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The New South Wales Government Gazette is the permanent public record of official NSW Government notices. It also contains local council, private and other notices.

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GOVERNMENT NOTICES

Appointments

CONSTITUTION ACT 1902

Ministerial arrangements for the Minister for Health and Medical Research

Pursuant to section 36 of the *Constitution Act 1902*, His Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable Victor Dominello MP to act for and on behalf of the Minister for Health and Medical Research on and from 10 May 2019 to 26 May 2019, inclusive.

Dated: 1 May 2019

GLADYS BEREJIKLIAN, MP
Premier

(n2019-1042)

Planning and Environment Notices

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Order under clause 5 of Schedule 2 to the Environmental Planning and Assessment
(Savings, Transitional and Other Provisions) Regulation 2017

Under delegation from the Minister for Planning and Public Spaces, I declare the development specified in column 1 of the table in Schedule 1 to this Order on the land specified in the corresponding row in column 2 of the table in Schedule 1 to this Order to be State significant infrastructure under clause 5 of Schedule 2 to the *Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017*, for the purposes of the *Environmental Planning and Assessment Act 1979* (the Act).

This Order takes effect upon publication in the New South Wales Government Gazette.

Dated: 1/5/19

Steve O'Donoghue

A/ Director

Resource and Energy Assessments

SCHEDULE 1

Column 1 Development	Column 2 Land
Development for the purpose of the construction and operation of a pipeline to convey natural gas known as the 'Eastern Gas Pipeline Project' authorised under Licence No.26 (granted on 12 November 1997 by the Governor of NSW and the Minister for Energy under the <i>Pipelines Act 1967</i>), and incorporating all variations to the licence under the <i>Pipelines Act 1967</i> as in force on the date of this Order.	All land identified in Schedule 1 of the Licence No.26 to carry out the development known as the 'Eastern Gas Pipeline Project', as varied and as in force on the date of this Order.

(n2019-1043)

PROTECTION OF THE ENVIRONMENT OPERATIONS ACT 1997

Order Revoking an Exemption under section 284

Background

- On 9 June 2017, the Environment Protection Authority (EPA), by order published in the NSW Government Gazette, granted an exemption under section 284 of the *Protection of the Environment Operations Act 1997* (POEO Act) to the occupier of certain facilities with incinerators from the requirement to hold an environment protection licence to carry out the disposal of drug exhibit waste from NSW Police Force by incineration. The exemption facilitated the NSW Police Force's disposal of their stockpile of drug exhibit waste at these facilities pending regulatory amendments to allow such disposal on a more permanent basis.
- On 22 February 2019 the *Protection of the Environment Operations Amendment (Drug Exhibit Waste and Vapour Recovery) Regulation 2019* commenced and amended the scheduled activity of waste disposal (thermal treatment) in Schedule 1 of the POEO Act to provide that, if certain requirements are met, the destruction of drug exhibit waste is not a scheduled activity and so is not required to be licensed.
- Section 284 (7) of the POEO Act states that an exemption may be revoked, varied or renewed by a further order made and published in accordance with that section.
- The purpose of this Order is to revoke the exemption published in the NSW Government Gazette on 9 June 2017.

Revocation

- By this Order, the EPA, with the approval of the Board of the EPA, revokes the exemption published in NSW Government Gazette No. 61 of 9 June 2017, pages 2426-2428.

Commencement

- This Order commences on the date this Order is published in the NSW Government Gazette.

Dated: 12 April 2019

Mark Gifford

Acting Chair and CEO

(on behalf of the Environment Protection Authority)

(n2019-1044)

ELECTRICITY SUPPLY ACT 1995 AND GAS SUPPLY ACT 1996

Gazette notice for the amendment of the
NSW Social Programs for Energy Code

The NSW Social Programs for Energy Code

I, Matthew Kean MP, Minister for Energy and Environment:

1. in accordance with clause 21(5) of the *Electricity Supply (General) Regulation 2014* and clause 5(5) of the *Gas Supply (Natural Gas Retail) Regulation 2014*, revoke 'Version 5.0' of the NSW Social Programs for Energy Code ('Code'), which took effect on 11 December 2017 (NSW Government Gazette No 132 of 8 December 2017 of pg 7531), with the revocation to take effect on the date this notice is published in the NSW Government Gazette; and
2. in accordance with clause 21(3) of the *Electricity Supply (General) Regulation 2014* and clause 5(3) of the *Gas Supply (Natural Gas Retail) Regulation 2014*, adopt 'Version 6.0' of the Code as set out in Schedule 1 to this notice, with Version 6.0 of the Code to take effect on the date this notice is published in the NSW Government Gazette immediately after the revocation of Version 5.0 of the Code in accordance with paragraph 1.

Dated at Sydney, this 1 day of May 2019

Matthew Kean MP
Minister for Energy and Environment

(n2019-1045)

NSW Social Programs for Energy Code

Low Income Household Rebate
NSW Gas Rebate
Life Support Rebate
Medical Energy Rebate
Family Energy Rebate
Energy Accounts Payment Assistance (EAPA) Scheme

Effective Date: Six months from the date of publication in the NSW Government Gazette
Version: 6.0

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NSW Social Programs for Energy Code

Electricity Supply Act 1995

Gas Supply Act 1996

This Social Programs for Energy Code has been prepared and adopted pursuant to clause 21 of the *Electricity Supply (General) Regulation 2014* (ES Regulation) and clause 5 of the *Gas Supply (Natural Gas Retail) Regulation 2014* (GS Regulation) for the purpose of facilitating the NSW Government's social programs for electricity and gas. Any person to which the Code applies must comply with the requirements of the Code pursuant to clause 22(3) of the ES Regulation and clause 6(3) of the GS Regulation. The Minister may conduct audits to determine compliance with the Code. The Minister may also accept undertakings to ensure compliance with the Code and take Court action to enforce those undertakings.

PART A

A1. Dictionary

- A1.1 **administration fee** means:
- (a) for **rebates** (other than the Family Energy Rebate), \$0.80/365 multiplied by the total number of **eligible customers** as at the end of the month and multiplied by the number of days in the month; or
 - (b) for the Family Energy Rebate, \$0.80 multiplied by the total number of **eligible customers** paid by the **retailer** as at the end of the month.
- A1.2 **account holder** is a **residential customer**.
- A1.3 **acquittal statement** means the relevant statement for each **rebate** and **EAPA** prepared and submitted by the **retailer** using a template provided by the **Department**.
- A1.4 **approved life support equipment** are the items listed at Appendix B3.1.
- A1.5 **Code** means this NSW Social Programs for Energy Code.
- A1.6 **customer retail contract** has the same meaning as in the *National Energy Retail Law (NSW)*.
- A1.7 **Department** means the Secretary of the Department of Planning and Environment or the Secretary's nominee.
- A1.8 **EAPA** means the Energy Accounts Payment Assistance Scheme.
- A1.9 **EAPA Provider** means a person identified as an EAPA Provider on the **Department's** website.
- A1.10 **eligible customer(s)** is as defined for each **rebate** at clauses B1.1, B2.1, B3.1, B4.1 and C1.1.
- A1.11 **energy** means electricity or gas or both.
- A1.12 **gross amount of the bill** means the total charges for the billing cycle, including usage charges and daily supply charges, less any applicable discounts.
- A1.13 **hardship customer** has the same meaning as in the *National Energy Retail Law (NSW)*.

- A1.14 **market offer** has the same meaning as in the *National Energy Retail Law (NSW)*.
- A1.15 **market retail contract** has the same meaning as in the *National Energy Retail Law (NSW)*.
- A1.16 **Minister** means the New South Wales Minister for Energy and Utilities.
- A1.17 **payment error** means a **rebate** payment:
- (a) which was not calculated in accordance with the requirements set out in this **Code**; or
 - (b) to a customer that was not eligible, or cannot be established as having been eligible, to receive a **rebate** at the time the retailer was last required under this Code to verify the customer's eligibility for the rebate.
- A1.18 **residential customer** means a customer who purchases energy principally for personal, household or domestic use at premises from an authorised energy **retailer**.
- A1.19 **rebate(s)** refers to any or all of the Low Income Household Rebate, NSW Gas Rebate, Life Support Rebate, Medical Energy Rebate and Family Energy Rebate, as relevant.
- A1.20 **reporting period** means the period from 1 January to 30 June or 1 July to 31 December (as applicable).
- A1.21 **retailer(s)** means the holder of a retailer authorisation and includes Ergon Energy Queensland Pty Ltd (ACN121 177 802) for the purposes of the **Code**.
- A1.22 **retailer payment** means the sum of the **administration fee** and the total value of **rebates** paid each month.
- A1.23 **social program for energy** means a NSW Government program to ensure that energy services (including connection services and electricity and gas supply) are available to those who are in need, including those who suffer financial hardship and those who live in remote areas, and includes:
- 1.16.1 any program for electricity and gas bills payment assistance, and
 - 1.16.2 any program for **rebates** to eligible pensioners,
 - 1.16.3 any program for **rebates** with respect to electricity used for life support systems; and
 - 1.16.4 any program designed to improve information about the energy offers available for energy services provided to those in need.
- A1.24 **standard retail contract** has the same meaning as in the *National Energy Retail Law (NSW)*.
- A1.25 **supporting documentation template** means a template provided by the **Department** to **retailers** or otherwise published on the **Department's** website in order for the **retailer** to comply with a reporting obligation under this **Code**.

Words and expressions used in this **Code** that are not defined in clause A1 but are defined in the *Electricity Supply Act 1995 (NSW)*, *Gas Supply Act 1996 (NSW)* or the *National Energy Retail Law (NSW)*, have the same meaning as they have in the relevant Act.

In the event of an inconsistency between the meaning of a term as defined in clause A1 and in another legislative instrument, the meaning in the **Code** is to prevail to the extent of the inconsistency.

A2. Purpose

A2.1 This Code has been adopted in accordance with clause 21 of the *Electricity Supply (General) Regulation 2014* and clause 5 of the *Gas Supply (Natural Gas Retail) Regulation 2014* for the purpose of facilitating the delivery of the following **social programs for energy**:

- A2.1.1 Low Income Household Rebate;
- A2.1.2 NSW Gas Rebate;
- A2.1.3 Life Support Rebate;
- A2.1.4 Medical Energy Rebate;
- A2.1.5 Family Energy Rebate;
- A2.1.6 **EAPA**; and
- A2.1.7 Energy Offer Information program.

A2.2 This version of the **Code** takes effect six months from the date of publication in the NSW Government Gazette and replaces the previous version 5.0.

A2.3 The **Code** consists of five parts:

- A2.3.1 Part A outlines the general requirements applicable to the Low Income Household Rebate, NSW Gas Rebate, Life Support Rebate and Medical Energy Rebate;
- A2.3.2 Part B outlines additional requirements that are specific to each of the Low Income Household Rebate, NSW Gas Rebate, Life Support Rebate and Medical Energy Rebate;
- A2.3.3 Part C outlines the requirements applicable to the Family Energy Rebate; and
- A2.3.4 Part D outlines the requirements applicable to the **EAPA** Scheme; and
- A2.3.5 Part E outlines the requirements applicable to the Energy Offer Information program. *Note: see clause E3, which provides a sunset date for Part E.*

A2.4 Parts A, B, C and D apply to all electricity **retailers**.

A2.5 Parts A and B apply to all gas retailers in respect of the NSW Gas Rebate. Part D applies to all gas **retailers**.

A2.6 Parts A, B, C and D apply to Ergon Energy Queensland Pty Ltd (ACN 121 177 802), as an exempt person under clause 21(2) of the *Electricity Supply (General) Regulation 2014*, in relation to **eligible customers** connected to the distribution system of Ergon Energy Corporation Limited (ACN 087 646 062).

A3. Overview of social programs for energy

A3.1 The Low Income Household Rebate is designed to provide assistance in relation to a **residential customer's** electricity expenses.

A3.2 The NSW Gas Rebate is designed to provide assistance in relation to a **residential customer's** gas expenses.

- A3.3 The Life Support Rebate is designed to provide assistance where **approved life support equipment** that is essential to support life is used by the **residential customer** or another person who lives at the same address as the **residential customer**. This **rebate** is not means tested and depends on the type of machine in use, and in some cases, the frequency of such use.
- A3.4 The Medical Energy Rebate is designed to provide assistance where a **residential customer** or a person who lives at the same address as the **residential customer** has an inability to self-regulate body temperature and the **residential customer** holds one of the required concession cards. An inability to self-regulate body temperature may be associated with certain medical conditions.
- A3.5 The Family Energy Rebate is designed to assist families to manage their energy costs. It is only available to **residential customers** who receive the Commonwealth Government's Family Tax Benefit A or B.
- A3.6 Each of the **rebates** set out in A3.1, A3.3 & A3.4 are applied to a **residential customer's** electricity bill.
- A3.7 The NSW Gas Rebate set out in A3.2 is applied to a **residential customer's** gas bill.
- A3.8 The **EAPA** Scheme is designed to assist **residential customers** who are experiencing difficulty in paying their gas and/or electricity bill owing to a crisis or emergency situation.
- A3.9 The **Department** must review the **Code** by 31 January 2020.

A4. Retailer obligations

- A4.1 A **retailer** must:
- A4.1.1 as soon as practicable after an election is made by any person who is or may be a **residential customer**, for the provision of energy (i.e. electricity and gas) supply, inform that person of the availability of the **social programs for energy** and provide an application form, if requested;
 - A4.1.2 include information on the availability of **social programs for energy** in all bills issued to **residential customers**;
 - A4.1.3 include information relating to the availability of **social programs for energy** on its website;
 - A4.1.4 acknowledge that the relevant **social program for energy** is funded by the NSW Government in any promotional material that refers to the **social program for energy**;
 - A4.1.5 inform on-supplied residential community residents, on-supplied retirement village residents and on-supplied strata scheme residents of the availability of the **rebate(s)** if contacted by these customers and direct them to the **Department's** website for information on how to apply; and
 - A4.1.6 publish links on its website in community languages to the relevant part of the **Department's** website which provides the following information in the relevant community language:

- (a) the types and monetary values of **rebates** that are available for customers in NSW who are supplied electricity and/or gas;
- (b) the eligibility criteria that applies to each type of **rebate**; and
- (c) how an **eligible customer** can apply for each **rebate**.

Note: Not all residential community, retirement village or strata scheme residents are on-supplied electricity and/or gas. Some residential community, retirement village and strata scheme residents are supplied electricity and gas directly by a **retailer** and are considered eligible for all **rebates** subject to meeting all eligibility criteria outlined in Parts B, C and D. **Retailers** must meet the obligations outlined in the **Code** for these customers.

A4.2 **Retailers** may promote the **social programs for energy** together with their own products as part of their overall marketing strategy but must, at all times, comply with clause A4.1.

A5. General Information – Low Income Household Rebate, NSW Gas Rebate, Life Support Rebate and Medical Energy Rebate only

A5.1 Application of this section

A5.1.1 This section applies to the Low Income Household Rebate, NSW Gas Rebate, Life Support Rebate and Medical Energy Rebate (**rebate** or **rebates**, depending on the context).

A5.1.2 **Retailers** must have systems in place to enable them to deliver all **rebates** in line with the requirements contained in the **Code**.

A5.2 Information to customers

A5.2.1 A **residential customer** may receive one or more **rebates** concurrently, or more than one payment under the Life Support Rebate, subject to meeting the eligibility requirements for each **rebate**.

A5.2.2 Where one or more **rebates** are payable, **retailers** must identify each **rebate** as a separate credit amount on the **eligible customer's** bill.

A5.2.3 A **retailer** must use the following descriptions (as relevant) for each separate credit amount on the bill:

A5.2.3.1 “NSW Gvt Household rebate” or “NSW Low Income Household Rebate”; and

A5.2.3.2 “NSW Government Gas Rebate”; and

A5.2.3.3 “NSW Government Life Support Rebate” or “NSW Government Rebate for the [insert specific machine type]”; and

A5.2.3.4 “NSW Medical Energy Rebate”; and

A5.2.3.5 “NSW Family Energy Rebate”.

A5.3 Verification of new customers with the Commonwealth Department of Human Services (DHS)/Department of Veterans' Affairs (DVA)

A5.3.1 Where required under the eligibility criteria for each **rebate**, a **retailer** must verify the Pensioner Concession Card, DHS Health

Care Card or DVA Gold Card status of each new customer with DHS before a **rebate** is applied to that customer's bill.

- A5.3.2 Despite clause A5.3.1, if a **retailer** verifies the eligibility of new customers with DHS in weekly or monthly batches, rather than using a single enquiry to verify a customer individually, reasonable attempts must be made by that **retailer** to ensure eligibility is verified before the **rebate** is applied to a customer's bill.

Note: To avoid errors in entering the Pensioner Concession Card, DHS Health Care Card or DVA Gold Card number in the system, **retailers** are encouraged to use the DHS algorithm which verifies whether the DHS customer reference number/DVA file number is genuine and prevents the system accepting incorrect numbers. To gain access to the DHS algorithm, **retailers** must apply directly to DHS.

A5.4 Notifying ineligible customers

- A5.4.1 A **retailer** must notify a customer who applies for a **rebate**, but is found to be ineligible to receive the **rebate** applied for, of their ineligibility as soon as practicable.
- A5.4.2 The notification given by the **retailer** must include the reason(s) for declining the application.

A5.5 Date of commencement

- A5.5.1 Once a customer is assessed as eligible to receive a **rebate**, the **retailer** must pay the **rebate** from the date on which the application was made by the customer.
- A5.5.2 Subject to clauses A5.6 and A5.15, **rebates** must not be back-dated prior to the date on which a customer's application is made.
- A5.5.3 Where a customer is determined to be eligible to receive the relevant **rebate** but is subsequently supplied by a new **retailer**, the date the customer's supply commences with the new **retailer** will be the date from which the new **retailer** is responsible for applying the **rebate**. This will ensure that the **rebate** is continuously paid to the customer during the transfer from one **retailer** to another.

A5.6 Ensuring eligible customers continue to receive the Rebate

Retailers must ensure that **eligible customers** continue to receive the **rebate** without interruption (provided there is no change to their circumstances that would render the customer ineligible) in the following circumstances:

- A5.6.1 after changing contracts;
- A5.6.2 after changing **retailer**;
- A5.6.3 after moving residence; or
- A5.6.4 during the annual verification process.

A5.7 Retailer error and rebates to eligible customers

- A5.7.1 If an action or inaction by a **retailer** results in **rebate** payments not being commenced correctly, or such payments being interrupted incorrectly, including for any of the reasons listed in A5.6, the **retailer** must reimburse the customer for any amounts they would

- have otherwise been entitled to receive calculated from the date of the action or inaction by the **retailer**.
- A5.7.2 For clarity, a **retailer** is permitted to calculate any reimbursement in these circumstances for any period determined in accordance with clause A5.7.1 without prior agreement of the **Department**.
- A5.7.3 If a **retailer** makes a **payment error**, the **retailer** must reimburse the Department for any amounts the customer was paid but was not entitled to receive and any administration fee that the **retailer** received for administering the **rebate**.
- A5.7.4 Without limiting clause A5.7.3 and subject to clause A5.7.5, a **retailer** must bear the cost of any **payment error** and must not seek to recover such costs from a customer, including by reversing a credit applied to a customer's bill as a result of the **payment error**.
- A5.7.5 A **retailer** can reverse any credit applied to a customer's bill as a result of a **payment error** within 30 calendar days after a bill showing the **payment error** has been issued to the customer. To avoid doubt, from the date that is 30 calendar days after a bill showing a payment error has been issued to a customer, clause 5.7.4 will apply in relation to that **payment error**.
- A5.7.6 Subclauses 5.7.3, 5.7.4 and 5.7.5 will be mandatory six months from the date of publication in the NSW Government Gazette.
- A5.8 Arrangements for retailer payment**
- A5.8.1 A **retailer payment** will be provided to **retailers** each month where **retailers** have provided an invoice and **acquittal statement** as required by this Code except as provided for in clause A5.8.7.
- A5.8.2 The **retailer payment** for **rebates** must include:
- (a) the total value of the **rebates** paid to **eligible customers** during the month; and
 - (b) the **administration fee**.
- A5.8.3 The **retailer** must record the total value of the **rebates** paid by the **retailer**, the **administration fee** claimed by the **retailer** and the number of **eligible customers** based on the figures contained in the **retailer's** system records.
- A5.8.4 Each **retailer** must submit the following documents to the **Department** by the 10th business day of each subsequent month:
- (a) a completed and certified monthly **acquittal statement**; and
 - (b) a tax invoice for the **retailer payment** which complies with the invoicing procedures provided by the **Department** to **retailers** or otherwise published on the **Department's** website; and
 - (c) a completed **supporting documentation template** to substantiate the **retailer's** claims in the tax invoice and **acquittal statement**. The data used to complete the **supporting documentation template** must be sourced from the system records referred to in clause A5.8.3.

A5.8.5 The **acquittal statement** must be certified and signed by an appropriately responsible person nominated by the **retailer**. Each **retailer** must communicate the name of the nominated person/s to the **Department** for verification purposes.

A5.8.6 Any changes to the **acquittal statement** and/or **supporting documentation template** will be made by the **Department** only after appropriate consultation with **retailers**.

A5.8.7 A **retailer payment** will not be paid where:

- (a) the invoice for that **retailer payment** is received by the Department more than three months after the due date specified in clause A5.8.4; or
- (b) any of the rebate payments the subject of the invoice for that **retailer payment** were made more than 18 months prior to the invoice being received by the Department.

A5.9 Credit balance

A5.9.1 If the total of a customer's bill is less than the **rebate** amount, the difference is to be applied as a credit to the customer's account and is to be carried forward to the next billing cycle.

A5.9.2 Where a customer with a **rebate** credit elects to change his or her **retailer** or close their electricity and/or gas account with a **retailer**, that **retailer** must refund to the customer the credit amount at the date of transfer to the new **retailer** or the date that the customer closed the account with that **retailer**.

A5.10 Customers required to notify their retailer

A5.10.1 A **retailer** must advise **residential customers** that they are required to notify their **retailer**, as soon as possible, of any changes in their circumstances that would affect their pending application or continued eligibility for a **rebate**.

A5.11 Compliance

A5.11.1 **Retailers** must establish and maintain accounting procedures and records to enable periodic reports to be prepared to substantiate compliance with the **Code**.

A5.11.2 **Retailers** must, upon request, provide such reports to the Minister, the **Department** or any auditor appointed by the **Department**.

A5.11.3 **Retailers** must maintain records to substantiate compliance with the **Code** for a period of seven years.

A5.12 Calculation of the rebate

A5.12.1 The Low Income Household Rebate and the Medical Energy Rebate must be:

- (a) calculated on the applicable daily rate basis (e.g. \$285/365 days) which is multiplied by the number of days in each billing cycle (e.g. for quarterly bills, 92 days); and
- (b) offset against the **gross amount of the bill** before GST is applied.

A5.12.2 The Life Support Rebate must be:

- (a) calculated on the applicable daily rate (24 hours or less than 24 hours) which is multiplied by the number of days in each billing cycle; and
- (b) offset against the **gross amount of the bill** before GST is applied.

A5.12.3 The NSW Gas Rebate must be:

- (a) calculated on the applicable daily rate basis (e.g. \$110/365 days) which is multiplied by the number of days in each billing cycle (e.g. for quarterly bills, 92 days); and
- (b) offset against the **gross amount of the bill** before GST is applied.

A5.13 Confidentiality

Retailers are required to protect the confidentiality of **eligible customers** to ensure that their records are not used for any purpose other than the delivery of a **social program for energy**.

A5.14 Reporting

A.5.14.1 By 30 January and 31 July each year, the **retailer** must provide for the immediately preceding **reporting period**, the following information to the **Department** in accordance with the **supporting documentation template**:

- (a) the postcode for each **residential customer** who received a **rebate** from the **retailer**;
- (b) in relation to a bill of a **residential customer** who received a **rebate**:
 - (i) the amount of electricity that was consumed and exported (where applicable);
 - (ii) the amount of gas that was consumed (where applicable);
 - (iii) the amount payable by the customer before the **rebate** was applied; and
 - (iv) the amount of the **rebate** paid to the customer; and
 - (v) the amount of any other payments made to the customer in relation to their energy usage; and
 - (vi) the amount of any discounts paid to the customer;
- (c) in relation to a bill of a **residential customer** who received **EAPA**:
 - (i) the amount of electricity that was consumed and exported (where applicable);
 - (ii) the amount of gas that was consumed (where applicable);
 - (iii) the amount payable by the customer before the **rebate** or was applied; and

- (iv) the amount of EAPA provided to the customer;
- (d) in relation to a **residential customer** who received a **rebate** or **EAPA** and whose service was disconnected during the **reporting period**:
 - (i) whether the customer was a **hardship customer** in the 12 months prior to the disconnection;
 - (ii) whether the customer had been on a payment plan in the 12 months prior to the disconnection;
 - (iii) the amount owed by the customer at the time of the disconnection, including any additional costs and penalties;
 - (iv) the date the service was disconnected; and
 - (v) if the service was reconnected, the date the service was reconnected;
- (e) any other information relating to the delivery or improvement of a **social program for energy** required by the **supporting documentation template**.

A5.14.2 By 31 July each year, the **retailer** must provide for the immediately preceding **reporting period** the following information in relation to the **retailer's** obligations under clause A6 of the **Code** or, if clause A6 is not yet mandatory and the **retailer** is not yet complying with clause A6, Part E of the **Code** to the **Department** in accordance with the **supporting documentation template**::

- (a) the number of **residential customers** receiving a **rebate** who are being supplied electricity and/or gas from that **retailer** under a **standard retail contract**;
- (b) the steps taken by the retailer to inform the **residential customer** of the **market offers** available to that customer;
- (c) the number of **residential customers** who changed from being supplied electricity and/or gas under the **retailer's standard retail contract** to the **retailer's market retail contract**;
- (d) in relation to the customers identified under subparagraph (c), the estimated yearly monetary savings to the customer from changing contracts; and
- (e) the method the **retailer** has used to determine the most appropriate **customer retail contract** for customers for the purposes of clause A6.1.1 (if applicable).

A5.14.2A The quality and accuracy of information provided under this clause A5.14 must be of a standard which is reasonably acceptable to the **Department**.

A.5.14.3 The information provided under this clause A5.14 must be presented in a manner that does not disclose any personal information relating to **customers**.

- A5.14.4 The **Department** may request further information or details in relation to any matter the subject of a report provided by a retailer under this clause A5.14.
- A5.14.5 The **retailer** must provide the information requested by the **Department** under clause A5.14.4 within 10 business days of receipt of the request, or such other timeframe agreed between the **Department** and the **retailer** in writing.

A6. General Information – all rebates

A6.1 Assistance to customers

A6.1.1 Notwithstanding any other provision of this **Code**, a **retailer** must determine whether a **residential customer** is on the most appropriate **customer retail contract** for that **residential customer** at the following times:

- (a) within 20 business days of receipt of an application for a **rebate** which complies with the requirements of this **Code**; and
- (b) in respect of **residential customers** already receiving a **rebate**, once every financial year and at, or within 40 days before, the expiry of each **residential customer's** contract or benefit.

The obligations in this clause A6 will be mandatory from 1 October 2019. A retailer that is complying with this clause A6 is not required to comply with Part E of this Code.

A6.1.2 The **retailer** must make a determination in accordance with clause A6.1.1 having regard to (without limitation):

- (a) the **residential customer's** consumption profile over a period of at least 12 months (if this is available to the **retailer**);
- (b) the objective of reducing the customer's costs of buying electricity and/or gas;
- (c) the estimated yearly monetary savings for the customer from accepting an alternative **market offer**; and
- (d) the price and non-price terms and conditions of the **retailer's** offers.

A6.1.3 A **retailer** can make a determination under clause A6.1.1 based on information already held by the **retailer**. A **retailer** is not required to seek additional information from a **residential customer** to make a determination under clause A6.1.1.

A6.1.4 If the **retailer** determines in accordance with clause A6.1.1 that a **residential customer** is not on the most appropriate **customer retail contract** for that **residential customer**, the **retailer** must:

- (a) as soon as possible after the **retailer** makes a determination in accordance with clause A6.1.1, make a reasonable attempt to inform the **residential customer** of the option of switching to that **customer retail contract**; and

- (b) use all reasonable endeavours to assist the **residential customer** to change to the most appropriate **customer retail contract** for that **residential customer** if the **residential customer** wishes to change.
- A6.1.5 Clause A6.1.4 does not apply if:
- (a) the retailer forms the view that there is no **market offer** that would provide the **residential customer** with a better alternative than the **residential customer's** current **customer retail contract**; or
 - (b) the **residential customer** has expressly requested not to receive marketing information or material from the **retailer**.

PART B

B1. Low Income Household Rebate

In this clause B1, references to **rebate** are to the Low Income Household Rebate.

B1.1 Eligibility criteria

- B1.1.1 To be eligible for the Low Income Household Rebate a person must:
- (a) be a resident in New South Wales; and
 - (b) be a customer of the **retailer**, or a long term resident of an on-supplied residential community, or a resident of an on-supplied retirement village, or a resident of an on-supplied strata scheme; and whose name appears on the electricity account for supply to his or her principal place of residence; and
 - (c) hold a:
 - (i) Pensioner Concession Card issued by the DHS/DVA; or(ii) DHS Health Care Card; or
 - (iii) DVA Gold Card marked with:
 - a. War Widow or War Widower Pension;
 - b. Totally and Permanently Incapacitated (TPI); or
 - c. Disability Pension (EDA).
- B1.1.2 Notwithstanding clause B1.1.1, if the person is assessed as eligible to receive the NSW Gas Rebate in accordance with clause B2, the person will be taken to be assessed to be eligible to receive the Low Income Household Rebate from the same date.

B1.2 Application process

- B1.2.1 A person may apply for the Low Income Household Rebate in person, in writing or by telephone.
- B1.2.2 A **retailer** must establish a standard pro-forma application that requires an applicant to provide the following information:
- (a) the full name of the applicant;

- (b) the applicant's address;
 - (c) the name and number of the concession card that makes the customer eligible for the Low Income Household Rebate;
 - (d) the date of grant or expiry of the concession card;
 - (e) the date of application for the Low Income Household Rebate;
 - (f) whether the applicant is also sold gas by the **retailer**.
- B1.2.3 The pro-forma application must include a statement to the following effect:
- (a) the eligibility details provided by the customer in their application will be used to check their Pensioner Concession Card/Health Care Card/Gold Card status with the DHS/DVA;
 - (b) the customer has the right to revoke their consent to the eligibility check at any time in writing;
 - (c) if the customer refuses to give consent, they will no longer receive the Low Income Household Rebate unless they can provide written verification of their continuing eligibility from the DHS/DVA;
 - (d) if the customer is eligible for the Low Income Household Rebate and is also sold gas by the **retailer**, they will automatically be eligible for the NSW Gas Rebate.
- B1.2.4 When an application is made in writing or in person, the customer must sign the application form.
- B1.2.5 When an application is made by telephone, the officer receiving the application must:
- (a) inform the applicant of the statements set out in clause B1.2.3;
 - (b) request the applicant's consent to check their Pensioner Concession Card/Health Care Card/Gold Card status with the DHS/DVA; and
 - (c) record the applicant's consent/refusal.
- B1.2.6 If a **retailer** identifies an error in a customer's application, the **retailer** must:
- (a) notify the customer as soon as practicable after becoming aware of the error; and
 - (b) assist the customer to rectify the error to the extent possible to ensure the customer's application complies with the requirements of this **Code**.
- B1.2.7 If at any time a **retailer** identifies an error in the **retailer's** assessment of a customer's application for the Low Income Household Rebate, including where the **retailer** has incorrectly assessed a customer as being eligible for the rebate, the **retailer** must:

- (a) immediately cease any rebate payments to the customer which the customer is not eligible to receive;
 - (b) notify the customer of the reason for the error, including any matter affecting the customer's eligibility to receive the rebate, as soon as practicable after becoming aware of the error; and
 - (c) to the extent possible, assist the customer to rectify the error in the customer's original application and submit a new application to the **retailer** for the Low Income Household Rebate.
- B1.2.8 For clarity, a **retailer** must bear the cost of any error in assessing a customer's eligibility to receive the rebate in accordance with clause A5.7.3.

Note: On-supplied residential community residents, on-supplied retirement village residents and on-supplied strata scheme residents must submit their application for the Low Income Household Rebate to the **Department**.

B1.3 Ongoing verification to ascertain continued eligibility of customers

- B1.3.1 A **retailer** must verify the details of all **rebate** recipients who hold a DHS Health Care Card for continued eligibility with the DHS at least once every three months.
- B1.3.2 A **retailer** must verify the details of all other **rebate** recipients for continued eligibility with the DHS or DVA at least once a year.
- B1.3.3 At the same time that it conducts the verifications under clauses B1.3.1 and B1.3.2, the **retailer** must ascertain whether the **rebate** recipient is also a gas customer of the **retailer** and whether the customer is receiving the NSW Gas Rebate.
- B1.3.4 If under clause B1.3.3, the **retailer** determines that the customer is eligible for the NSW Gas Rebate but not receiving it, the **retailer** must notify the customer and commence paying the NSW Gas Rebate from the date the **retailer** determines the customer's eligibility.
- B1.3.5 If a customer fails a verification check, the **retailer** must inform the customer as soon as practicable.
- B1.3.6 The results of the above verification checks must, upon request, be provided to the **Minister**, the **Department** or any auditor appointed by the **Department**. The results must include the following information:
- (a) the number of eligible Pensioner Concession Card, Health Care Card and Gold Card holders in each category;
 - (b) the total number of initial mismatches; and
 - (c) the total number of customers determined as ineligible from the verification process.
- B1.3.7 All **retailers** must have a contractual arrangement with the DHS before verifying customers' details with the DHS.

B1.4 Rebate indexation

For **eligible customers**, the rebate will be \$285 per annum unless advised otherwise in writing by the **Department**.

B2. NSW Gas Rebate

In this clause B2, references to **rebate** are to the NSW Gas Rebate.

B2.1 Eligibility criteria

B2.1.1 To be eligible for the NSW Gas Rebate a person must:

- (a) be resident in New South Wales; and
- (b) be a customer of the retailer, or a long term resident of an on-supplied residential community, or a resident of an on-supplied retirement village, or a resident of an on-supplied strata scheme; and whose name appears on the gas account for supply of natural gas to his or her principal place of residence; and
- (c) hold a:
 - (i) Pensioner Concession Card issued by the DHS/DVA;
 - (ii) DHS Health Care Card; or
 - (iii) DVA Gold Card marked with:
 - a. War Widow or War Widower Pension;
 - b. Totally and Permanently Incapacitated (TPI); or
 - c. Disability Pension (EDA).

B2.1.2 Notwithstanding clause B2.1.1, if the person is assessed as eligible to receive the Low Income Household Rebate in accordance with clause B1, the person will be taken to be assessed to be eligible to receive the NSW Gas Rebate from the same date.

B2.2 Application process

B2.2.1 A person may apply for the NSW Gas Rebate in person, in writing or by telephone.

B2.2.2 A **retailer** must establish a standard pro-forma application that requires an applicant to provide the following information:

- (a) the full name of the applicant;
- (b) the applicant's address;
- (c) the name and number of the concession card that makes the customer eligible for the NSW Gas Rebate;
- (d) the date of grant or expiry of the concession card;
- (e) the date of application for the NSW Gas Rebate;
- (f) whether the applicant is also sold electricity by the **retailer**.

- B2.2.3 The pro-forma application must include a statement to the following effect:
- (a) the eligibility details provided by the customer in their application will be used to check their Pensioner Concession Card/Health Care Card/Gold Card status with the DHS/DVA;
 - (b) the customer has the right to revoke their consent to the eligibility check at any time in writing;
 - (c) if the customer refuses to give consent, they will no longer receive the NSW Gas Rebate unless they can provide written verification of their continuing eligibility from the DHS/DVA; and
 - (d) if the customer is eligible for the NSW Gas Rebate and is also sold electricity by the **retailer**, they will automatically be eligible for the Low Income Household Rebate.
- B2.2.4 When an application is made in writing or in person, the customer must sign the application form.
- B2.2.5 When an application is made by telephone, the officer receiving the application must:
- (a) inform the applicant of the statements set out in clause B2.2.3;
 - (b) request the applicant's consent to check their Pensioner Concession Card/Health Care Card/Gold Card status with the DHS /DVA; and
 - (c) record the applicant's consent/refusal.
- B2.2.6 If a **retailer** identifies an error in a customer's application, the **retailer** must:
- (a) notify the customer as soon as practicable after becoming aware of the error; and
 - (b) assist the customer to rectify the error to the extent possible to ensure the customer's application complies with the requirements of this **Code**.
- B2.2.7 If at any time a **retailer** identifies an error in the **retailer's** assessment of a customer's application for the NSW Gas Rebate, including where the **retailer** has incorrectly assessed a customer as being eligible for the rebate, the **retailer** must:
- (a) immediately cease any rebate payments to the customer which the customer is not eligible to receive;
 - (b) notify the customer of the reason for the error, including any matter affecting the customer's eligibility to receive the rebate, as soon as practicable after becoming aware of the error; and
 - (c) to the extent possible, assist the customer to rectify the error in the customer's original application and submit a new application to the **retailer** for the NSW Gas Rebate.

- B2.2.8 For clarity, a **retailer** must bear the cost of any error in assessing a customer's eligibility to receive the rebate in accordance with clause A5.7.3.

Note: On-supplied residential community residents, on-supplied retirement village residents and on-supplied strata scheme residents must submit their application for the NSW Gas Rebate to the **Department**.

B2.3 Ongoing verification to ascertain continued eligibility of customers

- B2.3.1 A **retailer** must verify the details of all **rebate** recipients who hold a DHS Health Care Card for continued eligibility with the DHS at least once every three months.
- B2.3.2 A **retailer** must verify the details of all other **rebate** recipients for continued eligibility with the DHS or DVA at least once a year.
- B2.3.3 At the same time that it conducts the verifications under clauses B2.3.1 and B2.3.2, the **retailer** must ascertain whether the **rebate** recipient is also an electricity customer of the **retailer** and whether the customer is receiving the Low Income Household Rebate.
- B2.3.4 If under clause B2.3.3, the **retailer** determines that the customer is eligible for the Low Income Household Rebate but not receiving it, the **retailer** must notify the customer and commence paying the Low Income Household Rebate from the date the **retailer** determines the customer's eligibility.
- B2.3.5 If a customer fails a verification check, the **retailer** must inform the customer as soon as practicable.
- B2.3.6 The results of the above verification checks must, upon request, be provided to the **Minister**, the **Department** or any auditor appointed by the **Department**. The results must include the following information:
- (a) the number of eligible Pensioner Concession Card, Health Care Card and Gold Card holders in each category;
 - (b) the total number of initial mismatches; and
 - (c) the total number of customers determined as ineligible from the verification process.
- B2.3.7 All **retailers** must have a contractual arrangement with the DHS before verifying customers' details with the DHS.

B2.4 Rebate indexation

- B2.4.1 For **eligible customers**, the **rebate** will be \$110 per annum unless advised otherwise in writing by the **Department**.

B3. Life Support Rebate

In this clause B3, references to **rebate** are to the Life Support Rebate.

B3.1 Eligibility criteria

To be eligible for the Life Support Rebate a person must:

- B3.1.1 be resident in New South Wales; and

- B3.1.2 be a customer of the **retailer**, or a long term resident of an on-supplied residential community, or a resident of an on-supplied retirement village, or a resident of an on-supplied strata scheme; and whose name appears on the electricity account for supply to his or her principal place of residence where approved equipment (see approved list in Appendix B3.1) is used by the customer or another person who lives at the same address; and
- B3.1.3 submit a valid application form as provided by the **Department** (which will be made available to customers on the **Department's** website), duly signed by a registered medical practitioner (who is not the applicant) to verify that the use of the approved life support equipment is required at his or her principal place of residence.

B3.2 Application process

- B3.2.1 Applications must be made in writing using the application form provided by the **Department**. The application form will also be made available for download on the **Department's** website. Relevant parts of the application form must be completed and signed by both the applicant and a medical practitioner.
- B3.2.2 Applicants must send their signed application form to their **retailer**.
- B3.2.3 Before applying the **rebate** to a customer's account, **retailers** must verify that the application form is properly completed and signed by both the applicant and a registered medical practitioner (who is not the applicant). Certificates from equipment manufacturers or from sleep clinics (without the signature of a registered medical practitioner) are not acceptable.
- B3.2.4 In the event that an applicant lives in remote or regional NSW and is being treated by the Royal Flying Doctor Service (RFDS), the application form may be signed by any medical practitioner under the RFDS.
- B3.2.5 The customer must re-apply for the **rebate** every two years.
- B3.2.6 At the time of application, in order to confirm the applicant's continued eligibility for the **rebate**, the retailer must bring to the attention of the applicant that an updated application form will be required every two years from the date of the initial approval for the **rebate**.
- B3.2.7 Customers who are currently receiving the **rebate** are not required to submit a fresh application form until they are due for their two year verification.
- B3.2.8 In order to ensure continuity of the **rebate** where a customer changes his or her **retailer**, the date the customer's supply commences with the new **retailer** will be deemed to be the date the customer applied for the **rebate**. However, the customer must complete and submit an application to the new **retailer** before the **rebate** can be applied by the new **retailer**. Note that this may cause some inconvenience to the customer but the **retailer** requires the relevant information in order to ensure ongoing priority of supply for the customer.

- B3.2.9 **Retailers** must conduct a verification audit of the **rebate** every two years in accordance with the **supporting documentation template** to confirm it is only being provided to **eligible customers** and provide the results of the audit to the **Department**, or its auditor, on request.
- B3.2.10 The amount of the **rebate** for each item of **approved life support equipment** is set out at Appendix B3.1.
- B3.2.11 If a **retailer** identifies an error in a customer's application, the **retailer** must:
- (a) notify the customer as soon as practicable after becoming aware of the error; and
 - (b) assist the customer to rectify the error to the extent possible to ensure the customer's application complies with the requirements of this **Code**.
- B3.2.12 If at any time a **retailer** identifies an error in the **retailer's** assessment of a customer's application for the Life Support Rebate, including where the **retailer** has incorrectly assessed a customer as being eligible for the rebate, the **retailer** must:
- (a) immediately cease any rebate payments to the customer which the customer is not eligible to receive;
 - (b) notify the customer of the reason for the error, including any matter affecting the customer's eligibility to receive the rebate, as soon as practicable after becoming aware of the error; and
 - (c) to the extent possible, assist the customer to rectify the error in the customer's original application and submit a new application to the **retailer** for the Life Support Rebate.
- B3.2.13 For clarity, a **retailer** must bear the cost of any error in assessing a customer's eligibility to receive the rebate in accordance with clause A5.7.3.

Note: On-supplied residential community residents, on-supplied retirement village residents and on-supplied strata scheme residents must submit their application for the Life Support Rebate to the **Department**.

B3.3 Rebate indexation

For **eligible customers**, the **rebate** will be the daily rate applicable to each piece of approved equipment as listed in Appendix B3.1 unless advised otherwise by the **Department**.

Appendix B3.1 – Approved Equipment List

List of Approved Life Support Equipment		
Equipment	Examples of brand names*	Daily rate
Positive Airways Pressure (PAP) Device	Continuous Positive Airways Pressure (CPAP), Bilevel or Variable Positive Airways Pressure (BiPAP or V-PAP) etc	\$0.36 for less than 24 hour usage \$0.71 for 24 hour usage
Enteral feeding pump	Kangaroo pump Companion-Abbott Flexiflow patrol pump	\$0.44
Phototherapy equipment	Blue light therapy	\$3.68
Home dialysis	Haemodialysis or Peritoneal automated cyclers machines – Brand names include: Fresenius, Gambro, Baxter	\$1.54
Ventilators	LTV series, Breas, PLV-100 etc, Iron Lung	\$3.68
Oxygen concentrators	Devilbiss etc	\$1.85 for less than 24 hour usage \$3.11 for 24 hour usage
Total Parenteral Nutrition (TPN) pump	Volumatic pump Flowguard pump	\$0.84
External heart pump	Left Ventricular Assist Device	\$0.11
Power wheelchairs for quadriplegics	Electric wheelchairs – Brand names include: Quickie, Zippie, etc,	\$0.30

NOTE: List of brand names against each piece of equipment has been included for information only, and is not exhaustive.

B4. Medical Energy Rebate

In this clause B4, references to **rebate** are to the Medical Energy Rebate.

B4.1 Eligibility criteria

To be eligible for the Medical Energy Rebate a person must:

- B4.1.1 be resident in New South Wales; and
- B4.1.2 be a customer of the **retailer**, or a long term resident of an on-supplied residential community, or a resident of an on-supplied retirement village, or a resident of an on-supplied strata scheme; and whose name appears on the electricity account for supply to his or her principal place of residence; and
- B4.1.3 submit a valid application form as provided by the **Department** (which will be made available to customers on the **Department's** website), duly signed by a registered medical practitioner (who is not the applicant) to verify that either the customer named on the bill or anyone residing at the residence has an inability to self-regulate body temperature as defined at B4.1.5 below; and
- B4.1.4 hold a:
 - (a) Pensioner Concession Card issued by the DHS/DVA;
 - (b) DHS Health Care Card; or
 - (c) DVA Gold Card.
- B4.1.5 For the purpose of this **rebate**, an **eligible customer** has an inability to self-regulate body temperature where the **eligible customer** (or someone living at the supply address of the **eligible customer**) has been assessed by a registered treating medical practitioner (who is not the applicant) who has been treating them for at least three months as meeting one of the following four primary qualifying conditions and one of the three secondary qualifying conditions:
 - (a) Primary qualifying conditions:
 - (i) autonomic system dysfunction (Medical conditions in which the autonomic system has been damaged e.g. severe spinal cord injury, stroke, brain injury and neurodegenerative disorders);
 - (ii) loss of skin integrity or loss of sweating capacity (for example, significant burns greater than 20%, severe inflammatory skin conditions and some rare forms of disordered sweating);
 - (iii) objective reduction of physiological functioning at extremes of environmental temperatures (for example, advanced multiple sclerosis); and
 - (iv) hypersensitivity to extremes of environmental temperature leading to increased pain or other discomfort or an increased risk of complications (for example, complex regional pain syndrome and advanced peripheral vascular disease).
 - (b) Secondary qualifying conditions:

- (i) severe immobility (for example, such as occurs with Quadriplegia or high level Paraplegia, particularly above mid thoracic level (T7) resulting in problems with self-regulation of body temperature due to loss of sympathetic nervous system control);
- (ii) demonstrated significant loss of autonomic regulation of sweating, heart rate or blood pressure; and
- (iii) demonstrated loss of physiological function or significant aggravation of clinical condition at extremes of environmental temperature.

B4.2 Application process

- B4.2.1 An applicant must apply in writing using the application form provided by the **Department**. The application form will also be made available for download on the **Department's** website. Relevant parts of the application form must be completed and signed by both the applicant and a medical practitioner (who is not the applicant) who has been treating the patient for at least three months.
- B4.2.2 An applicant must send the signed application form to their **retailer**.
- B4.2.3 Before applying the **rebate** to the customer's account, a **retailer** must verify that the application form is properly completed and signed by both the customer and a registered medical practitioner (who is not the applicant).
- B4.2.4 In the event that a customer lives in remote or regional NSW and is being treated by the Royal Flying Doctor Service (RFDS), the application form may be signed by any medical practitioner under the RFDS if the customer has been treated by the RFDS for at least three months.
- B4.2.5 The **retailer** must verify each new customer's Pensioner Concession Card, DHS Health Care Card or DVA Gold Card status with the DHS before the **rebate** may be applied to a customer's bill.
- B4.2.6 If the customer named on the bill is claiming the **rebate** for another person who is living at the same address as the customer named on the bill, the **retailer** must check that the application form states that the address of the patient is the same as that of the customer.
- B4.2.7 In order to ensure continuity of the **rebate** where a customer changes his or her **retailer**, the date the customer's supply commences with the new **retailer** will be deemed to be the date the customer applied for the **rebate**. However, the customer must complete and submit an application to the new **retailer** before the **rebate** can be applied by the new **retailer**.

Note: This may cause some inconvenience to the customer but the **retailer** requires the relevant information in order to ensure ongoing eligibility for the **rebate**.

- B4.2.8 If a **retailer** identifies an error in a customer's application, the **retailer** must:

- (a) notify the customer as soon as practicable after becoming aware of the error; and
 - (b) assist the customer to rectify the error to the extent possible to ensure the customer's application complies with the requirements of this **Code**.
- B4.2.9 If at any time a **retailer** identifies an error in the **retailer's** assessment of a customer's application for the Medical Energy Rebate, including where the **retailer** has incorrectly assessed a customer as being eligible for the rebate, the **retailer** must:
- (a) immediately cease any rebate payments to the customer which the customer is not eligible to receive;
 - (b) notify the customer of the reason for the error, including any matter affecting the customer's eligibility to receive the rebate, as soon as practicable after becoming aware of the error; and
 - (c) to the extent possible, assist the customer to rectify the error in the customer's original application and submit a new application to the **retailer** for the Medical Energy Rebate.
- B4.2.10 For clarity, a **retailer** must bear the cost of any error in assessing a customer's eligibility to receive the rebate in accordance with clause A5.7.3.

Note: On-supplied residential community residents, on-supplied retirement village residents and on-supplied strata scheme residents must submit their application for the Medical Energy Rebate to the **Department**.

B4.3 Ongoing verification to ascertain continued eligibility of customers

- B4.3.1 A **retailer** must verify the details of all **rebate** recipients who hold a DHS Health Care Card for continued eligibility with the DHS at least once every three months.
- B4.3.2 A **retailer** must verify the details of all other **rebate** recipients for continued eligibility with the DHS or DVA at least once a year.
- B4.3.3 The results of the above verification checks must, upon request, be provided to the **Minister**, the **Department** or any auditor appointed by the **Department**. The results must include the following information:
- (a) the number of eligible Pensioner Concession Card holders, the DHS Health Care Card and Gold Card holders in each category;
 - (b) the total number of initial mismatches; and
 - (c) the total number of customers determined as ineligible from the verification process.
- B4.3.4 All **retailers** must have a contractual arrangement with the DHS before verifying customers' details with the DHS.

B4.4 Rebate indexation

For **eligible customers**, the **rebate** will be \$285 per annum thereafter unless advised otherwise in writing by the **Department**.

PART C

C1. Family Energy Rebate (FER)

In this Part C, references to **rebate** are to the Family Energy Rebate.

C1.1 Eligibility criteria

To be eligible for the Family Energy Rebate in a given financial year a person must:

- (a) be a resident in New South Wales;
- (b) be an **account holder** of a **retailer**, or a long-term resident of an on-supplied residential community, or a resident of an on-supplied retirement village, or a resident of an on-supplied strata scheme; and whose name appears on the electricity account for supply to his or her principal place of residence; and
- (c) have been assessed by the Federal DHS as being eligible for the Family Tax Benefit (FTB) A or B during the financial year immediately preceding the financial year in which an application for the FER is made and have received a payment of FTB in respect of that eligibility.

C1.2 Application process

C1.2.1 An applicant must apply in writing to the **Department** for the **rebate** using either the digital application form available from the **Department's** website or a paper application form also available from the **Department's** website. These same application forms should also be provided by electricity **retailers**.

C1.2.2 **Retailers** must, on request by a customer, provide access to the **Department's** application forms for the customer to complete and submit to the **Department**.

C1.2.3 If a **retailer** identifies an error in a customer's application, the **retailer** must:

- (a) notify the customer as soon as practicable after becoming aware of the error; and
- (b) assist the customer to rectify the error to the extent possible to ensure the customer's application complies with the requirements of this **Code**.

C1.2.4 If at any time a **retailer** identifies an error in the **retailer's** assessment of a customer's application for the Family Energy Rebate, including where the **retailer** has incorrectly assessed a customer as being eligible for the rebate, the **retailer** must:

- (a) immediately cease any rebate payments to the customer which the customer is not eligible to receive;
- (b) notify the customer of the reason for the error, including any matter affecting the customer's eligibility to receive the rebate, as soon as practicable after becoming aware of the error; and

- (c) to the extent possible, assist the customer to rectify the error in the customer's original application and submit a new application to the **retailer** for the Family Energy Rebate.

C1.2.5 For clarity, a **retailer** must bear the cost of any error in assessing a customer's eligibility to receive the rebate in accordance with clause A5.7.3.

C1.3 Ongoing eligibility

C1.3.1 An **eligible customer**, who completes a valid application form and receives confirmation of eligibility from the **Department**, will be paid the **rebate** once per financial year.

C1.3.2 Customers must reapply for the **rebate** each year.

C1.3A Calculation of the rebate

C1.3A.1 The Family Energy Rebate must be offset against the **gross amount of the bill** before GST is applied.

C1.4 Application of the rebate

C1.4.1 **Retailers** must credit the **rebate** to customers' electricity accounts in accordance with a confidential data set provided by the **Department** frequently throughout each calendar month through a dedicated, secure website. The data set will contain the following information:

- (a) FER Application ID (labelled "FER Reference Number");
- (b) First Name (labelled "Family Tax Benefit Recipient First Name");
- (c) Last Name (labelled "Family Tax Benefit Recipient Last Name");
- (d) Electricity Account Number (labelled "Electricity Account Number");
- (e) **Rebate** Amount (labelled "**Rebate** Amount (\$)"); and
- (f) **Rebate** Applied Flag (labelled "**Rebate** Credit Applied to Electricity Account"). No data is supplied in this column by the **Department**.

C1.4.2 **Retailers** must download secure Departmental data sets at least weekly, and import updated data sets in the same week, thereby advising the **Department** which customers have had a **rebate** credited against their accounts, and which have not.

C1.4.3 **Retailers** must verify the relevant data set against the information for each customer in the **retailer's** billing system and pay the relevant amount to each customer if the Family Tax Benefit, Recipient Last Name and Electricity Account Number in the data set match a valid customer account.

C1.4.4 **Retailers** must display the **rebate** on **eligible customers'** next available electricity bill after the date the **retailer** credits the **rebate** against accounts, after receiving the confidential data set from the **Department**, and to offset it against the **gross amount of the bill** before GST is applied.

C1.4.5 **Retailers** must supply a confidential data set to the **Department** using the dedicated, secure website containing the following information:

- (a) FER Application ID (labelled “FER Reference Number”);
- (b) First Name (labelled “Family Tax Benefit Recipient First Name”);
- (c) Last Name (labelled “Family Tax Benefit Recipient Last Name”);
- (d) Electricity Account Number (labelled “Electricity Account Number”);
- (e) Rebate Amount (labelled “Rebate Amount (\$)”); and
- (g) Rebate Applied Flag (labelled “Rebate Credit Applied to Electricity Account”). **Retailer to supply only ONE of the following data options: Y or N or leave the cell blank.**

C1.5 Retailer obligations

C1.5.1 The obligations outlined in A4 of Part A above, also apply to the FER.

C1.6 Information to customers

C1.6.1 A **residential customer** may receive one or more **rebates** concurrently, subject to meeting the eligibility requirements for each particular **rebate**.

C1.6.2 A **retailer** must identify each **rebate** as a separate credit amount on the **eligible customer’s** bill.

C1.6.3 A **retailer** must use the following description – “NSW Family Energy Rebate” – when crediting the **rebate** to the bill.

C1.7 Arrangements for retailer payment

C1.7.1 A **retailer payment** will be provided to each applicable **retailer** each month.

C1.7.2 The **retailer payment** for **rebates** must include:

- (a) the total value of **rebates** paid to **eligible customers** calculated on the basis of the data set provided by the **Department** to the **retailer**; and
- (b) the **administration fee**.

C1.7.3 Each **retailer** must submit the following documents to the **Department** by the 10th business day of each subsequent month:

- (a) a completed and certified **monthly acquittal statement** in the form published by the **Department** on the **Department’s** website; and
- (b) a tax invoice for the **retailer payment**, which must be submitted to the **Department** for each calendar month and is for **rebates** that have been credited to customers’ accounts during that month (regardless of whether an actual bill has been issued in that month) in line with the dataset provided by the **Department** to the **retailer**.

- C1.7.4 The **retailer** must record the total value of the **rebates** paid by the **retailer**, the **administration fee** claimed by the **retailer** and the number of **eligible customers** based on the figures contained in the **retailer's** system records.
- C1.7.5 The **acquittal statement** must be certified and signed by an appropriately responsible person nominated by the **retailer**. Each **retailer** must communicate the name of the nominated person/s to the **Department** for verification purposes.
- C1.7.6 Any changes to the **acquittal statement** will be made by the **Department** only after appropriate consultation with **retailers**.

C1.8 Credit balance

- C1.8.1 If the total of a customer's bill is less than the **rebate** amount, the difference is to be applied as a credit to the customer's account and is to be carried forward to the next billing cycle.
- C1.8.2 Where a customer with a **rebate** credit elects to change his or her **retailer** or close their electricity account with a **retailer**, that **retailer** must refund to the customer the credit amount at the date of transfer to the new **retailer** or the date that the customer closed the account with that **retailer**.

C1.9 Compliance

- C1.9.1 **Retailers** must establish and maintain accounting procedures and records to enable periodic reports to be prepared to substantiate compliance with the **Code**.
- C1.9.2 **Retailers** must, upon request, provide such reports to the Minister, the **Department** or any auditor appointed by the **Department**.
- C1.9.3 **Retailers** must maintain records to substantiate compliance with the **Code** for a period of seven years.

C1.10 On-supplied residents of retirement villages, residential communities and strata schemes

- C1.10.1 Long term residents of on-supplied residential communities, or residents of an on-supplied retirement village, or residents of an on-supplied strata scheme; must apply directly to the **Department** by submitting a completed application form available on the **Department's** website. **Eligible customers** will be paid the relevant **rebate** amount by the **Department**.
- C1.10.2 For eligible residents of on-supplied residential communities, retirement villages and strata schemes, the Family Energy Rebate will be deposited via EFT into the customer's nominated bank account by the **Department**.

C1.11 Confidentiality

Retailers are required to protect the confidentiality of **eligible customers** to ensure that their records are not used for any purpose other than the delivery of the **rebate** or as stipulated in this **Code** for audit purposes.

C1.12 Rebate indexation

For **eligible customers**, the **rebate** will be \$180 per annum or \$20 per annum where the customer is also deemed to be eligible for the Low Income

Household Rebate.

PART D

D1. Energy Accounts Payment Assistance (EAPA)

D1.1 Overview

- D1.1.1 **EAPA** is a NSW Government scheme designed to help residential energy customers who are financially disadvantaged and experience difficulty paying their residential gas and/or electricity bill owing to a crisis or emergency situation. The **EAPA** Scheme is administered by the **Department** and is aimed at helping these people stay connected to essential energy services.
- D1.1.2 The **EAPA** Scheme is a crisis program and is not intended to offer ongoing income support, nor is **EAPA** intended to relieve **retailers** of their obligations to manage their customers' debts in a fair and equitable manner.
- D1.1.3 **Retailers** must consider whether it is appropriate to offer additional assistance to a customer who has been assessed by an EAPA Provider as eligible for **EAPA**. Any additional assistance should include one or more components of each **retailer's** hardship program.
- D1.1.4 A **residential customer** may receive **EAPA**, concurrently with any **rebates**, subject to meeting the eligibility requirements for each particular **social program for energy**.

D1.2 Delivery of EAPA by EAPA Providers

- D1.2.1 **EAPA** vouchers are generally issued by EAPA Providers using the **Department's** on-line application tool in the form of \$50 vouchers. These vouchers will be sent electronically to the customer's **retailer** by the **Department's** electronic system as a contribution towards the customer's energy bills.
- D1.2.2 Rules and procedures for the administration of **EAPA** by EAPA Providers are outlined in the **EAPA** Delivery Guidelines issued by the **Department** and published on the **Department's** website.
- D1.2.3 **Retailers** must not inform customers that they will receive a certain amount of **EAPA**. The amount of **EAPA** provided to a customer is determined by the EAPA Provider.
- D1.2.4 **Retailers** must also make all attempts to assist EAPA Providers in complying with the Guidelines (for example, by providing direct, dedicated, free call numbers to **retailer** hardship units and working cooperatively to resolve issues concerning customers).

D1.3 Acceptance of EAPA by retailers

- D1.3.1 **Retailers** must have systems in place to enable them to deliver **EAPA** in accordance with the **Code**.
- D1.3.2 **Retailers** must process within two business days all **EAPA** assistance for individual customers of each **retailer** transmitted by the **Department** and:

- (a) credit the amount reported by the **Department** to the account of each customer as directed by the **Department**; or
 - (b) advise the **Department** of any invalid EAPA.
- D1.3.3 **Retailers** will report to the **Department** within two business days the outcome of processing of EAPA transmitted by the **Department** using the electronic systems provided by the **Department**. This includes vouchers that are approved or rejected under D1.3.4.
- D1.3.4 Where a **retailer** identifies that the total amount of vouchers transmitted for a customer's account will place that account into credit, the **retailer** must reject as many vouchers as required to ensure the account is not placed into credit and inform the **Department** within two business days using the electronic reporting system.
- D1.3.5 **Retailers** must accept all valid **EAPA** vouchers offered in payment of an account (except in any of the circumstances specified in clause D1.4).

D1.4 Circumstances where EAPA is not to be used

- D1.4.1 **EAPA** vouchers must not be applied to a customer's electricity or natural gas account:
- (a) where vouchers would place a customer's account into credit as per D1.3.4; or
 - (b) for payment of non-consumption related charges (for example, late fees, disconnection and reconnection fees).

D1.5 Retailers assisting EAPA Providers

- D1.5.1 Each **retailer** must have in place a direct dedicated, telephone enquiry number for EAPA Providers to contact that **retailer** to confirm the details of a customer seeking **EAPA** assistance. Calls to this line must be answered or call backs made as soon as reasonably practicable, as an inability to contact a **retailer** may cause difficulties for the EAPA Provider in assessing the customer for **EAPA**.
- D1.5.2 These contact details must be provided to the **Department** by each **retailer** and any changes must be notified to the **Department** immediately.
- D1.5.3 Current contact listings for EAPA Providers that are able to assess customers for **EAPA** assistance are on the **Department's** website.
- D1.5.4 **Retailers** are required to provide to their customers information on Government funded **rebates** and programs, including **EAPA**. This means a **retailer** can refer a customer to one or more EAPA Providers only if the assistance provided to a customer by the **retailer** is not sufficient to help a customer resolve their difficulty paying an energy bill or where additional assistance may be appropriate. EAPA Providers will assess customers under the Guidelines and it is at the discretion of the EAPA Providers whether or not **EAPA** will be granted to a customer.

- D1.5.5 **Retailers** can also assist their customers to be assessed for **EAPA** by implementing an appropriate payment plan or making other appropriate referrals, for instance, to a financial counsellor.
- D1.5.6 Where a **retailer** refers a customer to an EAPA Provider, the **retailer** must also inform the customer of the requirement to take their original bill when they attend an **EAPA** assessment interview.
- D1.5.7 The “original bill” refers to the first issued bill for the current payment period, for which the customer is seeking **EAPA** assistance. A copy of an original bill supplied by a **retailer** may be considered an original bill.
- D1.5.8 **Retailers** may be required to assist an EAPA Provider to establish the details of a customer seeking **EAPA** assistance (for example, where a customer does not have an original bill). If a customer does not have their original bill or receives their bill via email, the EAPA Provider will be required to contact the **retailer** to confirm the customer’s account details.
- D1.5.9 It is generally not appropriate to refer customers with large debts that have been allowed to accumulate over a long period of time to an EAPA Provider without adequate consideration of other options and attempts to assist the customer in accordance with laws and internal policy and without discussing the matter with the EAPA Provider. In many cases, an EAPA Provider will not be equipped to handle such cases and other types of referrals may be more appropriate (for example, to a financial counsellor).

D1.6 Prohibition on disconnection during EAPA assessment

- D1.6.1 If a customer is awaiting assessment for **EAPA** assistance, the **retailer** is required to defer electricity or natural gas disconnection until an EAPA Provider has assessed the customer.

D1.7 Residential electricity and gas consumption only

- D1.7.1 EAPA vouchers may only be used as payment towards electricity and natural gas consumption (cost of energy and standing charges or service to property charges) supplied under a residential tariff (or rural tariff for home electricity and/or natural gas), and only on behalf of the person/s named on the account.
- D1.7.2 If vouchers are presented for payment of non-consumption charges (e.g. late fees or disconnection charges), the retailer must advise the customer that the vouchers have not been applied to their account. The retailer must reject any such vouchers and report this to the **Department** within two business days using the electronic reporting system.
- D1.7.3 EAPA can only be used for customers residing in NSW, regardless of their retailer.

D1.8 EAPA vouchers issued by two or more EAPA Providers

- D1.8.1 A customer may be eligible to be issued vouchers by more than one EAPA Provider for each bill and the circumstances of such grants of vouchers will be managed by the **Department** using the EAPA Delivery Guidelines.

D1.8.2 Without breaching the other provisions of the **Code**, a **retailer** will process all EAPA transmitted by the **Department** for an individual customer into the electricity or gas account of that customer.

D1.9 Fraud or misrepresentation

If a **retailer** suspects or has evidence that either an EAPA Provider or customer fraud or misrepresentation has occurred, the **retailer** must contact the **Department** immediately and then confirm the suspicion in writing, either by letter or email.

D1.10 Voucher storage

Retailers must retain **EAPA** vouchers presented by customers and which were valid prior to 1 July 2017 for a minimum of seven years from the date of redemption and make these available for audits by the **Department**, or an agent of the **Department**, upon request.

D1.11 Recording EAPA usage

D1.11.1 For an account where **EAPA** has been received, the **retailer** must reference a customer's use of **EAPA** on their previous bill, and the amount they were presented for payment. This assists EAPA Providers in assessing if **EAPA** is being used for on-going income support.

D1.11.2 A best practice example of how **EAPA** voucher usage would be recorded on a customer's bill is at D1.11.3, where it would indicate that \$200 worth of **EAPA** vouchers were applied to the customer's account on 12 July 2013. A **retailer** may provide this information using an alternate method.

D1.11.3 Payment History: "EAPA VOUCHER 12/07/2013 \$200".

D1.12 Acquittal statement

D1.12.1 Reimbursement is made by the **Department** for valid **EAPA** vouchers applied by the **retailer** to customer accounts, during the previous month.

D1.12.2 **Retailers** must provide the **Department** with a tax invoice and an **acquittal statement** corresponding to each monthly report. The **acquittal statement** is to state the amount for which the **retailer** is seeking reimbursement. Monthly reimbursement for administration costs must also be claimed at this time.

D1.12.3 Administration costs are to be calculated based on \$0.80 per bill (per customer account) regardless of how many vouchers are presented in a transaction.

D1.12.4 The **acquittal statement** must be certified and signed by an appropriately responsible person nominated by the **retailer**. Each **retailer** must communicate the name of the nominated person/s to the **Department** for verification purposes.

D1.13 Compliance

D1.13.1 **Retailers** must establish and maintain accounting procedures and records to enable periodic reports to be prepared to substantiate compliance with the **Code**.

- D1.13.2 **Retailers** must, upon request, provide such reports to the Minister, the **Department** or any auditor appointed by the **Department**.
- D1.13.3 Retailers must maintain records to substantiate compliance with the Code for a period of seven years.

PART E: ENERGY OFFER INFORMATION PROGRAM

E1. Application and interpretation

- E1.1 This Part E applies to a retailer of a **residential customer** who:
- E1.1.1 is receiving a **rebate** from the **retailer** as required by this **Code**; and
 - E1.1.2 is being supplied energy under a **standard retail contract**.
- E1.2 In this Part:
- energy** means electricity or gas or both;
- market offer** means has the same meaning as in the *National Energy Retail Law (NSW)*;
- market retail contract** has the same meaning as in the *National Energy Retail Law (NSW)*; and
- standard retail contract** has the same meaning as in the *National Energy Retail Law (NSW)*.

E2. Assistance with Market Offers

- E.2.1 By 30 January 2018 and at six monthly intervals thereafter, the **retailer** must use all reasonable endeavours to inform and assist the customer to identify the most appropriate **market offer** for that customer, having regard to:
- E.2.1.1 the customer's consumption profile;
 - E.2.1.2 the objective of reducing the customer's costs of buying electricity and/or gas;
 - E.2.1.3 the estimated yearly monetary savings for the customer from accepting a **market offer**; and
 - E.2.1.4 the price and non-price terms and conditions of the **retailer's market offers**.
- E2.2 Clause E.2.1 does not apply if:
- E2.2.1 the **retailer** forms the view that there is no **market offer** that would provide the **residential customer** with a better alternative than the **standard retail contract**; or

E2.2.2 the **residential customer** has expressly requested not to receive marketing information or material from the **retailer**.

E3. Sunset clause

E3.1 This Part E does not apply to a retailer that is complying with clause A6 of this Code.

E3.2 This Part E will cease to apply from 1 October 2019 when clause A6 will become mandatory.

Roads and Maritime Notices

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Hawkesbury River – from Windsor Reach in the vicinity of Governor Philip Park, and downstream to Sackville Ski Gardens.

Duration

12:00pm to 4:00pm - Saturday 4 May 2019

9:00am to 5:00pm - Sunday 5 May 2019

Detail

A competitive powerboat racing event will be conducted on the waters of the Hawkesbury River as specified above, involving the use of high speed powerboats which will be active in the area on both days between the above times.

Competing vessels will race at a high speed, which will present a significant potential hazard to other waterway users.

An **EXCLUSION ZONE** is specified during the event, which will be marked by the presence of buoys at the above location.

All vessel operators and persons using the waters of the Hawkesbury River in the vicinity of the event should keep a proper lookout, keep well clear of competing vessels, and exercise extreme caution.

Unauthorised vessels and persons are strictly prohibited from entering the exclusion zone which will be monitored by control vessels.

Penalties may apply (section 12(5) - *Marine Safety Act 1998*)

For full details visit the Roads and Maritime Services website – www.rms.nsw.gov.au/maritime

Marine Notice: SY1912

Date: 30 April 2019

Daniel Dummer
A/Manager Operations
Delegate

(n2019-1047)

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Tweed River – adjacent to the Murwillumbah Rowing Club, Murwillumbah

Duration

7:30am to 3:30pm — Sunday, 19 May 2019

Detail

A dragon boat race event will be conducted on the navigable waters of the Tweed River at the location specified above.

An **EXCLUSION ZONE** is specified during the event, which will form a 200m course marked by buoys at the location above. There will be support vessels on the water to manage the event.

No unauthorised vessels or persons may enter the exclusion zone between the specified times.

Penalties may apply (section 12 (5) - *Marine Safety Act 1998*)

For full details visit the Roads and Maritime Services website – www.rms.nsw.gov.au/maritime

Marine Notice NH1960

Date: 29 April 2019

Lynda Hourigan
A/Manager Operations North
Operations and Compliance | Maritime
Delegate

(n2019-1048)

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE & SPECIAL RESTRICTIONS

Location

Main Beach, Byron Bay

Duration

11:00am to 3:00pm Saturday, 11 May 2019

Detail

The swimming leg of a triathlon will be conducted on the navigable waters of Byron Bay in an area directly in front of the Byron Bay Surf Lifesaving Club.

An **EXCLUSION ZONE** is specified during the event at the above location, which will be marked by a series of high visibility inflatable buoys and rounding marks. Safety and support vessels, powered and passive, will be in attendance managing the event.

Unauthorised vessels and persons are strictly prohibited from entering the exclusion zone, which will also be patrolled by Roads and Maritime and Police patrol vessels.

Transit Lane

Provision may be made for vessels to transit the exclusion zone. A support vessel may, at times during the event, authorise local vessel traffic to pass through the exclusion zone via a ‘transit lane’.

SPECIAL RESTRICTIONS apply to vessels using the transit lane. Vessels using the transit lane must do so at a speed not exceeding 4 knots and must produce no wash.

Penalties may apply (section 12(5) - *Marine Safety Act 1998*)

For full details visit the Roads and Maritime Services website – www.rms.nsw.gov.au/maritime

Marine Notice: NH1936

Date: 29 April 2019

Lynda Hourigan
A/Manager Operations North
Delegate

(n2019-1049)

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE & SPECIAL RESTRICTIONS

Location

Wategos Beach to Main Beach, Byron Bay

Duration

8:00am to 12:00pm, Sunday 5 May 2019.

Detail

Swim events starting at Wategos Beach will be conducted on a north/north-westerly course finishing at the Byron Bay Lifesaving Club. A shorter course will also be in use for a preliminary race commencing at 'The Pass', which will also finish at the Byron Bay Surf Lifesaving Club.

A moving **EXCLUSION ZONE** is specified during the event, marked by a series of high visibility mobile safety craft stationed on the perimeters of the zone. The safety craft (and thereby the exclusion zone) will advance along the course with the swimmers.

Unauthorised vessels and persons are strictly prohibited from entering the exclusion zone, which will also be patrolled by Roads and Maritime and Police patrol vessels.

Transit lane

Provision may be made on a case by case basis for vessels to transit the exclusion zone. A patrol vessel may, at times during the event, authorise local vessel traffic to pass safely through the exclusion zone if required.

SPECIAL RESTRICTIONS apply to vessels using the transit lane. Vessels using the transit lane must do so at a speed not exceeding 4 knots and must produce no wash

Penalties may apply (section 12(5) - *Marine Safety Act 1998*).

For full details visit the Roads and Maritime Services website – www.rms.nsw.gov.au/maritime

Marine Notice: NH1940

Date: 29 April 2019

Lynda Hourigan
A/ Manager Operations North
Delegate

(n2019-1050)

MARINE SAFETY ACT 1998

MARINE NOTICE

Section 12(2)

REGULATION OF VESSELS – EXCLUSION ZONE

Location

Blowering Dam, Tumut

Duration

8.00am to 6.00pm – Saturday 11 May 2019 and Sunday 12 May 2019

Detail

Trials involving the use of a high speed vessel powered by a jet engine will be conducted on the waters of Blowering Dam at varying times on the days specified above. The jet powered vessel will be operating at very high speed and will present a significant potential hazard to other waterway users. There will be support and official vessels present to manage the trials.

An **EXCLUSION ZONE** is specified during the event, which will comprise of the entirety of Blowering Dam, and will be patrolled by Roads and Maritime vessels.

At varying times between trials, such as when the jet powered vessel is not being operated, Roads and Maritime officers on-site may lift the Exclusion Zone to allow boaters to use the waterway for periods of time. Other than during these interim periods, unauthorised vessels and persons are strictly prohibited from entering the Exclusion Zone.

Penalties may apply (section 12(5) – *Marine Safety Act 1998*)

For full details visit the Roads and Maritime Services website – www.rms.nsw.gov.au/maritime

Marine Notice: SO1931

Date: 1 May 2019

Deon Voyer
Manager Operations South
Delegate

(n2019-1051)

ROADS ACT 1993

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land at Haberfield in the Inner West Council Area

Roads and Maritime Services by its delegate declares, with the approval of His 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*.

S A WEBB
Manager, Compulsory Acquisition Subsurface
Roads and Maritime Services

Schedule

All those pieces or parcels of land situated in the Inner West Council area, Parish of Concord and County of Cumberland, shown as:

Lots 22 and 34 Deposited Plan 1247934, being parts of the land in Certificate of Title 118/4502 and said to be in the possession of Rosario Anthony Cappello and Maria Cappello (registered proprietors) and Australia and New Zealand Banking Group Limited (mortgagee); and

Lots 23 and 35 Deposited Plan 1247934, being parts of the land in Certificate of Title 117/4502 and said to be in the possession of Maria Cappello.

(RMS Papers: SF2018/346156; RO SF2018/131957)

(n2019-1052)

ROADS ACT 1993

Order – Section 31

Fixing of Levels

of part of Highway No 7 – Mitchell Highway at Caroona
in the Warren Shire Council Area

Roads and Maritime Services by this Order under Section 31 of the *Roads Act 1993*, fixes the levels of part of Highway No 7 – Mitchell Highway, Pavement Strengthening and Widening, 110.9 km to 114.1 km west of Dubbo, as shown on Roads and Maritime Services Plan No DS2018/000641.

AARON BERRY
District Works Manager, Western Plains
Roads and Maritime Services
26-28 Hampden Street, Dubbo NSW

(RMS Papers: SF2018/154415)

(n2019-1053)

Mining and Petroleum Notices

Pursuant to section 136 of the *Mining Act 1992* and section 16 of the *Petroleum (Onshore) Act 1991*

NOTICE is given that the following applications have been received:

EXPLORATION LICENCE APPLICATIONS

(T19-1039)

No. 5796, PANDA MINING PTY LTD (ACN 137 548 237), area of 11 units, for Group 1 and Group 2, dated 17 April 2019. (Broken Hill Mining Division).

(T19-1040)

No. 5797, PANDA MINING PTY LTD (ACN 137 548 237), area of 11 units, for Group 1 and Group 2, dated 17 April 2019. (Broken Hill Mining Division).

(T19-1041)

No. 5798, PEEL FAR WEST PTY LTD (ACN 622 243 850), area of 50 units, for Group 1, dated 21 April 2019. (Broken Hill Mining Division).

(T19-1042)

No. 5799, PANDA MINING PTY LTD (ACN 137 548 237), area of 66 units, for Group 1 and Group 2, dated 23 April 2019. (Broken Hill Mining Division).

MINING LEASE APPLICATION

(T19-1046)

No. 568, EMC METALS AUSTRALIA PTY LTD (ACN 160 223 325), area of about 371 hectares, to mine for scandium and its ores, dated 26 April 2019. (Cobar Mining Division).

(n2019-1054)

NOTICE is given that the following applications have been granted:

EXPLORATION LICENCE APPLICATIONS

(T18-1010)

No. 5630, now Exploration Licence No. 8830, AGRICULTURAL EQUITY INVESTMENTS PTY LIMITED (ACN 064 646 108), County of Ashburnham, Map Sheet (8531), area of 38 units, for Group 1, dated 12 April 2019, for a term until 12 April 2024.

(T18-1011)

No. 5631, now Exploration Licence No. 8831, AGRICULTURAL EQUITY INVESTMENTS PTY LIMITED (ACN 064 646 108), Counties of Ashburnham, Kennedy and Narromine, Map Sheet (8531, 8532), area of 51 units, for Group 1, dated 12 April 2019, for a term until 12 April 2024.

(T18-1139)

No. 5742, now Exploration Licence No. 8852, LACHLAN MINERALS PTY LTD (ACN 48629795339), Counties of Canbelego and Flinders, Map Sheet (8234), area of 32 units, for Group 1, dated 23 April 2019, for a term until 23 April 2025.

(n2019-1055)

NOTICE is given that the following application has been withdrawn:

EXPLORATION LICENCE APPLICATION

(T18-1070)

No. 5679, JIMMIE CARPENTER, County of Forbes, Map Sheet (8530). Withdrawal took effect on 24 April 2019.

(n2019-1056)

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

EXPLORATION LICENCE

(EF19/16441)

Exploration Licence No. 7334, IDYLWAY VENTURE PTY LTD (ACN 141 397 006), area of 29 units. Application for renewal received 18 April 2019.

(n2019-1057)

RENEWAL OF CERTAIN AUTHORITIES

Notice is given that the following authorities have been renewed:

(EF18/46088)

Exploration Licence No. 6162, HERA RESOURCES PTY LIMITED (ACN 138 992 999), Counties of Flinders and Mouramba, Map Sheet (8133), area of 48 units, for a further term until 26 November 2024. Renewal effective on and from 23 April 2019.

(EF19/4173)

Exploration Licence No. 6388, ANCHOR RESOURCES LIMITED (ACN 122 751 419), County of Fitzroy, Map Sheet (9437), area of 13 units, for a further term until 4 March 2025. Renewal effective on and from 23 April 2019.

(EF19/1316)

Exploration Licence No. 6391, GOLDEN CROSS OPERATIONS PTY. LTD. (ACN 050 212 827), Counties of Ashburnham and Wellington, Map Sheet (8631, 8632), area of 33 units, for a further term until 10 March 2025. Renewal effective on and from 23 April 2019.

(EF18/30089)

Exploration Licence No. 6607, NIMROD RESOURCES LIMITED (ACN 130 842 063), Counties of Gunderbooka and Irrara, Map Sheet (8038), area of 82 units, for a further term until 2 August 2021. Renewal effective on and from 18 April 2019.

(EF19/790)

Exploration Licence No. 6699, STANNUM PTY LTD (ACN 121 771 695), Counties of Blaxland and Cunningham, Map Sheet (8132, 8232), area of 14 units, for a further term until 10 January 2021. Renewal effective on and from 18 April 2019.

(T19-1002)

Exploration Licence No. 6706, 3E STEEL PTY LIMITED (ACN 140 046 939), Counties of Canbelego and Cowper, Map Sheet (8135, 8136, 8235, 8236), area of 48 units, for a further term until 23 January 2021. Renewal effective on and from 18 April 2019.

(EF18/48787)

Exploration Licence No. 6997, ABX1 PTY LTD (ACN 139 790 364), Counties of Arrawatta, Burnett and Murchison, Map Sheet (9038, 9138), area of 18 units, for a further term until 24 December 2020. Renewal effective on and from 18 April 2019.

(EF19/2365)

Exploration Licence No. 7448, CRISTAL MINING AUSTRALIA LIMITED (ACN 009 247 858), County of Windeyer, Map Sheet (7232), area of 15 units, for a further term until 4 February 2021. Renewal effective on and from 23 April 2019.

(EF18/47957)

Exploration Licence No. 7674, NEWNES-KAOLIN PTY LIMITED (ACN 065 564 794), County of Cook, Map Sheet (8931), area of 3 units, for a further term until 24 December 2020. Renewal effective on and from 18 April 2019.

(EF18/44782)

Exploration Licence No. 7989, GOLDEN CROSS OPERATIONS PTY. LTD. (ACN 050 212 827), County of Wellesley, Map Sheet (8624, 8724), area of 11 units, for a further term until 23 October 2021. Renewal effective on and from 18 April 2019.

(EF18/43627)

Exploration Licence No. 8398, SCORPIO RESOURCES PTY LTD (ACN 109 158 769), County of Blaxland, Map Sheet (8032, 8033), area of 100 units, for a further term until 7 October 2024. Renewal effective on and from 18 April 2019.

(EF18/45549)

Exploration Licence No. 8403, BOWDENS SILVER PTY LIMITED (ACN 009 250 051), Counties of Phillip, Roxburgh and Wellington, Map Sheet (8832, 8833), area of 100 units, for a further term until 4 November 2024. Renewal effective on and from 18 April 2019.

(EF18/45552)

Exploration Licence No. 8405, BOWDENS SILVER PTY LIMITED (ACN 009 250 051), Counties of Bligh, Phillip and Wellington, Map Sheet (8733, 8832, 8833), area of 128 units, for a further term until 4 November 2024. Renewal effective on and from 23 April 2019.

(EF18/47533)

Exploration Licence No. 8409, GOLD AND COPPER RESOURCES PTY LIMITED (ACN 124 534 863), County of Ashburnham, Map Sheet (8631), area of 18 units, for a further term until 2 December 2024. Renewal effective on and from 23 April 2019.

(EF18/47547)

Exploration Licence No. 8410, GOLD AND COPPER RESOURCES PTY LIMITED (ACN 124 534 863), County of Ashburnham, Map Sheet (8631), area of 35 units, for a further term until 2 December 2024. Renewal effective on and from 23 April 2019.

(EF18/47598)

Exploration Licence No. 8411, GOLD AND COPPER RESOURCES PTY LIMITED (ACN 124 534 863), County of Bathurst, Map Sheet (8630), area of 7 units, for a further term until 2 December 2024. Renewal effective on and from 23 April 2019.

(EF18/47628)

Exploration Licence No. 8412, GOLD AND COPPER RESOURCES PTY LIMITED (ACN 124 534 863), Counties of Bathurst and Wellington, Map Sheet (8731), area of 6 units, for a further term until 2 December 2024. Renewal effective on and from 23 April 2019.

(EF18/47646)

Exploration Licence No. 8413, GOLD AND COPPER RESOURCES PTY LIMITED (ACN 124 534 863), County of Bathurst, Map Sheet (8730), area of 49 units, for a further term until 2 December 2024. Renewal effective on and from 23 April 2019.

(EF18/49039)

Exploration Licence No. 8420, EX9 PTY LTD (ACN 608 784 694), County of Bland, Map Sheet (8429), area of 6 units, for a further term until 18 December 2021. Renewal effective on and from 18 April 2019.

(EF19/3495)

Exploration Licence No. 8421, ROMARDO COPPER (NSW) PTY LTD (ACN 605 976 565), County of Gregory, Map Sheet (8435), area of 42 units, for a further term until 17 February 2025. Renewal effective on and from 18 April 2019.

(EF19/1878)

Exploration Licence No. 8423, GOLD AND COPPER RESOURCES PTY LIMITED (ACN 124 534 863), County of Wellington, Map Sheet (8631, 8731), area of 28 units, for a further term until 28 January 2025. Renewal effective on and from 23 April 2019.

(EF19/687)

Exploration Licence No. 8424, AUSMON RESOURCES LIMITED (ACN 134 358 964), County of Canbelego, Map Sheet (8134, 8135), area of 4 units, for a further term until 17 February 2021. Renewal effective on and from 18 April 2019.

(EF19/3161)

Exploration Licence No. 8425, GOLD AND COPPER RESOURCES PTY LIMITED (ACN 124 534 863), Counties of Bathurst and Forbes, Map Sheet (8630), area of 34 units, for a further term until 17 February 2025. Renewal effective on and from 18 April 2019.

(EF19/2646)

Exploration Licence No. 8503, CRISTAL MINING AUSTRALIA LIMITED (ACN 009 247 858), Counties of Perry, Wentworth and Windeyer, Map Sheet (7330, 7331, 7430, 7431), area of 333 units, for a further term until 6 February 2021. Renewal effective on and from 23 April 2019.

(EF18/48837)

Gold Lease No. 5846 (Act 1906), PURE ALUMINA LIMITED (ACN 072 692 365), Parish of Tambaroora, County of Wellington, Map Sheet (8731-1-N), area of 2.044 hectares, for a further term until 7 December 2024. Renewal effective on and from 8 December 2019.

(EF18/48847)

Mining Lease No. 49 (Act 1973), PURE ALUMINA LIMITED (ACN 072 692 365), Parish of Tambaroora, County of Wellington, Map Sheet (8731-1-N), area of 1.618 hectares, for a further term until 7 December 2024. Renewal effective on and from 8 December 2019.

(EF18/48864)

Mining Lease No. 50 (Act 1973), PURE ALUMINA LIMITED (ACN 072 692 365), Parish of Tambaroora, County of Wellington, Map Sheet (8731-1-N), area of 3.02 hectares, for a further term until 7 December 2024. Renewal effective on and from 8 December 2019.

(EF18/48930)

Mining Lease No. 315 (Act 1973), PURE ALUMINA LIMITED (ACN 072 692 365), Parish of Tambaroora, County of Wellington, Map Sheet (8731-1-N), area of 6.671 hectares, for a further term until 7 December 2024. Renewal effective on and from 8 December 2019.

(EF18/49007)

Mining Lease No. 316 (Act 1973), PURE ALUMINA LIMITED (ACN 072 692 365), Parish of Tambaroora, County of Wellington, Map Sheet (8731-1-N), area of 8.846 hectares, for a further term until 7 December 2024. Renewal effective on and from 8 December 2019.

(EF18/49031)

Mining Lease No. 317 (Act 1973), PURE ALUMINA LIMITED (ACN 072 692 365), Parish of Tambaroora, County of Wellington, Map Sheet (8731-1-N), area of 7 hectares, for a further term until 7 December 2024. Renewal effective on and from 8 December 2019.

(E18-8973)

Mining Lease No. 1209 (Act 1973), DRONVISA PTY LIMITED (ACN 002 070 680), Parish of Lennox, County of Phillip, Map Sheet (8833-2-N), area of 42.6 hectares, for a further term until 7 September 2039. Renewal effective on and from 23 April 2019.

(E18-8974)

Mining Lease No. 1219 (Act 1973), DRONVISA PTY LIMITED (ACN 002 070 680), Parish of Lennox, County of Phillip, Map Sheet (8833-2-N), area of 59.7 hectares, for a further term until 7 September 2039. Renewal effective on and from 23 April 2019.

(EF18/32679)

Mining Purposes Lease No. 296 (Act 1973), JOHN HUGHES, Parish of Mebea, County of Finch, Map Sheet (8439-2-S), area of 1.094 hectares, for a further term until 18 August 2040. Renewal effective on and from 18 August 2019.

(n2019-1058)

TRANSFER

(EF18/43393)

Exploration Licence No. 7958, formerly held by SIBELCO LIME (NSW) PTY LTD (ACN 004 776 989) has been transferred to SIBELCO LIME (NSW) PTY LTD (ACN 004 776 989). The transfer was registered on 17 April 2019.

(n2019-1059)

EXPIRY

Mineral Claim Converted To Lease No. 144 (Act 1992), KEITH ERIC NOON, Parish of Nundle, County of Parry; and Parish of Nundle, County of Parry. This title expired on 26 April 2019.

(n2019-1060)

Primary Industry Notices

Fisheries Management (Trout and Salmon) (Possession) Order 2019

under the

Fisheries Management Act 1994

I, David McPherson, Acting Deputy Director General Fisheries, with the delegated authority of the Minister and the Secretary in pursuance of sections 227 and 228 of the *Fisheries Management Act 1994* (“the Act”), and in pursuance of section 17C of the Act, give notice of the following Order.

Dated this 23rd day of April 2019

DAVID MCPHERSON,
Acting Deputy Director General Fisheries
Department of Primary Industries
(an office within the Department of Industry)

Fisheries Management (Trout and Salmon) (Possession) Order 2019

under the

Fisheries Management Act 1994

1. Name of Order

This Order is the *Fisheries Management (Trout and Salmon) (Possession) Order 2019*.

2. Commencement and duration

This Order commences on the date it is published in the *NSW Government Gazette* and will remain in force for 5 years commencing on the date of publication.

3. Definitions

In this Order:

artificial flies or lures does not include the use of “power bait TM” or any other similar artificial or manufactured bait product.

attended rod and line means a rod and line that is within a person’s line of sight and that person remains within 50 metres of the rod and line.

landing net means a net that complies with the description set out in the Table to clause 33 of the Regulation.

possession limit means the maximum quantity of fish that a person may have in the person’s possession in any specified circumstances.

the Act means the *Fisheries Management Act 1994*.

the Regulation means the *Fisheries Management (General) Regulation 2010*.

4. Possession Limit

- (a) Pursuant to section 17C of the Act, the possession limit for a species of fish in Column 1 of the Table in Schedule 1 to this order is the quantity specified opposite that species in Column 4.
- (b) The possession limit applies if a person takes fish of the species specified in Column 1, using the methods specified opposite that species of fish in Column 2, from the waters specified opposite that species of fish in Column 3.

- (c) The possession limit applies if a person is in possession of fish in or on or adjacent to any waters or is transporting or storing fish.

Note: This Order is made in conjunction with the *Fisheries Management (Trout and Salmon) (Fishing Closure) Notification 2019* and the conditions in that Notification will apply to the persons possessing fish under this Order.

Schedule 1

In this Schedule, a **Table** means a Table in Schedule 2.

Column 1 Species	Column 2 Methods	Column 3 Waters	Column 4 Possession Limit
Atlantic Salmon (<i>Salmo salar</i>), Brook Trout (<i>Salvelinus fontinalis</i>), Brown Trout (<i>Salmo trutta</i>) or Rainbow Trout (<i>Oncorhynchus mykiss</i>)	All methods other than: a) one attended rod and line with not more than 2 hooks attached, those hooks being artificial flies or lures, and with not more than 3 treble hooks, or 3 double hooks, attached to any lure; and b) a landing net.	1. The waters described in Table A1 2.	4 consisting of any single species or a combination of species.
Atlantic Salmon (<i>Salmo salar</i>), Brook Trout (<i>Salvelinus fontinalis</i>), Brown Trout (<i>Salmo trutta</i>) or Rainbow Trout (<i>Oncorhynchus mykiss</i>).	All methods other than: a) one attended rod and line with not more than 2 hooks attached, those hooks being artificial flies or lures, and with not more than 3 treble hooks, or 3 double hooks, attached to any lure; and b) a landing net.	The waters described in Table A2.	2 consisting of any single species or a combination of species.

Column 1 Species	Column 2 Methods	Column 3 Waters	Column 4 Possession Limit
Atlantic Salmon (<i>Salmo salar</i>), Brook Trout (<i>Salvelinus fontinalis</i>), Brown Trout (<i>Salmo trutta</i>) or Rainbow Trout (<i>Oncorhynchus mykiss</i>)	All methods other than: a) one attended rod and line with not more than 2 hooks attached and with not more than 3 treble hooks, or 3 double hooks, attached to any lure; and b) a landing net.	The waters described in Table B1.	10 consisting of any single species or a combination of species.
Atlantic Salmon (<i>Salmo salar</i>), Brook Trout (<i>Salvelinus fontinalis</i>), Brown Trout (<i>Salmo trutta</i>) or Rainbow Trout (<i>Oncorhynchus mykiss</i>)	All methods other than: a) two attended rods and lines with: (i) not more than 2 hooks attached and with not more than 3 treble hooks, or 3 double hooks, attached to any lure; or (ii) up to 3 hooks attached where those hooks are artificial flies or lures and with not more than 3 treble hooks, or 3 double hooks, attached to any lure; and b) a landing net.	The waters described in Table B2.	10 consisting of any single species or a combination of species.

Schedule 2**TABLE A1****Artificial fly and lure only waters**

In Table A1, the waters described include the tributaries upstream from where those waters enter the backed up waters of all impoundments contained in those waters. The backed up waters of those impoundments are not included in the waters of Table A1 except for Black Lake, the Mill Pond and Splitters Creek Quarries where the backed up waters of these impoundments are included.

Southern NSW Trout Waters	
BOBUNDARA CREEK	County of Wellesley. The whole of the waters of Bobundara Creek and its tributaries upstream from its junction with, but not including, the Snowy River.
EUCUMBENE RIVER	County of Wallace. The whole of the waters of the Eucumbene River, its creeks and tributaries upstream from the dam wall of Lake Eucumbene and including Providence Portal.
KHANCOBAN CREEK	County of Selwyn. The whole of the waters of Khancoban Creek, together with all of its tributaries, from its confluence with the backed-up waters of Khancoban Pondage or junction with Swampy Plain River upstream to its source.
KYBEYAN RIVER	County of Beresford. The whole of the waters of the Kybeyan River, its creeks and tributaries upstream from its junction with, but not including, the Numeralla River.
MACLAUGHLIN RIVER	County of Wellesley. The whole of the waters of the MacLaughlin River, its creeks and tributaries upstream from its junction, but not including, the Snowy River.
MOWAMBA RIVER	County of Wallace. The whole of the waters of the Mowamba River (or Moonbah River), its creeks and tributaries upstream from its junction, but not including, the Snowy River.
SPLITTERS CREEK QUARRIES	County of Goulburn. The whole of the waters of the Splitters Creek Quarries (known as “the Gravel Pit” and “the Second Pit”), located within Lot 2 DP 810132 and Lot 5 856087.
SWAMPY PLAIN RIVER	County of Selwyn. The whole of the waters of the Swampy Plain River, its creeks and tributaries downstream of the southern (upstream) boundary of Khancoban Station and upstream from its junction, but not including, the Murray River.
THREDBO RIVER	County of Wallace. The whole of the waters of the Thredbo River (or Crackenback River), its creeks and tributaries upstream from where it enters the backed-up waters of Lake Jindabyne.
FLEA CREEK	County of Cowley. The whole of the waters of Flea Creek and its tributaries including Tumbledown Creek and its tributaries upstream of the junction with the Goodradigbee River.
WILDE’S MEADOW CREEK	County of Camden. The whole of the waters of Wilde’s Meadow Creek (including its creeks and tributaries, from a point where its visible flow merges with the backed-up waters of the Fitzroy Falls Reservoir, upstream to its source).
BLACK LAKE	County of Wellesley. The whole of the waters of Black Lake.

Central NSW Trout Waters	
BELL RIVER	County of Wellington. The whole of the waters of the Bell River, its creeks and tributaries upstream from the Belgravia Road crossing.
THE MILL POND	County of Roxburg. The whole waters of the Mill Pond (Portland Dam No. 3) including those waters backed up the road culvert west of the waterway, located within Lot 1 DP 1227369.
MOLONG CREEK	County of Wellington. The whole of the waters of the Molong Creek and its tributaries upstream from its junction, but not including, Borenore Creek.

TABLE A2**Spawning Streams**

In Table A2, the waters described include the tributaries upstream from where those waters enter the backed up waters of all impoundments contained in those waters. The backed up waters of those impoundments are not included in the waters of Table A2.

EUCUMBENE RIVER	County of Wallace. The whole of the waters of the Eucumbene River and its tributaries upstream of the dam wall and including the Providence Portal.
THREDBO RIVER	County of Wallace. The whole of the Thredbo River.

TABLE B1**General trout waters**

In Table B1, the waters described include the tributaries upstream from where those waters enter the backed up waters of all impoundments contained in those waters. The backed up waters of those impoundments are not included in the waters of Table B1.

Southern NSW Trout Waters	
BEMBOKA RIVER	County of Auckland. The whole of the waters of Bemboka River, its creeks and tributaries upstream its junction with, and including, Tantawangalo Creek.
GOODRADIGBEE RIVER	County of Buccleuch. The whole of the waters of the Goodradigbee River, its creeks and tributaries upstream from where it enters the backed-up waters of Burrinjuck Dam.
INGEEGOODBEE RIVER	County of Wallace. The whole of the waters of the Ingeegoodbee River, its creeks and tributaries upstream from the Victorian border.
MACPHERSONS SWAMP CREEK	County of Buccleuch. The whole of the waters of the Macphersons Creek and tributaries upstream from where it enters the backed-up waters of Burrinjuck Dam.
MOLONGLO RIVER	County of Murray. The whole of the waters of the Molonglo River, its creeks and tributaries upstream from the railway bridge at Burbong.
MURRAY RIVER	County of Selwyn. The whole of the waters of the Murray River, its creeks and tributaries upstream from the road bridge at Tintalra.

MURRUMBIDGEE RIVER	County of Cowley. The whole of the waters of the Murrumbidgee River, its creeks and tributaries upstream from its junction with, including, the Bredbo River.
QUEANBEYAN RIVER	County of Murray. The whole of the waters of the Queanbeyan River, its creeks and tributaries upstream of the fence boundary of the Googong Dam Reservoir (about 1 kilometres downstream of the wall of Googong Dam).
SHOALHAVEN RIVER	County of Murray. The whole of the waters of the Shoalhaven River, its creeks and tributaries upstream from its junction with, and including, the Mongarlowe River.
SNOWY RIVER	County of Wallace. The whole of the waters of the Snowy River, its creeks and tributaries upstream of the Victorian border.
TUMUT RIVER	County of Buccleuch. The whole of the waters of the Tumut River, its creeks and tributaries upstream from its junction with, but not including, the Murrumbidgee River.
TUROSS RIVER	County of Dampier. The whole of the waters of the Tuross River, its creeks and tributaries upstream from the Tuross Falls.
Central NSW Trout Waters	
BELL RIVER	County of Wellington. The whole of the waters of the Bell River, its creeks and tributaries upstream from its junction with, and including, the Molong Creek.
BELUBULA RIVER	County of Bathurst. The whole of the waters of the Belubula River, its creeks and tributaries upstream from the Cherry Tree Falls low level road bridge near Canowindra.
BOREE CREEK	County of Ashburnham. The whole of the waters of the Boree Creek and its tributaries upstream from its junction with, but not including, Mandagery Creek.
COXS RIVER	County of Westmoreland. The whole of the waters of the Coxs River, its creeks and tributaries upstream from its junction with, but not including, Little River.
CUDGEGONG RIVER	County of Phillip. The whole of the waters of the Cudgegong River, its creeks and tributaries downstream of the wall of Windermere Dam and upstream from the Lawson Park Weir at Mudgee.
GUINECOR CREEK	County of Argyle. The whole of the waters of Guinecor Creek and its tributaries upstream from its junction with, but not including, the Wollondilly River.
KOWMUNG RIVER	County of Westmoreland. The whole of the waters of the Kowmung River, its creeks and tributaries upstream from its junction with, and including, Morong Creek.
LACHLAN RIVER	County of Bathurst. The whole of the waters of the Lachlan River, its creeks and tributaries upstream from the Cowra-Young road bridge.
MACQUARIE RIVER	County of Bathurst. The whole of the waters of the Macquarie River, its creeks and tributaries upstream from its junction with, and including, Lewis Ponds Creek.
WOLLONDILLY RIVER	County of Argyle. The whole of the waters of the Wollondilly River, its creeks and tributaries upstream from its junction with, and including, the Tarlo River.

Northern NSW Trout Waters	
APSLEY RIVER	County of Vernon. The whole of the waters of the Apsley River, its creeks and tributaries upstream from its junction with, and including, the Tia River.
BARNARD RIVER	County of Hawes. The whole of the waters of the Barnard River, its creeks and tributaries upstream from its junction with, and including, Gulf Creek.
BARRINGTON RIVER	County of Gloucester. The whole of the waters of the Barrington River, its creeks and tributaries upstream from its junction with, and including, the Moppy River.
BEARDY WATERS	County of Gough. The whole of the waters Beardy Waters, its creeks and tributaries upstream from its junction with, and including, Furracabad Creek.
BLICKS RIVER	County of Fitzroy. The whole of the waters of the Blicks River, its creeks and tributaries upstream from the road bridge at Dundarrabin.
CARTERS BROOK	County of Durham. The whole of the waters of Carters Brook, its creeks and tributaries upstream from its junction with, and including, Stewarts Brook.
CHANDLER RIVER	County of Clarke. The whole of the waters of the Chandler River, its creeks and tributaries upstream from its junction with, and including, the Wollomombi River.
COBARK RIVER	County of Gloucester. The whole of the waters of the Cobark River, its creeks and tributaries upstream from its junction with, and including, the Dilgry River.
COOPLACURRIPA RIVER	County of Hawes. The whole of the waters of the Cooplacurripa River, its creeks and tributaries upstream from its junction with, and including, the Mummel River.
DEEPWATER RIVER	County of Gough. The whole of the waters of the Deepwater River, its creeks and tributaries upstream of the New England Highway road bridge near Deepwater.
DUNGOWAN CREEK	County of Parry. The whole of the waters of Dungowan Creek and its tributaries upstream from the road crossing near Ogunbil Station.
GEORGES CREEK	County of Hardinge. The whole of the waters of Georges Creek and its tributaries upstream from its junction with, and including, Louisa Creek.
GLOUCESTER RIVER	County of Gloucester. The whole of the waters of the Gloucester River, its creeks and tributaries upstream from its junction with, and including, Sharpes Creek.
GUY FAWKES RIVER	County of Gresham. The whole of the waters of the Guy Fawkes River, its creeks and tributaries upstream from its junction with, but not including, the Aberfoyle River.
GWYDIR RIVER	County of Hardinge. The whole of the waters of the Gwydir River, its creeks and tributaries upstream of the road bridge at Torryburn.
GWYDIR RIVER	County of Hardinge. The whole of the waters of the Gwydir River, its creeks and tributaries downstream of Copeton Dam and upstream of its junction with, but not including, Dingo Creek.
HORTON RIVER	County of Murchison. The whole of the waters of the Horton River, its creeks and tributaries upstream from its junction with, and including, Cut Road Creek.

HUNTER RIVER	County of Brisbane. The whole of the waters of the Hunter River, its creeks and tributaries upstream from its junction with, but not including, Pages Creek.
LAURA CREEK	County of Hardinge. The whole of the waters of Laura Creek and its tributaries of the ford at Baldeslie Station.
MACDONALD RIVER	County of Vernon. The whole of the waters of the Macdonald River, its creeks and tributaries upstream of the New England Highway road bridge at Bendemeer.
MACINTYRE RIVER	County of Gough. The whole of the waters of the MacIntyre River, its creeks and tributaries upstream from the road bridge at Elsmore.
MANNING RIVER	County of Gloucester. The whole of the waters of the Manning River, its creeks and tributaries upstream from the Gummi Trail crossing.
MOONAN BROOK	County of Durham. The whole of the waters of Moonan Brook and its tributaries upstream from its junction with, but not including, the Hunter River.
MOREDUN CREEK	County of Hardinge. The whole of the waters of Moredun Creek and its tributaries upstream of the ford immediately below its junction with Limestone Creek.
MULLA MULLA CREEK	County of Parry. The whole of the waters of Mulla Mulla Creek and its tributaries upstream from its junction with, but not including, the Cockburn River.
MYALL CREEK	County of Hawes. The whole of the waters of Myall Creek and its tributaries upstream from its junction with, and including, Tuggolo Creek.
NOWENDOC RIVER	County of Hawes. The whole of the waters of the Nowendoc River, its creeks and tributaries upstream from Nowendoc Falls.
NYMBOIDA RIVER	County of Sandon. The whole of the waters of the Nymboida River, its creeks and tributaries upstream from its junction with, and including, Wild Cattle Creek.
OAKY RIVER	County of Clarke. The whole of the waters of the Oaky River, its creeks and tributaries upstream from where it enters the backed-up waters of Oaky River Dam.
OBAN RIVER	County of Clarke. The whole of the waters of the Oban River (or Ann River), its creeks and tributaries upstream from its junction with, but not including, the Sara River.
OMADALE BROOK	County of Durham. The whole of the waters of Omadale Brook and its tributaries upstream from its junction with, and including, Polblue Creek.
STYX RIVER	County of Clarke. The whole of the waters of the Styx River, its creeks and tributaries upstream of the road crossing on the Armidale-Bellbrook road.
SWANBROOK	County of Gough. The whole of the waters Swanbrook and its tributaries upstream of the Kings Plains road crossing near Inverell.
WELLINGROVE CREEK	County of Gough. The whole of the waters of Wellingrove Creek and its tributaries upstream from the Gwydir Highway road bridge near Glenn Innes

TABLE B2
General trout dams

In Table B2, the waters described include the backed up waters of all impoundments and weirs. The tributaries upstream from where those waters enter the backed up waters of all impoundments contained in those waters are not included.

Waters	Nearest town
BEARDY WATERS DAM	GLEN INNES
BEN CHIFLEY DAM	BATHURST
CAPTAIN'S FLAT DAM	QUEANBEYAN
CARCOAR DAM	CARCOAR
COOLUMBOOKA WEIR	BOMBALA
DIGGERS CREEK DAM	PERISHER VALLEY
DUMARESQ DAM	ARMIDALE
FITZROY FALLS RESERVOIR	FITZROY FALLS
GEEHI DAM	KHANCOBAN
GOOGONG DAM	QUEANBEYAN
GOSLING CREEK RESERVOIR	ORANGE
GUTHEGA LAKE	JINDABYNE
HAPPY JACKS PONDAGE	KHANCOBAN
ISLAND BEND DAM	JINDABYNE
JOUNAMA PONDAGE	TALBINGO
KHANCOBAN PONDAGE	KHANCOBAN
LAKE BATHURST	TARAGO
LAKE CANOBOLAS	ORANGE
LAKE CRACKENBACK	THREDBO
LAKE EUCUMBENE	ADAMINABY
LAKE JINDABYNE	JINDABYNE
LAKE LYELL	LITHGOW
LAKE WALLACE	WALLERAWANG
LAKE WILLIAMS	NIMMITABEL
MALPAS DAM	ARMIDALE
MARSDEN WEIR	GOULBURN
MURRAY 2 PONDAGE	KHANCOBAN
OBERON DAM	OBERON
PADDYS RIVER DAM	TUMBERUMBA
PEJAR DAM	GOULBURN
REDGROUND DAM (Crookwell water supply)	CROOKWELL
ROSSI WEIR	GOULBURN
SHEBA DAMS	NUNDLE
TALBINGO DAM	TALBINGO
TANTANGARA DAM	ADAMINABY
TOD KILL PARK DAM	CROOKWELL
TOOMA DAM	KHANCOBAN
TUMUT PONDS	ADAMINABY
TUMUT 2 PONDAGE	KHANCOBAN
THREE MILE DAM	KIANDRA

Waters	Nearest town
WENTWORTH FALLS LAKE	WENTWORTH FALLS

Fisheries Management (Trout and Salmon) (Fishing Closure) Notification 2019

under the

Fisheries Management Act 1994

I, David McPherson, Acting Deputy Director General Fisheries, with the delegated authority of the Minister and the Secretary in pursuance of sections 227 and 228 of the *Fisheries Management Act 1994* (“the Act”), and in pursuance of section 8 and section 11 of the Act, revoke the existing fishing closure for Trout and Salmon and give notice of the following fishing closure for Trout and Salmon.

Dated this 23rd day of April 2019

DAVID MCPHERSON,
Acting Deputy Director General Fisheries
Department of Primary Industries
(an office within the Department of Industry)

Fisheries Management (Trout and Salmon) (Fishing Closure) Notification 2019

under the

Fisheries Management Act 1994

1. Name of Notification

This notification is the *Fisheries Management (Trout and Salmon) (Fishing Closure) Notification 2019*.

2. Commencement and duration

This notification commences on the date it is published in the *NSW Government Gazette* and will remain in force for 5 years commencing on the date of publication.

3. Revocation

Pursuant to section 11 of the Act, the *Sections 8 and 11 Notification Fishing Closure – Trout and Salmon* published in *NSW Government Gazette* No. 76 of 12 September 2014 at pages 3059 to 3067 is revoked, as is any notification revived as a result of this revocation.

4. Definitions

In this notification:

artificial flies or lures does not include the use of “power bait TM” or any other similar artificial or manufactured bait product.

attended rod and line means a rod and line that is within a person’s line of sight and that person remains within 50 metres of the rod and line.

fishing closure has the meaning set out in section 8 of the Act.

landing net means a net that complies with the description set out in the Table to clause 33 of the Regulation.

the Act means the *Fisheries Management Act 1994*.

the Regulation means the *Fisheries Management (General) Regulation 2010*.

5. Fishing closure

Pursuant to section 8 of the Act, a person is prohibited from taking fish of the species specified in Column 1 of the Table in Schedule 1 to this notification:

- (a) by the methods of fish specified opposite that species of fish in Column 2,
- (b) from the waters described opposite that species of fish in Column 3, and
- (c) subject to the conditions specified opposite that species of fish in Column 4.

Note: This notification is made in conjunction with the *Fisheries Management (Trout and Salmon) (Possession) Order 2019* and the conditions in that Order will apply to the persons taking fish under this notification.

Schedule 1

In this Schedule, a *Table* means a Table in Schedule 2.

Column 1 Species	Column 2 Methods	Column 3 Waters	Column 4 Conditions
All species	All methods other than: a) one attended rod and line with not more than 2 hooks attached, those hooks being artificial flies or lures, and with not more than 3 treble hooks, or 3 double hooks, attached to any lure; and b) a landing net.	The waters described in Table A1	<ol style="list-style-type: none"> 1. The maximum quantity that a person may take of Atlantic Salmon (<i>Salmo salar</i>), Brook Trout (<i>Salvelinus fontinalis</i>), Brown Trout (<i>Salmo trutta</i>) or Rainbow Trout (<i>Oncorhynchus mykiss</i>) on any one day is 2. 2. A person must not take fish by any method in the waters of the Splitters Creek Quarry known as “the Gravel Pit”, north west from a line drawn between 2 marked posts across the waterway.
All species	All methods other than: a) one attended rod and line with not more than 2 hooks attached, those hooks being artificial flies or lures, and with not more than 3 treble hooks, or 3 double hooks, attached to any lure; and b) a landing net.	The waters described in Table A1 and Table B1 (except Black Lake and Splitters Creek).	<ol style="list-style-type: none"> 1. The maximum quantity that a person may take of Atlantic Salmon (<i>Salmo salar</i>), Brook Trout (<i>Salvelinus fontinalis</i>), Brown Trout (<i>Salmo trutta</i>) or Rainbow Trout (<i>Oncorhynchus mykiss</i>) on any one day is 2. 2. From the Tuesday after the June (Queen’s Birthday) long weekend until midnight on the last Friday before the start of the October (Labour Day) long weekend (inclusive) in each year, the taking of all species of fish by all methods is prohibited.
All species	All methods other than: a) one attended rod and line with not more than 3 hooks attached, those hooks being artificial flies or lures, and with not more than 3 treble hooks, or 3 double hooks, attached to any lure; and	The waters described in Table A1 as Black Lake and Splitters Creek Quarries.	The maximum quantity that a person may take of Atlantic Salmon (<i>Salmo salar</i>), Brook Trout (<i>Salvelinus fontinalis</i>), Brown Trout (<i>Salmo trutta</i>) or Rainbow Trout (<i>Oncorhynchus mykiss</i>) on any one day is 2.

Column 1 Species	Column 2 Methods	Column 3 Waters	Column 4 Conditions
	b) a landing net.		
Atlantic Salmon (<i>Salmo salar</i>), Brook Trout (<i>Salvelinus fontinalis</i>), Brown Trout (<i>Salmo trutta</i>) or Rainbow Trout (<i>Oncorhynchus mykiss</i>).	All methods other than: a) one attended rod and line with not more than 2 hooks attached, those hooks being artificial flies or lures, and with not more than 3 treble hooks, or 3 double hooks, attached to any lure; and b) a landing net.	The waters described in Table A2.	1. From 1 May to the Monday of the June (Queen's Birthday) long Weekend (inclusive), in each year: a) the fish must be a minimum size of 50 centimetres, and b) the maximum quantity that a person may take on any one day is 1. 2. From the Tuesday after the June (Queen's Birthday) long weekend until midnight on the last Friday before the start of the October (Labour Day) long weekend (inclusive) in each year, the taking of all species of fish by all methods is prohibited.
All species	All methods other than: a) one attended rod and line with not more than 2 hooks attached and with not more than 3 treble hooks, or 3 double hooks, attached to any lure; and b) a landing net.	The waters described in Table B1.	1. The maximum quantity that a person may take of Atlantic Salmon (<i>Salmo salar</i>), Brook Trout (<i>Salvelinus fontinalis</i>), Brown Trout (<i>Salmo trutta</i>) or Rainbow Trout (<i>Oncorhynchus mykiss</i>) on any one day is 5. 2. From the Tuesday after the June (Queen's Birthday) long weekend until midnight on the last Friday before the start of the October (Labour Day) long weekend (inclusive) in each year, the taking of all species of fish by all methods is prohibited.
All species	All methods other than: a) two attended rods and lines with: (i) not more than 2 hooks attached and with not more than 3 treble hooks, or 3 double hooks, attached to any	The waters described in Table B2.	1. The maximum quantity that a person may take of Atlantic Salmon (<i>Salmo salar</i>), Brook Trout (<i>Salvelinus fontinalis</i>), Brown Trout (<i>Salmo trutta</i>) or Rainbow Trout (<i>Oncorhynchus mykiss</i>) on any one day is 5. 2. When taking Yabbies (<i>Cherax destructor</i>) from the backed up waters of Lake Eucumbene, Lake Jindabyne, Lake Lyell, Lake Wallace and Googong Dam, the use of the hoop or

Column 1 Species	Column 2 Methods	Column 3 Waters	Column 4 Conditions
	lure; or (ii) up to 3 hooks attached where those hooks are artificial flies or lures and with not more than 3 treble hooks, or 3 double hooks, attached to any lure; and b) a landing net.		lift net as prescribed by clause 28 of the Regulation is allowed in addition to the methods specified in column 2.
Spiny Crayfish species (<i>Euastacus</i> spp.) other than Murray Crayfish (<i>Euastacus armatus</i>)	All methods.	The waters described in Tables A1, A2, B1 and B2.	

Note: Murray Crayfish can only be taken in waters specified in the Regulation.

Schedule 2**TABLE A1****Artificial fly and lure only waters**

In Table A1, the waters described include the tributaries upstream from where those waters enter the backed up waters of all impoundments contained in those waters. The backed up waters of those impoundments are not included in the waters of Table A1 except for Black Lake, the Mill Pond and Splitters Creek Quarries where the backed up waters of these impoundments are included.

Southern NSW Trout Waters	
BOBUNDARA CREEK	County of Wellesley. The whole of the waters of Bobundara Creek and its tributaries upstream from its junction with, but not including, the Snowy River.
EUCUMBENE RIVER	County of Wallace. The whole of the waters of the Eucumbene River, its creeks and tributaries upstream from the dam wall of Lake Eucumbene and including Providence Portal.
KHANCOBAN CREEK	County of Selwyn. The whole of the waters of Khancoban Creek, together with all of its tributaries, from its confluence with the backed-up waters of Khancoban Pondage or junction with Swampy Plain River upstream to its source.
KYBEYAN RIVER	County of Beresford. The whole of the waters of the Kybeyan River, its creeks and tributaries upstream from its junction with, but not including, the Numeralla River.
MACLAUGHLIN RIVER	County of Wellesley. The whole of the waters of the MacLaughlin River, its creeks and tributaries upstream from its junction, but not including, the Snowy River.
MOWAMBA RIVER	County of Wallace. The whole of the waters of the Mowamba River (or Moonbah River), its creeks and tributaries upstream from its junction, but not including, the Snowy River.
SPLITTERS CREEK QUARRIES	County of Goulburn. The whole of the waters of the Splitters Creek Quarries (known as “the Gravel Pit” and “the Second Pit”), located within Lot 2 DP 810132 and Lot 5 856087.
SWAMPY PLAIN RIVER	County of Selwyn. The whole of the waters of the Swampy Plain River, its creeks and tributaries downstream of the southern (upstream) boundary of Khancoban Station and upstream from its junction, but not including, the Murray River.
THREDBO RIVER	County of Wallace. The whole of the waters of the Thredbo River (or Crackenback River), its creeks and tributaries upstream from where it enters the backed-up waters of Lake Jindabyne.
FLEA CREEK	County of Cowley. The whole of the waters of Flea Creek and its tributaries including Tumbledown Creek and its tributaries upstream of the junction with the Goodradigbee River.
WILDE’S MEADOW CREEK	County of Camden. The whole of the waters of Wilde’s Meadow Creek (including its creeks and tributaries, from a point where its visible flow merges with the backed-up waters of the Fitzroy Falls Reservoir, upstream to its source).
BLACK LAKE	County of Wellesley. The whole of the waters of Black Lake.

Central NSW Trout Waters	
BELL RIVER	County of Wellington. The whole of the waters of the Bell River, its creeks and tributaries upstream from the Belgravia Road crossing.
THE MILL POND	County of Roxburg. The whole waters of the Mill Pond (Portland Dam No. 3) including those waters backed up the road culvert west of the waterway, located within Lot 1 DP 1227369.
MOLONG CREEK	County of Wellington. The whole of the waters of the Molong Creek and its tributaries upstream from its junction, but not including, Borenore Creek.

TABLE A2**Spawning Streams**

In Table A2, the waters described include the tributaries upstream from where those waters enter the backed up waters of all impoundments contained in those waters. The backed up waters of those impoundments are not included in the waters of Table A2.

EUCUMBENE RIVER	County of Wallace. The whole of the waters of the Eucumbene River and its tributaries upstream of the dam wall and including the Providence Portal.
THREDBO RIVER	County of Wallace. The whole of the Thredbo River.

TABLE B1**General trout waters**

In Table B1, the waters described include the tributaries upstream from where those waters enter the backed up waters of all impoundments contained in those waters. The backed up waters of those impoundments are not included in the waters of Table B1.

Southern NSW Trout Waters	
BEMBOKA RIVER	County of Auckland. The whole of the waters of Bemboka River, its creeks and tributaries upstream its junction with, and including, Tantawangalo Creek.
GOODRADIGBEE RIVER	County of Buccleuch. The whole of the waters of the Goodradigbee River, its creeks and tributaries upstream from where it enters the backed-up waters of Burrinjuck Dam.
INGEEGOODBEE RIVER	County of Wallace. The whole of the waters of the Ingeegoodbee River, its creeks and tributaries upstream from the Victorian border.
MACPHERSONS SWAMP CREEK	County of Buccleuch. The whole of the waters of the Macphersons Creek and tributaries upstream from where it enters the backed-up waters of Burrinjuck Dam.
MOLONGLO RIVER	County of Murray. The whole of the waters of the Molonglo River, its creeks and tributaries upstream from the railway bridge at Burbong.
MURRAY RIVER	County of Selwyn. The whole of the waters of the Murray River, its creeks and tributaries upstream from the road bridge at Tintalra.

MURRUMBIDGEE RIVER	County of Cowley. The whole of the waters of the Murrumbidgee River, its creeks and tributaries upstream from its junction with, including, the Bredbo River.
QUEANBEYAN RIVER	County of Murray. The whole of the waters of the Queanbeyan River, its creeks and tributaries upstream of the fence boundary of the Googong Dam Reservoir (about 1 kilometres downstream of the wall of Googong Dam).
SHOALHAVEN RIVER	County of Murray. The whole of the waters of the Shoalhaven River, its creeks and tributaries upstream from its junction with, and including, the Mongarlowe River.
SNOWY RIVER	County of Wallace. The whole of the waters of the Snowy River, its creeks and tributaries upstream of the Victorian border.
TUMUT RIVER	County of Buccleuch. The whole of the waters of the Tumut River, its creeks and tributaries upstream from its junction with, but not including, the Murrumbidgee River.
TUROSS RIVER	County of Dampier. The whole of the waters of the Tuross River, its creeks and tributaries upstream from the Tuross Falls.
Central NSW Trout Waters	
BELL RIVER	County of Wellington. The whole of the waters of the Bell River, its creeks and tributaries upstream from its junction with, and including, the Molong Creek.
BELUBULA RIVER	County of Bathurst. The whole of the waters of the Belubula River, its creeks and tributaries upstream from the Cherry Tree Falls low level road bridge near Canowindra.
BOREE CREEK	County of Ashburnham. The whole of the waters of the Boree Creek and its tributaries upstream from its junction with, but not including, Mandagery Creek.
COXS RIVER	County of Westmoreland. The whole of the waters of the Coxs River, its creeks and tributaries upstream from its junction with, but not including, Little River.
CUDGEGONG RIVER	County of Phillip. The whole of the waters of the Cudgegong River, its creeks and tributaries downstream of the wall of Windermere Dam and upstream from the Lawson Park Weir at Mudgee.
GUINECOR CREEK	County of Argyle. The whole of the waters of Guinecor Creek and its tributaries upstream from its junction with, but not including, the Wollondilly River.
KOWMUNG RIVER	County of Westmoreland. The whole of the waters of the Kowmung River, its creeks and tributaries upstream from its junction with, and including, Morong Creek.
LACHLAN RIVER	County of Bathurst. The whole of the waters of the Lachlan River, its creeks and tributaries upstream from the Cowra-Young road bridge.
MACQUARIE RIVER	County of Bathurst. The whole of the waters of the Macquarie River, its creeks and tributaries upstream from its junction with, and including, Lewis Ponds Creek.
WOLLONDILLY RIVER	County of Argyle. The whole of the waters of the Wollondilly River, its creeks and tributaries upstream from its junction with, and including, the Tarlo River.
Northern NSW Trout Waters	
APSLEY RIVER	County of Vernon. The whole of the waters of the Apsley River, its

	creeks and tributaries upstream from its junction with, and including, the Tia River.
BARNARD RIVER	County of Hawes. The whole of the waters of the Barnard River, its creeks and tributaries upstream from its junction with, and including, Gulf Creek.
BARRINGTON RIVER	County of Gloucester. The whole of the waters of the Barrington River, its creeks and tributaries upstream from its junction with, and including, the Moppy River.
BEARDY WATERS	County of Gough. The whole of the waters Beardy Waters, its creeks and tributaries upstream from its junction with, and including, Furracabad Creek.
BLICKS RIVER	County of Fitzroy. The whole of the waters of the Blicks River, its creeks and tributaries upstream from the road bridge at Dundarrabin.
CARTERS BROOK	County of Durham. The whole of the waters of Carters Brook, its creeks and tributaries upstream from its junction with, and including, Stewarts Brook.
CHANDLER RIVER	County of Clarke. The whole of the waters of the Chandler River, its creeks and tributaries upstream from its junction with, and including, the Wollomombi River.
COBARK RIVER	County of Gloucester. The whole of the waters of the Cobark River, its creeks and tributaries upstream from its junction with, and including, the Dilgry River.
COOPLACURRIPA RIVER	County of Hawes. The whole of the waters of the Cooplacurripa River, its creeks and tributaries upstream from its junction with, and including, the Mummel River.
DEEPWATER RIVER	County of Gough. The whole of the waters of the Deepwater River, its creeks and tributaries upstream of the New England Highway road bridge near Deepwater.
DUNGOWAN CREEK	County of Parry. The whole of the waters of Dungowan Creek and its tributaries upstream from the road crossing near Ogunbil Station.
GEORGES CREEK	County of Hardinge. The whole of the waters of Georges Creek and its tributaries upstream from its junction with, and including, Louisa Creek.
GLOUCESTER RIVER	County of Gloucester. The whole of the waters of the Gloucester River, its creeks and tributaries upstream from its junction with, and including, Sharpes Creek.
GUY FAWKES RIVER	County of Gresham. The whole of the waters of the Guy Fawkes River, its creeks and tributaries upstream from its junction with, but not including, the Aberfoyle River.
GWYDIR RIVER	County of Hardinge. The whole of the waters of the Gwydir River, its creeks and tributaries upstream of the road bridge at Torryburn.
GWYDIR RIVER	County of Hardinge. The whole of the waters of the Gwydir River, its creeks and tributaries downstream of Copeton Dam and upstream of its junction with, but not including, Dingo Creek.
HORTON RIVER	County of Murchison. The whole of the waters of the Horton River, its creeks and tributaries upstream from its junction with, and including, Cut Road Creek.
HUNTER RIVER	County of Brisbane. The whole of the waters of the Hunter River, its creeks and tributaries upstream from its junction with, but not

	including, Pages Creek.
LAURA CREEK	County of Hardinge. The whole of the waters of Laura Creek and its tributaries of the ford at Baldeslie Station.
MACDONALD RIVER	County of Vernon. The whole of the waters of the Macdonald River, its creeks and tributaries upstream of the New England Highway road bridge at Bendemeer.
MACINTYRE RIVER	County of Gough. The whole of the waters of the MacIntyre River, its creeks and tributaries upstream from the road bridge at Elsmore.
MANNING RIVER	County of Gloucester. The whole of the waters of the Manning River, its creeks and tributaries upstream from the Gummi Trail crossing.
MOONAN BROOK	County of Durham. The whole of the waters of Moonan Brook and its tributaries upstream from its junction with, but not including, the Hunter River.
MOREDUN CREEK	County of Hardinge. The whole of the waters of Moredun Creek and its tributaries upstream of the ford immediately below its junction with Limestone Creek.
MULLA MULLA CREEK	County of Parry. The whole of the waters of Mulla Mulla Creek and its tributaries upstream from its junction with, but not including, the Cockburn River.
MYALL CREEK	County of Hawes. The whole of the waters of Myall Creek and its tributaries upstream from its junction with, and including, Tuggolo Creek.
NOWENDOC RIVER	County of Hawes. The whole of the waters of the Nowendoc River, its creeks and tributaries upstream from Nowendoc Falls.
NYMBOIDA RIVER	County of Sandon. The whole of the waters of the Nymboida River, its creeks and tributaries upstream from its junction with, and including, Wild Cattle Creek.
OAKY RIVER	County of Clarke. The whole of the waters of the Oaky River, its creeks and tributaries upstream from where it enters the backed-up waters of Oaky River Dam.
OBAN RIVER	County of Clarke. The whole of the waters of the Oban River (or Ann River), its creeks and tributaries upstream from its junction with, but not including, the Sara River.
OMADALE BROOK	County of Durham. The whole of the waters of Omadale Brook and its tributaries upstream from its junction with, and including, Polblue Creek.
STYX RIVER	County of Clarke. The whole of the waters of the Styx River, its creeks and tributaries upstream of the road crossing on the Armidale-Bellbrook road.
SWANBROOK	County of Gough. The whole of the waters Swanbrook and its tributaries upstream of the Kings Plains road crossing near Inverell.
WELLINGROVE CREEK	County of Gough. The whole of the waters of Wellingrove Creek and its tributaries upstream from the Gwydir Highway road bridge near Glenn Innes

TABLE B2**General trout dams**

In Table B2, the waters described include the backed up waters of all impoundments and weirs. The tributaries upstream from where those waters enter the backed up waters of all impoundments contained in those waters are not included.

Waters	Nearest town
BEARDY WATERS DAM	GLEN INNES
BEN CHIFLEY DAM	BATHURST
CAPTAIN'S FLAT DAM	QUEANBEYAN
CARCOAR DAM	CARCOAR
COOLUMBOOKA WEIR	BOMBALA
DIGGERS CREEK DAM	PERISHER VALLEY
DUMARESQ DAM	ARMIDALE
FITZROY FALLS RESERVOIR	FITZROY FALLS
GEEHI DAM	KHANCOBAN
GOOGONG DAM	QUEANBEYAN
GOSLING CREEK RESERVOIR	ORANGE
GUTHEGA LAKE	JINDABYNE
HAPPY JACKS PONDAGE	KHANCOBAN
ISLAND BEND DAM	JINDABYNE
JOUNAMA PONDAGE	TALBINGO
KHANCOBAN PONDAGE	KHANCOBAN
LAKE BATHURST	TARAGO
LAKE CANOBOLAS	ORANGE
LAKE CRACKENBACK	THREDBO
LAKE EUCUMBENE	ADAMINABY
LAKE JINDABYNE	JINDABYNE
LAKE LYELL	LITHGOW
LAKE WALLACE	WALLERAWANG
LAKE WILLIAMS	NIMMITABEL
MALPAS DAM	ARMIDALE
MARSDEN WEIR	GOULBURN
MURRAY 2 PONDAGE	KHANCOBAN
OBERON DAM	OBERON
PADDYS RIVER DAM	TUMBERUMBA
PEJAR DAM	GOULBURN
REDGROUND DAM (Crookwell water supply)	CROOKWELL
ROSSI WEIR	GOULBURN
SHEBA DAMS	NUNDLE
TALBINGO DAM	TALBINGO
TANTANGARA DAM	ADAMINABY
TOD KILL PARK DAM	CROOKWELL
TOOMA DAM	KHANCOBAN
TUMUT PONDS	ADAMINABY
TUMUT 2 PONDAGE	KHANCOBAN

Waters	Nearest town
THREE MILE DAM	KIANDRA
WENTWORTH FALLS LAKE	WENTWORTH FALLS

Other Government Notices

ASSOCIATIONS INCORPORATION ACT 2009

Cancellation of Registration pursuant to Section 76

TAKE NOTICE that the registration of the following associations is cancelled by this notice pursuant to section 76 of the *Associations Incorporation Act 2009*.

AUSTRALIA CHINESE CULTURAL & ART ASSOCIATION INCORPORATED	INC9880429
ESSIE WOMEN'S REFUGE INCORPORATED	Y1739604
INDONESIAN MOSLEM NURSES ASSOCIATION INCORPORATED	INC9897762
LAKE MACQUARIE FLOTILLA OF LIGHTS INCORPORATED	INC9894551
MINMI PROGRESS ASSOCIATION INCORPORATED	Y3054340
MORISSET PARK AND DISTRICT ACTION GROUP INCORPORATED	INC9888102
OBERON BUSINESS ASSOCIATION INCORPORATED	Y2099217
OBERON PLATEAU TOURISM ASSOCIATION INCORPORATED	Y1557906
SOLUTIONS TO OBESITY PROBLEMS INCORPORATED	INC9890046
SPORTS TAEKWONDO NEW SOUTH WALES INCORPORATED	INC9897321
WANGI ARCADIA VALE NETBALL CLUB INCORPORATED	Y2720335

Cancellation is effective as at the date of gazettal.

Dated this 1st day of May 2019.

Diane Duggan
 Delegate of the Commissioner
 NSW Fair Trading

(n2019-1063)

CO-OPERATIVES NATIONAL LAW (NSW)

Section 601AA(4) of the Corporations Act 2001 as applied by
 section 453 of the Co-operatives National Law (NSW)

NOTICE OF PROPOSED DEREGISTRATION – Voluntary

CO-OPERATIVE DETAILS

Co-operative: Community Care and Transport Co-operative Limited

Co-operative Number: NSWC031909

NOTICE

The Registrar has received an application to deregister the Co-operative under section 601AA of the *Corporations Act 2001* as applied by section 453 of the *Co-Operatives National Law (NSW)*

The Registrar may deregister the Co-operative when two months have passed since publication of this Notice in the NSW Government Gazette

Dated this 26th day of April 2019 at Bathurst.

Christine Gowland
 Director, Registry Services
 DELEGATE OF THE REGISTRAR OF CO-OPERATIVES

(n2019-1064)

GEOGRAPHICAL NAMES ACT 1966

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

Johns Cutting for a cutting on Missabotti Road approximately 3.25 kms from the intersection of Missabotti Road and Bellingen Road in the locality of Missabotti.

The position and extent for this feature is recorded and shown within the Geographical Names Register of New South Wales. The proposal can be viewed and submissions lodged on the Geographical Names Board website at www.gnb.nsw.gov.au from 2 May to 2 June 2019. Alternatively, email submissions may be lodged with the Secretary, Geographical Names Board, at ss-gnb@finance.nsw.gov.au or written submissions mailed to 346 Panorama Ave, Bathurst, NSW 2795.

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

NARELLE UNDERWOOD
Chair
Geographical Names Board
PO Box 143
BATHURST NSW 2795

(n2019-1065)

GEOGRAPHICAL NAMES ACT 1966

Notice of proposal to amend locality boundaries
in the Nambucca Shire Local Government Area

PURSUANT to the provisions of Section 8 of the *Geographical Names Act 1966*, the Geographical Names Board hereby notifies that it proposes to amend the locality boundary between Missabotti and Spicketts Creek as shown on map GNB 3791-1-A.

A copy of map GNB 3791-1-A showing the proposed amendment will be on display from 2 May to 2 June 2019 at:

- Nambucca Shire Council Administration Building, 44 Princess Street, Macksville
- Office of the Geographical Names Board, Spatial Services, 346 Panorama Avenue, Bathurst

Details of this proposal may be viewed and submissions lodged on the Geographical Names Board website at www.gnb.nsw.gov.au during the above dates. Alternatively email submissions may be lodged with the Secretary, Geographical Names Board at ss-gnb@finance.nsw.gov.au or written submissions to 346 Panorama Avenue, Bathurst NSW 2795.

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

NARELLE UNDERWOOD
Chair
Geographical Names Board
PO Box 143
BATHURST NSW 2795

(n2019-1066)

POISONS AND THERAPEUTIC GOODS REGULATION 2008

ORDER

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 **Mr Shann Renn Chain (PHA0000995146)** of Goulburn NSW 2580 prohibiting him, until further notice, as a pharmacist, from supplying or having possession of, or manufacturing any preparation, admixture or extract of a drug of addiction as authorised by Clauses 101(1) and 102 of the Regulation.

This Order is to take effect on and from 2 May 2019.

Dated at Sydney, 29 April 2019

Elizabeth Koff
Secretary, NSW Health

(n2019-1067)

COUNCIL NOTICES

BALLINA SHIRE COUNCIL

ROADS ACT 1993

Naming of Roads

Notice is hereby given that Ballina Shire Council, pursuant to section 162 of the *Roads Act 1993*, has officially named the road(s) as shown hereunder:

Name	Locality
EGRET LANE	Pimlico
Description	
Cane lane previously known as Whytes Lane East. Egret Lane starts at Pimlico Road intersection with Signata Road (previous known as central section of Whytes Lane), and ends at intersection with Perrys Lane, Pimlico.	

PAUL HICKEY, General Manager, Ballina Shire Council, PO Box 450, BALLINA NSW 2478

GNB Ref: 0063

(n2019-1068)

BROKEN HILL CITY COUNCIL

ROADS ACT 1993

Naming of Roads

Notice is hereby given that Broken Hill City Council, pursuant to section 162 of the *Roads Act 1993*, has officially named the road(s) as shown hereunder:

Name	Locality
PRO HART WAY	Broken Hill
Description	
It is proposed to rename Airport Road to Pro Hart Way. The road is a straight stretch of road located between lon:141.466709/lat:31.988805 to lon:141.472342/lat:31.994474. The road is approximately 0.83 kms in length.	

JAMES RONCON, General Manager, Broken Hill City Council, 240 Blende Street, BROKEN HILL NSW 2880

GNB Ref: 0065

(n2019-1069)

CLARENCE VALLEY COUNCIL

Roads Act 1993

Notification of Road Closure

Notice is hereby given, under the provisions of the *Roads Act 1993* that the road as set out in the Schedule below is closed and the lands comprised therein cease to be a 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, will vest in Clarence Valley Council and is classified as operational land for the purposes of the *Local Government Act 1993*.

Dated at Grafton this 30th day of April 2019.

Ashley Lindsay
General Manager
Clarence Valley Council

Schedule

Lot 1 DP 1252414 Parish of Taloumbi, County of Clarence.

(n2019-1070)

EUROBODALLA SHIRE COUNCIL

Roads Act 1993, Section 10
Dedication of Land as Public Road
(Ref No. 15.9282.E)

NOTICE is hereby given that pursuant to Section 10 of the *Roads Act 1993*, Eurobodalla Shire Council hereby dedicates the land described in the Schedule below as public road.

Schedule

Lot 7 DP 1215462 Parish of Narooma County of Dampier
Lot 8 DP 1215462 Parish of Narooma County of Dampier
Lot 9 DP 1215462 Parish of Narooma County of Dampier
Dr Catherine Dale
General Manager
Eurobodalla Shire Council
PO Box 99, Moruya NSW 2537

(n2019-1071)

KEMPSEY SHIRE COUNCIL

ROADS ACT 1993
Naming of Roads

Notice is hereby given that Kempsey Shire Council, pursuant to section 162 of the *Roads Act 1993*, has officially named the road(s) as shown hereunder:

Name	Locality
THORA CLOSE	Dondingalong
Description	
North off Seam Mill Place (nominated as Road 1 on approved subdivision plan T6-02-710)	

CRAIG MILBURN, General Manager, Kempsey Shire Council, 22 Tozer Street, WEST KEMPSEY NSW 2440

GNB Ref: 0061

(n2019-1072)

KYOGLE COUNCIL

ROADS ACT 1993

Notification of Closing of a Road
ERRATUM

In the notice published in NSW Government Gazette No 38 of 26 April 2019_Council Notices (n2019-1035), the words "Road Closed Lot 1 through DP 803944 as shaded in plan" are replaced with "Road Closed through DP 803944 as shaded in plan"

(n2019-1073)

LAKE MACQUARIE CITY COUNCIL

ROADS ACT 1993

Naming of Roads

Notice is hereby given that Lake Macquarie City Council, pursuant to section 162 of the *Roads Act 1993*, has officially named the road(s) as shown hereunder:

Name	Locality
SOREINA DRIVE	Wyee
Description	
Rename proposed road name, Coast Central Drive, approved by Government Gazette 20 May 2016 folio 1144, in a subdivision of Lots 172 & 173 DP 1212974, Lot 16 DP 870597, Lot 215 DP 860081, Lot 210 DP 846801 Hue Hue Road WYEE and Lot 212 DP 866437 Bushells Ridge Road WYEE	

MORVEN CAMERON, Chief Executive Officer, Lake Macquarie City Council, PO Box 1906, WARABROOK NSW 2310

GNB Ref: 0062

(n2019-1074)

SHELLHARBOUR CITY COUNCIL

ROADS ACT 1993

Naming of Roads

Notice is hereby given that Shellharbour City Council, pursuant to section 162 of the *Roads Act 1993*, has officially named the road(s) as shown hereunder:

Name	Locality
SEAFARING WAY	Shell Cove
Description	
commences at Brigantine Drive through to Boollwarroo Parade	

Name	Locality
NAVAL LANE	Shell Cove
Description	
commences at Brigantine Drive through to Seafaring Way	

Name	Locality
NAUTICA CRESCENT	Shell Cove
Description	
commences and ends at Brigantine Drive	

Name	Locality
MAINSAIL AVENUE	Shell Cove
Description	
commences and ends at Nautica Crescent	

Name	Locality
KELP LANE	Shell Cove
Description	
commences at Brigantine Drive through to Seafaring Way	

Name	Locality
CATAMARAN AVENUE	Shell Cove
Description	
commences at Brigantine Drive through to Seafaring Way	

CAREY MCINTYRE, General Manager, Shellharbour City Council, Locked Bag 155, SHELLHARBOUR CITY CENTRE NSW 2529

SHOALHAVEN CITY COUNCIL

ROADS ACT 1993

Naming of Roads

Notice is hereby given that Shoalhaven City Council, pursuant to section 162 of the *Roads Act 1993*, has officially named the road(s) as shown hereunder:

Name	Locality
BROOKWATER CRESCENT	Mollymook Beach
Description	
New loop road created within the subdivision of Lot 4 DP 220678, off the extension of Bishop Drive (northern section off Matron Porter Drive/Garside Road).	

Name	Locality
MOONAH AVENUE	Mollymook Beach
Description	
New road created within the subdivision of Lot 4 DP 220678, running between new loop road Brookwater Crescent.	

Name	Locality
BISHOP DRIVE	Mollymook Beach
Description	
Extension of existing road Bishop Drive (northern section off Matron Porter Drive/Garside Road)	

STEPHEN DUNSHEA, Acting General Manager, Shoalhaven City Council, PO Box 42, NOWRA NSW 2541

GNB Ref: 0060

(n2019-1076)

PRIVATE NOTICES

PROBATE AND ADMINISTRATION ACT 1898 SECTION 92 AND TRUSTEE ACT 1925 SECTION 60.

NOTICE OF INTENDED DISTRIBUTION. ESTATE OF ROSE KELLY ALSO KNOWN AS ROSALIE KELLY.

Any person having any claim upon the estate of ROSE KELLY ALSO KNOWN AS ROSALIE KELLY late of Umina Beach who died on 4 March 2019, must send particulars of the claim to the legal representative for the estate and trustee Linda Beryl Oxley care of Cleary Solicitors, 9 Broken Bay Road, Ettalong Beach, [DX 8809 Woy Woy], within 31 days from publication of this notice. After that time and after 6 months from the date of death of the deceased the legal representative intends to distribute the property in the estate having regard only to the claims of which the legal representative had notice at the time of distribution.

(n2019-1077)