)</i>	<i>Total (\$)</i>
20	136.05
25	203.97
40	498.34
50	770.05
80	1,947.50
100	3,034.38
150	6,808.24
200	12,091.66
250	18,885.07

The above charges incorporate the State Government's "Climate Change Fund" contribution of \$15.28 per property (subject to gazettal).

Charges for meters not specified above are calculated using the formula: $(\text{Meter Size})^2 \times \$120.77 / 400 + \$15.28$.

Water Usage Charge

All water consumed is proposed to be charged at the rate of \$1.87 per kilolitre.

It is Council's policy not to levy a charge for accounts of \$5.00 or less.

Water Service Charges Strata Title Properties

It is proposed that where water usage to a residential strata titled property is measured through a common meter, each individual strata title lot be levied a service charge of \$136.05 (Inclusive of the Climate Change Levy of \$15.28). Water usage is to be apportioned and charged to the various lots in the strata plan in accordance with the schedule of unit entitlement and charges to the strata title owners at the rate of \$1.87 per kilolitre.

Water Service Charges Retirement Villages

It is proposed that where water usage to a retirement village is measured through a common meter only, the service charge is to be commensurate with the size of the meter. Usage consumed through the common meter is to be charged at the rate of \$1.87 per kilolitre.

Water Service Charges Community Development Lot

It is proposed that where water usage to a community development lot is measured through a common meter only, the service charge is to be commensurate with the size of the meter and this charge is apportioned to the various lots in the community development lot in accordance with the schedule of unit entitlement. Usage consumed through the common

meter is to be apportioned and charged to the individual unit owners in accordance with the unit entitlement at the rate of \$1.87 per kilolitre.

Water Service Charges Company Title Dwelling

It is proposed that where water usage to a company title dwelling is measured through a common meter only, each individual company title dwelling be levied a service charge of \$136.05 (Inclusive of the Climate Change Levy of \$15.28). Water usage is to be charged to the owner of the company title building (within the company title dwelling) at the rate of \$1.87 per kilolitre.

Water Service Charges Vacant Land

It is proposed that a water service charge be levied on vacant land which is not connected to the water supply system but is reasonably available for connection to the water supply system at the rate of \$136.05 (Inclusive of the Climate Change Levy of \$15.28).

Nominal Service Size

Where water pressure requires larger sizes of pipes and meters a charge as assessed by Council will apply.

Water Fire Service

There is no charge for a separate Water Fire Service. Where a property has a combined fire and commercial service the property will be charged a Water Service Charge – Metered Service commensurate with the meter size.

Part Year Charges and Fees

For those properties that become chargeable or non-chargeable during the year a proportional charge or fee calculated on a weekly basis is applied.

SEWERAGE SERVICE CHARGES

Residential Charges

Single Residential Properties Including Residential Strata Properties and Company Title Dwellings

It is proposed to continue the current charging structure based on a service charge for each residential property. The proposed charge is \$437.39 for each single residential property/lot/dwelling. There is no usage charge for this category.

Metered Non-Residential Charges

In the determination of Council's 1995/96 charges, the Independent Pricing and Regulatory Tribunal approved the introduction of a pay for use system of charging for sewerage based upon a service charge and a usage charge.

Non-Residential customers are those that do not meet the classification as a single residential customer. These include non strata titled residential units and Retirement Villages.

In line with this approval it is proposed to continue with this charging structure, as detailed below:

The maximum price for sewerage services to a non-residential property connected to the sewerage system is the greater of:

- The non-residential minimum sewerage charge; or
- The sum of the non-residential sewerage service charge commensurate with meter size and the non-residential sewerage usage charge.

Non-Residential Properties - Service Charge

<i>Meter Size (mm)</i>	<i>Meter Charge (\$)</i>
20	\$157.57 x discharge factor
25	\$246.21 x discharge factor
40	\$630.30 x discharge factor
50	\$984.85 x discharge factor
80	\$2,521.21 x discharge factor
100	\$3,939.38 x discharge factor
150	\$8,863.61 x discharge factor
200	\$15,757.53 x discharge factor
250	\$24,620.31 x discharge factor

A discharge factor is applied to the charge based on the volume of water discharged into Council's sewerage system.

Charges for meters not specified above are calculated using the formula: (Meter Size)² x \$157.57 / 400 x discharge factor.

Non-Residential Properties – Usage Charge

The price for sewerage usage charges is proposed to be 78.00 cents per kilolitre.

The usage charge is to be based on the estimated volume of metered water usage discharged into the Council's sewerage system. Metered water usage is to be multiplied by a discharge factor, based on the type of premises to estimate the volume of water discharged.

Non-Residential Properties – Minimum Charge

The proposed minimum amount payable for a non-residential customer is \$437.39

Non-Residential Properties – Community Development Lots

The proposed sewerage service charge for a community development lot is calculated by: the non-residential sewerage usage charge commensurate with meter size apportioned to the various lots in the community development lot in accordance with the schedule of unit entitlement.

Nominal Service Size

Where water pressure requires larger sizes of pipes and meters a charge as assessed by Council will apply.

Sewerage Service Fees – Exempt Properties

For all properties exempt from service charges under Schedule 4 of the Water Management Act 2000 it is proposed that a fee be charged, in accordance with Section 310(2) of the Act, of \$61.75 per annum for each water closet and \$21.86 per annum for each cistern servicing a urinal where installed.

Sewerage Service Charges – Vacant Land

It is proposed that the charge for sewerage services on vacant land which is not connected to the sewerage system but is reasonably available for connection to the sewerage system is \$328.05.

Liquid Trade Waste Charges

A summary of the trade waste policy outlining the property classifications and charges is as follows:

Premises are classified into the following classifications:

Classification A	is for low risk liquid trade waste. Is of low volume and/or strength and has standard non-complex pre-treatment requirements.
Classification B	is for medium risk liquid trade waste (<20kL per day) with prescribed pre-treatment requirements.
Classification C Classification A or B	is for high risk and large liquid trade waste dischargers which are not nominated as a discharger and/or involve a discharge volume of over 20 kL/day.
Classification S	is for acceptance of septic tank waste, pan waste and ship-to shore pump-outs into Council's sewerage system. Private pumping stations are also included in Category S

Categories for liquid trade waste pricing:

Pricing for Liquid Trade Waste discharges from the above classifications (excluding Classification S) is calculated based on the following three categories.

Category 1 Liquid Trade Waste Dischargers are those conducting an activity deemed by Council as requiring nil or minimal pre-treatment equipment and whose effluent is well defined and or relatively low risk to the sewerage system. The volume discharge to sewer is deemed to be low. Also included are Classification A or B activities with prescribed pre-treatment but low impact on the sewerage system.

Category 2 Liquid Trade Waste Dischargers are those conducting an activity deemed by Council as requiring a prescribed type of liquid trade waste pre-treatment equipment and whose effluent is well characterised. The volume discharged to sewer may be approved up to 20KL/day.

Category 3 Liquid Trade Waste Dischargers are those conducting an activity which is of an industrial nature and/or which results in the discharge of large volumes (generally over 20kL/day) of liquid trade waste to the sewerage system. Any Category 1 or 2 discharger whose volume exceeds 20 kL/day becomes a Category 3 discharger.

Category S Liquid Trade Waste Discharges are those conducting an activity of transporting and/or discharging septic tank waste, pan waste and ship to shore pump-outs into the sewerage system. Private pumping stations are included in Category S, however the septic waste Disposal charge does not apply.

The charging components associated with Category 1, 2, 3 & S are indicated below;

<i>Liquid Trade Waste Discharge Category</i>	<i>Liquid Trade Waste Application Fee</i>	<i>Annual Trade Waste Fee</i>	<i>Re-inspection Fee</i>	<i>Liquid Trade Waste Usage Charge/kL</i>	<i>Excess Mass Charges/kg</i>	<i>Non-compliance Excess Mass Charges</i>	<i>Septic Waste Disposal Charge</i>
1	Yes	Yes	Yes	No	No	No	No
2	Yes	Yes	Yes	Yes	No	No	No
3	Yes	Yes	Yes	No	Yes	Yes	No
S	Yes	Yes	Yes	No	No	No	Yes

TRADE WASTE CHARGES

<i>Charge Component</i>	<i>Basis</i>	<i>Proposed Charge \$</i>
Trade Waste Application Fee	<p>The application fee covers the cost of administration and technical services provided in processing an application on a scale related to the category into which the discharger is classified, and reflects the complexity of processing the application. It includes processing change of ownership of the discharger.</p> <p>The application fee for Category 2 dischargers covers the primary treatment device e.g. grease arrestor, with an additional fee for each subsequent treatment device.</p> <p>The application fee for Category 3 dischargers includes allowance for two site visits during the construction stage. Additional site visits will incur an extra cost.</p> <p>The Application Fee for Category S discharges covers the cost of administration and one inspection of the installation.</p>	<p>Category 1 – 45.47</p> <p>Category 2 – 57.88</p> <p>Category 3 – 887.59</p> <p>Category S</p> <ul style="list-style-type: none"> – Residential 47.95 – Non-Residential 193.90
Annual Trade Waste Fee	This fee recovers the cost incurred by Council for administration and the scheduled inspections each year to ensure a liquid trade waste discharger's ongoing compliance with the conditions of their approval.	<p>Category 1 – 79.53</p> <p>Category 2 – 318.09</p> <p>Category 3 – 534.34</p> <p>Category S</p> <ul style="list-style-type: none"> – Residential 42.65 – Non-Residential 86.60
Re-inspection Fee	Where non-compliance with the conditions of an approval has been detected and the discharger is required to address these issues, Council will undertake re-inspections to confirm that remedial action has been satisfactorily implemented. Council will impose a fee for each re-inspection. The re-inspection fee will be based on full cost recovery.	All Categories – \$74.56 per inspection
Trade Waste Usage Charge	The trade waste usage charge is imposed to recover the additional cost of transporting and treating liquid trade waste from Category 2 dischargers. Either one of two charges is applicable.	<p>0.54/kL – Compliant pre-treatment equipment</p> <p>13.66/kL – Non-compliant pre-treatment equipment.</p>
Excess Mass and Non-compliant Excess Mass Charge	Excess mass charges will apply for the substances specified that are discharged in excess of the deemed concentrations in domestic sewage.	0.66 / kg
Biochemical Oxygen Demand		0.85 / kg
Suspended Solids	Non-compliant excess mass charges will apply for the substances specified that are discharged in excess of the Trade Waste Approval Limit.	1.19 / kg
Total Oil and Grease		0.66 / kg
Ammonia (as Nitrogen)		0.37 / kg
pH	The nominated charges are applied in accordance with the formulas contained in Council's Liquid Trade Waste Policy.	0.16 / kg
Total Kheldhal Nitrogen		1.36 / kg
Total Phosphorus		0.04 / kg
Total Dissolved Solids Sulphate (as SO4)		0.12 / kg

In addition to the substances listed above, the following excess mass charges will apply per kilogram of waste discharged in excess of the Liquid Trade Waste Policy Guideline Acceptance Limits. Non-compliant excess mass charges will apply for trade waste discharged in excess of the Liquid Trade Waste Approval Limit. The nominated charges are applied in accordance with the formulas contained in Council's Liquid Trade Waste Policy.

<i>Substance</i>	<i>Proposed Charge \$</i>	<i>Substance</i>	<i>Proposed Charge \$</i>
Aluminium	0.66 / kg	Manganese	6.71 / kg
Arsenic	0.66 / kg	Mercaptans	67.10 / kg
Barium	33.55 / kg	Mercury	2,236.75 / kg
Boron	0.66 / kg	Methylene Blue Active Substances (MBAS)	0.66 / kg
Bromine	13.41 / kg	Molybdenum	0.66 / kg
Cadmium	310.65 / kg	Nickel	22.36 / kg
Chloride	No Charge	Organoarsenic compounds	671.03 / kg
Chlorinated Hydrocarbons	33.55 / kg	Pesticides general (excludes organochlorines and organophosphates)	671.03 / kg
Chlorinated Phenolics	1,342.05 / kg	Petroleum Hydrocarbons (non-flammable)	2.23 / kg
Chlorine	1.36 / kg	Phenolic compounds (non-chlorinated)	6.71 / kg
Chromium	22.36 / kg	Polynuclear aromatic hydrocarbons (PAH's)	13.66 / kg
Cobalt	13.66 / kg	Selenium	47.21 / kg
Copper	13.66 / kg	Silver	1.23 / kg
Cyanide	67.10 / kg	Sulphide	1.36 / kg
Fluoride	3.34 / kg	Sulphite	1.48 / kg
Formaldehyde	1.36 / kg	Thiosulphate	0.23 / kg
Herbicides/defoliant	671.03 / kg	Tin	6.71 / kg
Iron	1.36 / kg	Uranium	6.71 / kg
Lead	33.55 / kg	Zinc	13.66 / kg
Lithium	6.71 / kg		

Septic Waste Disposal Charges (Category S)

In accordance with the provisions of Section 310(2) of the Water Management Act 2000 and Clause 6 of the Water Management (Water Supply Authorities) Regulation 2004, it is proposed the maximum fees for the period 1 July 2010 to 30 June 2011 be as follows:

<i>SERVICE</i>	<i>Proposed Cost of Service</i>
Residential	
Fortnightly effluent removal and disposal service	1,007.61 per annum
Additional effluent removal and disposal service	39.00 per service
Sludge removal and disposal services	
• Septic tanks with a capacity up to 2750 litres	282.66 per service
• Septic tanks exceeding 2750 litres or AWTS with one tank	366.72 per service
• AWTS with more than one tank	547.05 per service
• Sludge disposal only (collection organised by customer)	30.46 per kilolitre
Non-Residential	
Commercial effluent removal and disposal service	12.92 per kilolitre
Sludge removal and disposal services	
• Septic tanks with a capacity up to 2750 litres	282.66 per service
• Septic tanks exceeding 2750 litres or AWTS with one tank	366.72 per service
• AWTS with more than one tank	547.05 per service
• Sludge disposal only (collection organised by customer)	30.46 per kilolitre

<i>Charge Component</i>	<i>Basis</i>	<i>Proposed Charge</i>
Septic and Chemical Toilet Charges	Volume charges will apply for each kilolitre of waste specified, that is discharged to the sewerage system.	\$14.91 / kL

Chemical Closet Charges (Category S)

In accordance with the provisions of Section 310(2) of the Water Management Act 2000, and Clause 6 of the Water Management (Water Supply Authorities) Regulation 2004, it is proposed the maximum fees for the period 1 July 2010 to 30 June 2011 be as follows:

<i>Type of Service</i>	<i>Proposed Cost of Service</i>
Annual Fortnightly service	\$1,452.25
Each requested weekly special service	\$28.29

It should be noted that Trade Waste Charges apply in addition to Sewer service charges.

Where properties discharging Liquid Trade Waste become chargeable or non-chargeable for a part of the financial year a proportional charge calculated on a weekly basis is to apply.

DRAINAGE SERVICE CHARGES

In its Determination of Council's 2009/10 charges, the Independent Pricing and Regulatory Tribunal approved the introduction of a drainage service charge.

Residential Charges

Single Metered Residential Properties

The proposed charge is \$84.72 for each single residential property/lot/dwelling. There is no usage charge for this category.

Metered Non-Residential Properties

Non-Residential Properties are those that do not meet the definition of Residential Properties or Multi Premises Properties.

It is proposed to use the charging structure detailed below for Non-Residential Properties that are serviced by a water meter:

<i>Meter Size (mm)</i>	<i>Meter Charge \$</i>
20	84.72
25	132.39
40	338.90
50	529.53
80	1,355.59
100	2,118.11
150	4,765.74
200	8,472.42

Charges for meters not specified above are calculated using the formula: (Meter Size)² x \$ 84.72 / 400.

Nominal Service Size

Where water pressure requires larger sizes of pipes and meters a charge as assessed by Council will apply.

Multi Premises Properties

The proposed charge is \$63.54 for each Multi Premises property that is serviced by a common water meter or multiple common water meters.

Multi Premises properties include;

- (a) Strata Title lots
- (b) Company Title dwellings
- (c) Community Development lots
- (d) Retirement Village units and
- (e) a part of a building lawfully occupied or available for occupation (other than those described in paragraphs a) to d) above.

Multi Premises properties do not include hotels, motels, guest houses or backpackers hostels.

<i>Service No.</i>	<i>Description</i>	<i>2010/11 Charge</i>
1	Conveyance Certificate <i>Statement of Outstanding Charges</i> (a) Over the counter	17.31 No GST
2	Property Sewerage Diagram – up to and including A4 Size (where available) <i>Diagram showing the location of the house service line, building and sewer for the property.</i> (a) Certified (b) Uncertified	17.31 17.31 No GST
3	Service Location Diagram <i>Location of sewer and /or water mains in relation to a property's boundaries</i> (a) Over the counter	17.31 No GST
4	Special Meter Reading Statement	53.07 No GST
5	Billing Record Search Statement – Up to and including 5 years	17.31 No GST
6	Water Reconnection (a) During business hours (b) Outside business hours	35.78 147.70 No GST
7	Workshop Test of Water Meter <i>Removal and full mechanical test of the meter by an accredited organisation at the customer's request to determine the accuracy of the water meter. This involves dismantling and inspection of meter components.</i> 20mm 25mm 32mm 40mm 50mm 60mm 80mm	177.69 177.69 177.69 177.69 177.69 177.69 177.69 No GST
8	Application for Disconnection – All sizes	29.99 No GST
9	Application for Water Service Connection (all sizes) <i>This covers the administration fee only. There will be a separate charge payable to the utility if they also perform the physical connection.</i>	29.99 No GST
10	Metered Standpipe Hire Security Bond (25mm) Security Bond (63mm) <i>These charges are refunded to the customer on return (in satisfactory condition) after completion of use.</i>	365.80 703.89 No GST

MISCELLANEOUS CHARGES

In accordance with the provisions of Section 310(2) of the Water Management Act 2000 and Clause 6 of the Water Management (Water Supply Authorities) Regulation 2004, it is proposed the maximum fees for the period 1 July 2010 to 30 June 2011 be as follows:

<i>Service No.</i>	<i>Description</i>	<i>2010/11 Charge</i>
11	Metered Standpipe Hire Annual Fee Quarterly Fee Monthly Fee (or part thereof)	As per water service charge based on meter size. (pro-rata for part of year)
12	Standpipe Water Usage Fee All Usage	As per standard water usage charges per kilolitre.
13	Backflow Prevention Device Application and Registration Fee <i>This fee is for the initial registration of the backflow device</i>	61.16 No GST
14	Backflow Prevention Application Device Annual Administration Fee <i>This fee is for the maintenance of records including logging of inspection reports.</i>	Nil
15	Major Works Inspections Fee <i>This fee is for the inspection, for the purpose of approval, of water and sewer mains, constructed by others, that are longer than 25 metres and/or greater than 2 metres in depth</i> Water Mains (\$ per metre) Gravity Sewer Mains (\$ per metre) Rising Sewer Mains (\$ per metre)	5.31 7.08 5.31 No GST
16	Statement of Available Pressure and Flow <i>This fee covers all levels whether hydraulic modelling is required or not.</i>	129.24 Incl GST
17	Underground Plant Locations Council assists in on-site physical locations Customer to provide all plant required to expose asset. Council undertakes on-site physical locations <i>Council to provide all plant and labour to expose asset</i>	\$78.06 per hour for first hour or part thereof then \$19.03 per 15 minutes or part thereof \$130.09 per hour for first hour or part thereof then \$32.36 per 15 minutes or part thereof Incl GST
18	Plumbing and Drainage Inspection Residential Single Dwelling, Villas & Units Alterations, Caravans & Mobile Homes Commercial & Industrial Alterations Additional Inspections	157.39/unit 79.32 /permit 157.39 (plus 45.69/WC) 79.32 /permit 58.39 /inspect Incl GST

<i>Service No.</i>	<i>Description</i>	<i>2010/11 Charge</i>
19	Billings Record Search – Further Back than 5 years	\$17.31 for the first 15 minutes or part thereof then \$11.53 per 15 minutes or part thereof No GST
20	Relocate Existing Stop Valve or Hydrant <i>Price exclusive of plant hire charges, material costs and traffic control where applicable</i>	\$118.27 per hour for first hour or part thereof then \$29.42 per 15 minutes or part thereof No GST
21	Provision of Water Services Application for water service connection fee is also applicable Meter Only (20mm) Short service – 20mm Long service – 20mm. Short service – 25mm Long service – 25mm Short service – 40mm Long service – 40mm Short service – 50mm Long service – 50mm Larger services * * Provision of live main connection only. Price exclusive of plant hire charges, material costs and traffic control where applicable.	101.54 616.19 616.19 747.74 747.74 1,405.47 1,868.19 2,005.50 2,472.84 \$118.27 per hour for first hour or part thereof then \$29.42 per 15 minutes or part thereof. No GST
22	Water Sample Analysis For testing of standard water quality parameters (Private supplies)	79.31 incl GST
23	Raise / Lower / Adjust Existing Services (No more than 2 metres from existing location) 20mm service only – no materials Larger services or requiring materials	118.86 by quote No GST
24	Relocate Existing Services Short – 20mm Long – 20mm Larger Services (> 20mm)	300.01 467.34 by quote No GST
25	Alteration from Dual Service to Single Service 20mm service only	358.88 No GST
26	Disconnection of Existing Service	117.08 No GST

<i>Service No.</i>	<i>Description</i>	<i>2010/11 Charge</i>
27	Sewerage Drainage Arrestor Approval Annual Inspection	96.93 29.42 No GST
28	Sewerage Junction Cut-in (150mm) <i>No excavation, no concrete encasement removal, no sideline, junction within property. Excavation provided by customer.</i>	291.94 Incl GST
29	Sewerage Junction Cut-in (150mm) with sideline less than 3m <i>No excavation, no concrete encasement removal, no sideline, junction outside property. Excavation provided by customer.</i>	305.78 Incl GST
30	Sewerage Junction Cut-in (225mm) <i>No excavation, no concrete encasement removal, no sideline, junction within property. Excavation provided by customer.</i>	683.11 Incl GST
31	Sewerage Junction Cut-in (225mm) with sideline less than 3m <i>No excavation, no concrete encasement removal, no sideline, junction outside property. Excavation provided by customer.</i>	721.19 Incl GST
32	Sewerage Junction Cut-in Greater than 225mm or where excavation or removal of concrete encasement required by Council <i>Price exclusive of plant hire charges, material costs and traffic control where applicable.</i>	\$130.09 per hour for first hour or part thereof then \$32.36 per 15 minutes or part thereof Incl GST
33	Sewer Main Encasement with Concrete Encasement inspection fee when construction is not by Council Construction by Council	98.65 by quote Incl GST
34	Sewer Advance Scheme – Administration Charge	257.67 Incl GST
35	Raise and Lower Sewer Manholes Raise manhole greater than 300mm <i>Price listed is the manhole adjustment inspection fee. Charge for actual physical adjustment is by quote.</i>	98.66 No GST
36	Supply of reticulated tertiary treated sewerage effluent Except when covered by individual agreement	0.94/kL No GST

[5315]

ESTATE NOTICES

NOTICE of intended distribution of estate. – Any person having any claim upon the estate of MARJORIE SMITH, late of Wahroonga, in the State of New South Wales, who died on 3 March 2010, must send particulars of their claim to the legal representative for the estate c.o. Barton & Co, Solicitors, of 128/121-133 Pacific Highway, Hornsby, within one (1) calendar month from publication of this notice. After that time the legal representative intends to distribute the property in the estate unless an application or notice of intended application for a family provision order is received by the legal representative. Probate was granted in New South Wales on 11 June 2010. MESSRS BARTON & CO, Solicitors, 128/121-133 Pacific Highway, Hornsby NSW 2077 (PO Box 344), tel.: (02) 9476 1744. Reference: DFB/RS. [5316]

NOTICE of intended distribution of estate. – Any person having any claim upon the estate of LILY THERESA HYLAND, late of 1106 Victoria Road, West Ryde, in the State of New South Wales, Retired Cleaner, who died on 12 January 2009 must send particulars of his claim to the executor, Alan John Hyland, at 21 Moncur Street, Woollahra New South Wales 2025 within one calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executor has notice. Probate was granted in New South Wales on 10 August 2009. LOBBAN MCNALLY, Lawyers, Level 3, 65 York Street, Sydney NSW 2000, tel.: (02) 9299 8438. [5317]

NOTICE of intended distribution of estate. – Any person having any claim upon the estate of ANTONIO CESIDIO DI LUCA (in the will called CESIDIO DI LUCA), late of Orchard Hills, in the State of New South Wales, who died on 3 May 2008, must send particulars of his claim to the executor, Paul Di Luca care of Newnhams Solicitors, 233 Castlereagh Street, Sydney, within one calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 11 June 2010. NEWNHAMS Solicitors, Level 7, 233 Castlereagh Street, Sydney NSW 2000 (DX11495, Sydney Downtown), tel.: (02) 9264 7788. Reference: BLM:ME:6597. [5318]

NOTICE of intended distribution of estate. – Any person having any claim upon the estate of ALEXANDER JOHN WAGSCHALL (in the will called JOHN ALEXANDER WAGSCHALL) late of East Lindfield, in the State of New South Wales, business manager, who died on or about 3 December 2009, must send particulars of the claim to the executor, Richard James Wagschall, care of Truman Hoyle Lawyers, Level 11, 68 Pitt Street, Sydney NSW 2000, within 31 days from the publication of this notice. After that time and after six months from the date of the death of the deceased the assets of the estate and the property may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executor has notice. Probate was granted in New South Wales on 15 June 2010. TRUMAN HOYLE LAWYERS, Level 11, 68 Pitt Street, Sydney NSW 2000, DX 263 Sydney, ref: SR 90983. [5319]

NOTICE of intended distribution of estate. – Any person having any claim upon the estate of GEORGE McINTOSH HOLLAND, late of Forestville, in the State of New South Wales, company director, who died on 23 September 2009, must send particulars of his claim to the executor, care of HPL Lawyers, within one calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution she has notice. Probate was granted in New South Wales to Rebecca Ann Holland-Kennedy on 15 June 2010. HPL LAWYERS, PO Box 705, Freshwater NSW 2096, tel.: (02) 9905 9500. [5320]

NOTICE of intended distribution of estate. – Any person having any claim upon the estate of LAUREL GLORIA VERA WALTON, late of 64 Iliffe Street, Bexley, formally of 9 Lachal Avenue, Kogarah, in the State of New South Wales, home duties, who died on 15 October 2009, must send particulars of the claim to the executor, Murray Wilson George Walton, c.o. Denis M. Anderson, Solicitor, 10 Regent Street, Kogarah NSW 2217, within one (1) calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution he has notice. Probate was granted in New South Wales on 10 March 2010. DENIS M. ANDERSON, Solicitor, 10 Regent Street, Kogarah NSW 2217 (PO Box 148, Kogarah 1485), tel.: (02) 9587 0440. [5321]

COMPANY NOTICES

NOTICE of final general meeting. – KENSAIL PTY LIMITED, ACN 089 632 100 (in voluntary liquidation). – Notice is hereby given pursuant to section 509 of the Corporations Act 2001, that a final general meeting of the abovenamed company will be held at 2/131 Clarence Street, Sydney NSW, on 29 July 2010 at 10:00 a.m., for the purpose of having laid before it by the liquidator an account showing how the winding up has been conducted and the manner in which the assets of the company have been distributed and a hearing of an explanation of the account by the liquidator and to authorize the liquidator to destroy all books and records of the company on completion of all duties. Dated 21 June 2010. F. MACDONALD, Liquidator, c.o. K. B. Raymond & Co., Level 2, 131 Clarence Street, Sydney NSW 2000 (GPO Box 4684, Sydney NSW 2001), tel.: (02) 9299 6521. [5322]

OTHER NOTICES

COUNTRY ENERGY

Schedule of Water & Sewerage Charges

Effective from 1 July 2010

Under Section 310 of the *Water Management Act 2000* and Regulations, Country Energy is required to set the maximum scale of charges to apply for the 12 months commencing on 1 July 2010 (in accordance with IPART's Determination and Final Report dated June 2010), as follows:

SCHEDULE 1 - WATER SUPPLY CHARGES**RESIDENTIAL - BROKEN HILL, MENINDEE, SUNSET STRIP and SILVERTON**

Access Charge		Usage Charge	
Nominal Size of Water Service	Annual Access Charge (\$)		Charge cents / kL
20mm	230.34	Treated Water Usage Charge	
25mm	359.71	Tier 1 (up to 1.096 kL/day*)	125 c/kL
32mm	590.04	Tier 2 *** (in excess of 1.096 kL /day*)	251 c/kL
40mm	921.35	Tier 1 Summer ** (extra 0.549 kL/day in a 114 day period December to March)	125 c/kL
50mm	1,439.87	Chlorinated Water Usage Charge	
80mm	3,685.41	Tier 1 (up to 1.096 kL/day*)	95 c/kL
100mm	5,758.45	Tier 2 *** (in excess of 1.096 kL /day*)	212 c/kL
150mm	12,956.77	Tier 1 Summer ** (extra 0.549 kL/day in a 114 day period December to March)	95 c/kL

VACANT LAND

All properties to be levied \$230.34 per property per annum

PIPELINE CUSTOMERS

Access Charge		Usage Charge	
Nominal Size of Water Service	Annual Access Charge (\$)		Charge cents / kL
20mm	230.34	Untreated Water Usage Charge	
25mm	359.71	Tier 1 (up to 1.096 kL/day*)	69 c/kL
32mm	590.04	Tier 2 (in excess of 1.096 kL /day*)	114 c/kL
40mm	921.35		

NON RESIDENTIAL - BROKEN HILL, MENINDEE, SUNSET STRIP and SILVERTON

Access Charge		Usage Charge	
Nominal Size of Water Service	Annual Access Charge (\$)		Charge cents / kL
20mm	230.34	Treated Water Usage Charge per Quarter	
25mm	359.71	Tier 1 (up to 1.096 kL/day*)	125 c/kL
32mm	590.04	Tier 2 *** (in excess of 1.096 kL /day*)	251 c/kL
40mm	921.35	Tier 1 Summer ** (extra 0.549 kL/day in a 114 day period December to March)	125 c/kL
50mm	1,439.87	Untreated Water Usage Charge	
80mm	3,685.41	Any measured amount	140 c/kL
100mm	5,758.45	Chlorinated Water Usage Charge	
150mm	12,956.77	Tier 1 (up to 1.096 kL/day*)	95 c/kL
		Tier 2 *** (in excess of 1.096 kL /day*)	212 c/kL
		Tier 1 Summer ** (extra 0.549 kL/day in a 114 day period December to March)	95 c/kL
		Effluent Water Usage Charge	
		Any measured amount	49 c/kL

VACANT LAND

All properties to be levied \$230.34 per property per annum

* calculated on the number of days between meter reading

** To apply within a 114 day period in the summer period – 1 December 2010 to 24 March 2011

***The tier two consumption price applies when water consumption exceeds 1.096 kilolitres per day or 1.645 kilolitres per day in the summer period multiplied by the number of days between a customer's meter readings.

PERILYA LTD

Water Access Charge

Annual water supply access charge of \$1.23697 million

Water Usage Charge

Water usage charge of \$2.0082/kL for all treated water usage with minimum payment of \$1.486 million

SCHEDULE 2 – SEWERAGE and TRADE WASTE CHARGES

SEWERAGE SERVICE CHARGES CITY OF BROKEN HILL

Residential Land: The service charge shall be a fixed charge of \$428.45 per customer service connection per year. In respect of any chargeable land used as the site of a block of company or community title units or flats shall be treated as a single non-residential assessment.

Non Residential Land:

Sewer Access Charge	Annual Access Charge (\$)
<i>Nominal Size of Service</i>	
20mm	590.10
25mm	921.97
32mm	1510.97
40mm	2360.42
50mm	3687.87
80mm	9441.66
100mm	14752.60
150mm	33193.07

Sewer Usage Charge

All kilolitres 103c/kL

Sewer Discharge Factor

An appropriate sewer discharge factor is applied to the final sewerage calculation for non-residential customers.

Vacant Land: The service charge shall be a fixed charge of \$428.45 per property or customer service connection per year, which ever is greater.

SEWERAGE AND TRADE WASTE CHARGES FOR PERILYA LTD

Residential: The sewerage service charge for mining company houses shall be \$428.45 per occupied house.

Non-residential: The sewerage access charge shall be \$14,752.60 on the basis of the 100mm water supply service connection. The sewer usage charge shall be \$1.03/kl of non-residential discharge to the sewerage system.

Trade waste: Annual trade waste fee shall be \$1,286.43 for each operating mine.

Applicable trade waste usage charge or excess mass charge as detailed below.

These charges will apply until a liquid trade waste agreement has been implemented.

WATER AND SEWERAGE CHARGES IN RESPECT OF LANDS EXEMPT UNDER SCHEDULE 4

- i) **Water** - Land which is exempt from service access charges under Schedule 4 of the Act; shall be charged on the treated water usage recorded by the water service times the charge of \$2.13 /kL.
- ii) **Sewer** - Land which is exempt from service access charges under Schedule 4 of the Act; shall be charged on the water usage recorded by the water service times by the sewer usage charge of \$1.03/kL times by the relevant Sewer Discharge Factor as per the DWE Liquid Trade Waste Management Guidelines 2005.

TRADE WASTE CHARGES FOR NON-RESIDENTIAL CUSTOMERS CITY OF BROKEN HILL

Non Residential Land:

Trade Waste Charges

Category 1 (Low Risk. Nil or only minimal liquid trade waste pre-treatment equipment required)

Application fee*	\$182.42
Annual Trade Waste Fee	\$84.61
Re-inspection Fee	\$79.12

Category 1a (Low Risk. Require more sophisticated prescribed liquid trade waste pre-treatment equipment)

Application fee*	\$182.42
Annual Trade Waste Fee	\$84.61
Re-inspection Fee	\$79.12
Non Compliant Trade Waste Usage Charge**	\$1.58/kL

Category 2 (Medium Risk. Require prescribed liquid trade waste pre-treatment equipment)

Application fee*	\$182.42
Annual Trade Waste Fee	\$567.03
Re-inspection Fee	\$79.12
Trade Waste Usage Charge	\$1.58/kL
Non Compliant Trade Waste Usage Charge***	\$14.51/kL

Category 3 (High Risk. Industrial and large volume dischargers)

Application fee*	\$182.42
Annual Trade Waste Fee	Set on a case by case basis depending on the complexity of monitoring required
Re-inspection Fee	\$79.12
Approved pH Range	as per the Country Energy Policy for the Discharge of Liquid Trade Waste
Approved BOD Range	as per the Country Energy Policy for the Discharge of Liquid Trade Waste
Food Waste Disposal	\$23.08/bed

* Not applicable to those dischargers exempted from obtaining an approval for liquid trade waste discharge as per the Country Energy Policy for the Discharge of Liquid Trade Waste

** Applicable to dischargers who have not installed or properly maintained pre-treatment equipment

*** Applicable to discharges who have not installed or properly maintained pre-treatment equipment

Trade Waste Charges continued ...

Excess Mass Charge	\$/kg
acid demand, pH>10	0.71
Alkali demand, pH<7	0.71
Aluminium	0.71
Ammonia* (as N)	2.16
Arsenic	71.43
Barium	35.16
Biochemical oxygen demand (BOD)	0.71
Boron	0.71
Bromine	14.22
Cadmium	329.67
Chloride	No charge
Chlorinated hydrocarbons	35.16
Chlorinated phenolic	1,424.16
Chlorine	1.48
Chromium	23.89
Cobalt	14.79
Copper	14.79
Cyanide	71.43
Fluoride	3.52
Formaldehyde	1.48
Oil & Grease (Total O & G)	1.27
Herbicides/defoliants	712.08
Iron	1.48
Lead	35.16
Lithium	7.14
Manganese	7.14
Mercaptans	71.43
Mercury	2,373.60
Methylene blue active substances (MBAS)	0.71
Molybdenum	0.71
Nickel	23.89
Nitrogen* (as TKN Total Kjeldahl Nitrogen)	0.19
Organoarsenic compounds	712.08
Pesticides general (excludes organochlorines and organophosphates)	712.08
Petroleum hydrocarbons (non-flammable)	2.38
Phenolic compounds (non-chlorinated)	7.14
Phosphorous (Total P)	1.48
Polynuclear aromatic hydrocarbons (PAHs)	14.79
Selenium	50.04
Silver	1.14
Sulphate* (SO ₄)	0.14
Sulphide	1.48
Sulphite	1.59
Suspended Solids (SS)	0.91
Thiosulphate	0.25
Tin	7.14
Total Dissolved Solids (TDS)	0.05
Uranium	7.14
Zinc	14.56
Non Compliant Excess Mass Charge	as per the Country Energy Policy for the Discharge of Liquid Trade Waste

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