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LEGISLATION

Proclamations



New South Wales

Proclamation

under the

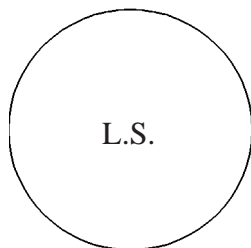
Home Building Amendment Act 2004 No 101

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Home Building Amendment Act 2004*, do, by this my Proclamation, appoint 1 September 2006 as the day on which the uncommenced provisions of that Act commence.

Signed and sealed at Sydney, this 23rd day of August 2006.

By Her Excellency's Command,



L.S.

DIANE BEAMER, M.P.,
Minister for Fair Trading

GOD SAVE THE QUEEN!

Explanatory note

The object of this Proclamation is to commence the uncommenced provisions of the *Home Building Amendment Act 2004*. The provisions concerned amend the *Home Building Act 1989* and the *Fair Trading Act 1987* and relate to the Home Building Advisory Council.

Regulations



New South Wales

Fitness Services (Pre-paid Fees) Regulation 2006

under the

Fitness Services (Pre-paid Fees) Act 2000

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Fitness Services (Pre-paid Fees) Act 2000*.

DIANE BEAMER, M.P.,
Minister for Fair Trading

Explanatory note

This Regulation remakes, with some recasting but only minor changes of substance (including the omission of superseded matter), the *Fitness Services (Pre-paid Fees) Regulation 2001*, which is repealed on 1 September 2006 by section 10 (2) of the *Subordinate Legislation Act 1989*.

This Regulation prescribes the following:

- (a) additional requirements relating to the administration of trust accounts under section 11 of the *Fitness Services (Pre-paid Fees) Act 2000 (the Act)*,
- (b) the offences under the Act that are offences in respect of which penalty notices may be issued,
- (c) the penalties for those offences when dealt with by way of a penalty notice,
- (d) the classes of physiotherapists and occupational therapists that are classes of suppliers of fitness services to which the Act does not apply.

This Regulation is made under the *Fitness Services (Pre-paid Fees) Act 2000*, including sections 5 (d), 11, 16 and 18 (the general regulation-making power).

Fitness Services (Pre-paid Fees) Regulation 2006

Contents

	Page
Part 1 Preliminary	
1 Name of Regulation	3
2 Commencement	3
3 Definitions	3
Part 2 Administration of trust accounts	
Division 1 General	
4 Application of Part	4
Division 2 Provisions relating to keeping of trust accounts and records	
5 Banking trust account money	4
6 Records to be kept by trustee suppliers	4
7 Computer records	5
8 Issue of receipts	6
9 Payment of trust money	6
10 Cash book record of trust account transactions	7
11 Trust account ledger	8
12 Trust account ledger trial balance	9
13 Signing of trust account cheques	9
14 Period that trust records must be kept	10
Part 3 Miscellaneous	
15 Penalty notice offences	11
16 Classes of suppliers to which Act does not apply	11
17 Saving	11
Schedule 1 Penalty notice offences	12

Fitness Services (Pre-paid Fees) Regulation 2006

Clause 1

Preliminary

Part 1

Fitness Services (Pre-paid Fees) Regulation 2006

under the

Fitness Services (Pre-paid Fees) Act 2000

Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Fitness Services (Pre-paid Fees) Regulation 2006*.

2 Commencement

This Regulation commences on 1 September 2006.

Note. This Regulation replaces the *Fitness Services (Pre-paid Fees) Regulation 2001* which is repealed on 1 September 2006 by section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definitions

(1) In this Regulation:

cash book of a trustee supplier means the written record required to be kept under clause 6 (1) (c).

the Act means the *Fitness Services (Pre-paid Fees) Act 2000*.

trust account of a trustee supplier means a general trust account of the kind referred to in section 11 (2) of the Act.

trust money means money received by a trustee supplier as a pre-paid fee for a fitness service that the supplier is required to hold exclusively for the consumer of the service under section 11 (1) of the Act.

trust record means a record required to be kept under Part 2.

trustee supplier—see clause 4.

(2) Notes included in this Regulation do not form part of this Regulation.

Clause 4 Fitness Services (Pre-paid Fees) Regulation 2006

Part 2 Administration of trust accounts

Part 2 Administration of trust accounts

Division 1 General

4 Application of Part

This Part applies to a supplier of a fitness service (a *trustee supplier*) to whom section 11 (1) of the Act applies.

Note. Section 11 (1) of the Act provides that if a supplier receives money for any pre-paid fee for any fitness service to be provided under a fitness service agreement at, or in connection with, a fitness centre, the supplier must:

- (a) hold the money exclusively for the consumer of the service until the supplier commences to provide the agreed service, and
- (b) ensure that the requirements of section 11 and the regulations under that section are complied with in relation to the money.

Section 11 (7) of the Act makes it an offence for a supplier of a fitness service to contravene a provision of section 11 or the regulations under that section.

Division 2 Provisions relating to keeping of trust accounts and records

5 Banking trust account money

A trustee supplier who receives trust money must pay it into the supplier's trust account within 3 banking days after its receipt.

Note. Section 11 (2) of the Act requires a trustee supplier to pay trust money to the credit of a general trust account at a branch of an authorised deposit-taking institution in New South Wales.

6 Records to be kept by trustee suppliers

- (1) Every trustee supplier must keep the following records:
 - (a) a trust receipt book containing the duplicates of all receipts issued for all amounts received and required to be paid into the supplier's trust account (the duplicates being machine-numbered consecutively to correspond with the machine-numbered receipts),
 - (b) a deposit book of an authorised deposit-taking institution showing all deposits made by the trustee supplier into the trust account or some other written or electronic record showing those deposits,
 - (c) a trust account cash book or some other written or electronic record of all receipts of amounts required to be paid into, and of all payments made from, the trust account.

Fitness Services (Pre-paid Fees) Regulation 2006

Clause 7

Administration of trust accounts

Part 2

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- (2) However, despite subclause (1) (a), a trustee supplier is not required to keep duplicates of receipts in a trust receipt book if the particulars entered on the receipts when they were prepared were entered simultaneously in the cash book and the supplier keeps a printed record in that cash book containing those particulars recorded sequentially to correspond with the receipts issued.

7 Computer records

- (1) A trustee supplier who maintains trust records by means of a computer system must comply with this clause.
- (2) The trustee supplier must maintain a record, compiled in chronological sequence, of all changes (by creation, amendment or deletion) to any of the following information, showing the details of the information before and after the change:
- (a) the name of a consumer of the fitness service concerned,
 - (b) a consumer's address,
 - (c) the account number for the trust account of the fitness service at the relevant authorised deposit-taking institution.
- (3) The trustee supplier must ensure that computer programs relating to ledgers:
- (a) are not capable of accepting the entry of a transaction resulting in a debit balance to an account unless a contemporaneous record of the transaction is made in such a manner as to enable the production in viewable form of a separate chronological report of all such occurrences, and
 - (b) are not capable of amending the particulars of a transaction already recorded otherwise than by a separate transaction effecting the amendment, and
 - (c) are not capable of deleting an account unless:
 - (i) the balance of the account is zero, and
 - (ii) when the account is deleted, a record of the account will be retained in viewable form.
- (4) The trustee supplier must also ensure the following:
- (a) that each computer program requires input in each field of a data entry screen intended to receive information that this Regulation requires to be included in trust records,
 - (b) that entries in the ledger of a journal balance before further entries are made,
 - (c) that journal reference numbers are allocated in sequence by the computer program,

Clause 8 Fitness Services (Pre-paid Fees) Regulation 2006

Part 2 Administration of trust accounts

- (d) that entries in a record retained in viewable form appear in chronological sequence,
 - (e) that a report, or each page of or entry in a report, is numbered in sequence by the computer program in a manner that enables easy verification of the completeness of the records that this Regulation requires to be kept,
 - (f) that a back-up copy of all records that this Regulation requires to be kept that are kept by means of a computer system is made on a computer disk or magnetic tape, or by other electronic means, at least once in every four weeks,
 - (g) that the most recent back-up copy is kept in such a place that any incident (such as a power or disk failure) that could adversely affect the records would not also affect the back-up copy.
- (5) In this clause, **viewable form**, in relation to a report or record, means a form that enables the production of the report or record, on demand, in a permanent legible form in the English language.

8 Issue of receipts

- (1) A trustee supplier must cause a receipt to be prepared immediately after the supplier receives trust money for or on behalf of any consumer.
- (2) The following particulars must be shown on each receipt:
 - (a) the date of issue,
 - (b) the number of the receipt in numerical sequence,
 - (c) the name of the trustee supplier and the words "Trust Account",
 - (d) the name of the consumer,
 - (e) particulars of the transaction in respect of which the money was paid,
 - (f) the amount of money received and the extent to which it was paid in cash or by cheque, by electronic funds transfer or otherwise.
- (3) A copy of the particulars shown on the receipt must be made simultaneously:
 - (a) on the machine-numbered duplicate form provided in the trust receipt book (if the receipt is issued from that book), or
 - (b) in the cash book (if the receipt is issued otherwise than from the trust receipt book).

9 Payment of trust money

- (1) Trust money must not be drawn from a trustee supplier's trust account otherwise than by a cheque or an electronic funds transfer.

Fitness Services (Pre-paid Fees) Regulation 2006

Clause 10

Administration of trust accounts

Part 2

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- (2) Each cheque must:
- (a) be machine-numbered in series, and
 - (b) be marked “not negotiable”, and
 - (c) not be payable to cash, and
 - (d) contain the name of the trustee supplier or (if appropriate) of the trustee supplier’s firm and the words “Trust Account”, and
 - (e) be signed by the trustee supplier or another person authorised by or under clause 13 to sign the cheque.
- (3) The trustee supplier must ensure that a record of the following is kept in relation to each cheque:
- (a) the date of issue, the payee and the amount of the cheque,
 - (b) details identifying the ledger account to be debited and the name of the person on whose behalf the cheque was drawn,
 - (c) sufficient particulars to identify the cheque and the reason for drawing it.
- (4) The trustee supplier must ensure that a record of the following is kept in relation to each electronic funds transfer:
- (a) the date of the transfer, the payee and the amount transferred to or from each ledger account,
 - (b) details identifying the ledger accounts to be debited and the name and code reference number of each consumer on whose behalf the transfer was made,
 - (c) sufficient particulars to identify the transfer and the reason for it.

10 Cash book record of trust account transactions

- (1) The pages of the cash book must be consecutively numbered.
- (2) The cash book must show the following:
 - (a) the consecutive numbers of the receipts issued,
 - (b) the consecutive numbers of the cheques drawn,
 - (c) a chronological list of electronic funds transfer payments made.
- (3) The particulars of payments of money into and out of a trustee supplier’s trust account that are required by this clause must be entered in the cash book as soon as is practicable after the receipt or payment of the money concerned.
- (4) When money required to be paid into the trust account is received, the trustee supplier must enter the following particulars in the cash book:
 - (a) the date of receipt and the receipt number,

Clause 11 Fitness Services (Pre-paid Fees) Regulation 2006

Part 2 Administration of trust accounts

- (b) the amount of money received and the form in which it was received,
 - (c) the name or code reference of the consumer on whose behalf the money was received,
 - (d) details identifying the ledger account to be credited,
 - (e) sufficient particulars to identify the purpose for which the money was received.
- (5) When money is paid out of the trust account, the trustee supplier must enter the following particulars in the cash book:
- (a) the date of issue of the cheque, the cheque number, the amount of the cheque and the payee or (as the case may require) the date of the electronic funds transfer payment, the amount transferred and the payee,
 - (b) details identifying the ledger account to be debited and the name of the consumer on whose behalf the cheque was drawn or the electronic funds transfer payment was made,
 - (c) particulars sufficient to identify the purpose for which the cheque was drawn or the electronic funds transfer payment was made.
- (6) At the end of each month, the trustee supplier must:
- (a) balance the cash book and either:
 - (i) carry forward the balance to the commencement of the next month, or
 - (ii) carry forward the balance to a ledger account provided for the purpose, and
 - (b) prepare a statement reconciling the balance of the trust account at an authorised deposit-taking institution with the balance of the cash book.

11 Trust account ledger

- (1) A trustee supplier must maintain a separate ledger account for trust money received from or paid to each consumer of the fitness service concerned.
- (2) The ledger account must include the name of the consumer, a reference number or other identification and particulars of each transaction.
- (3) Those particulars must include the following:
 - (a) the date of the transaction,
 - (b) a description of the transaction,
 - (c) particulars sufficient to identify the trust record originating the transaction,

Fitness Services (Pre-paid Fees) Regulation 2006

Clause 12

Administration of trust accounts

Part 2

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- (d) the amount of the transaction,
 - (e) the balance of the account after the transaction.

12 Trust account ledger trial balance

- (1) A trustee supplier must, within 21 days after the end of each month, prepare a trial balance statement of all ledger accounts current as at the end of that month.
- (2) The trial balance statement must:
 - (a) specify the month to which it refers and the date of its preparation, and
 - (b) list each ledger account that does not have a zero balance at the end of that month by stating the name of the consumer, the reference number or other identification and the balance of the account at the end of the month, and
 - (c) show the total of the ledger account balances at the end of that month, and
 - (d) show a comparison between that total and the balance in the cash book reconciled with the balance in the trust account at an authorised deposit-taking institution as required by clause 10 (6) (b).

13 Signing of trust account cheques

- (1) The following persons are authorised to sign a cheque drawn on a trust account (a *trust cheque*):
 - (a) if the trustee supplier is a corporation—a director of the corporation,
 - (b) if the trustee supplier is a sole proprietor—the sole proprietor,
 - (c) if the trustee supplier is a partnership—a partner of the partnership.
- (2) A person who has authority to sign trust cheques otherwise than as a delegate may delegate the authority to sign those cheques to any other person or persons.
- (3) The delegation must be in writing and signed by the delegator and the delegate and may be revoked by the delegator by giving written notice of revocation to the delegate.
- (4) This clause does not affect any other prohibition or restriction on the signing of cheques made by the constitution or the terms of the partnership agreement of any corporation or partnership concerned.

Clause 14 Fitness Services (Pre-paid Fees) Regulation 2006

Part 2 Administration of trust accounts

- (5) A person who has authority to sign a trust cheque must not purport to delegate his or her authority to sign the cheque otherwise than in accordance with this clause.
- (6) A person must not sign a trust cheque purporting to do so as the delegate of the trustee supplier if that person is not authorised to do so in accordance with this clause.
- Maximum penalty (subclause (6)): 20 penalty units.

14 Period that trust records must be kept

- (1) A trustee supplier must keep trust records for a period of 3 years after the date of creation of the record concerned.
- Note.** Section 11 (5) (b) of the Act requires a trustee supplier to keep accounting records at the supplier's principal place of business in New South Wales.
- (2) In the case of a record kept by means of a computer system, it is taken to be evidence of compliance with subclause (1) if the trustee supplier makes either of the following available to an investigator at each request of the investigator that is made within the relevant period:
- (a) a computer terminal by means of which the investigator can view the information contained in the record,
- (b) a computer print-out of the information contained in the record.

Note. The term *investigator* is defined by section 3 (1) of the Act to have the same meaning as that term has in the *Fair Trading Act 1987*. Section 13 (1) of the *Fitness Services (Pre-paid Fees) Act 2000* makes it clear that the investigation powers conferred on such investigators by Division 3 of Part 2 of the *Fair Trading Act 1987* extend to the administration of the *Fitness Services (Pre-paid Fees) Act 2000* and the regulations made under that Act. Also, section 12 of the *Fitness Services (Pre-paid Fees) Act 2000* authorises such an investigator to obtain search warrants from an authorised officer if the investigator has reasonable grounds for believing that a provision of that Act or the regulations has been, is being or is about to be contravened in or about any premises.

Fitness Services (Pre-paid Fees) Regulation 2006

Clause 15

Miscellaneous

Part 3

Part 3 Miscellaneous

15 Penalty notice offences

- (1) For the purposes of section 16 of the Act:
 - (a) each offence created by a provision specified in Column 1 of Schedule 1 is a prescribed offence, and
 - (b) the prescribed penalty for such an offence is the amount specified in Column 2 of Schedule 1.
- (2) If the reference to a provision in Column 1 of Schedule 1 is qualified by words that restrict its operation to specified kinds of offences or to offences committed in specified circumstances, an offence created by the provision is a prescribed offence only if it is an offence of a kind so specified or is committed in the circumstances so specified.

16 Classes of suppliers to which Act does not apply

For the purposes of section 5 (d) of the Act, the following classes of supplier of fitness services are prescribed:

- (a) a registered physiotherapist while providing a fitness service in the course of his or her practice as a physiotherapist,
- (b) an occupational therapist accredited by the Australian Association of Occupational Therapists—New South Wales while providing a fitness service in the course of his or her practice as an occupational therapist.

17 Saving

Any act, matter or thing that had effect under the *Fitness Services (Pre-paid Fees) Regulation 2001* immediately before the repeal of that Regulation is taken to have effect under this Regulation.

Fitness Services (Pre-paid Fees) Regulation 2006

Schedule 1 Penalty notice offences

Schedule 1 Penalty notice offences

(Clause 15)

Offences under the Act

Column 1	Column 2
Offence	Penalty
Section 10 (2)	\$1,100
Section 11 (7)	\$440



New South Wales

Protection of the Environment Operations Legislation Amendment (Control of Burning) Regulation 2006

under the

Protection of the Environment Operations Act 1997

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Protection of the Environment Operations Act 1997*.

BOB DEBUS, M.P.,
Minister for the Environment

Explanatory note

The object of this Regulation is to incorporate in the *Protection of the Environment Operations (Clean Air) Regulation 2002* such provisions of the *Protection of the Environment Operations (Control of Burning) Regulation 2000* as are not spent and are required to be retained. The latter Regulation is repealed on 1 September 2006 by section 10 (2) of the *Subordinate Legislation Act 1989*.

This Regulation is concerned with the control of burning generally. It also makes particular provision for the control of burning in specified local government areas, and makes minor consequential amendments to the *Protection of the Environment Operations (Clean Air) Regulation 2002*.

This Regulation also makes a consequential amendment to the *Protection of the Environment Operations (General) Regulation 1998* and consequential amendments to the *Protection of the Environment Operations (Penalty Notices) Regulation 2004*.

This Regulation is made under the *Protection of the Environment Operations Act 1997*, including sections 222 (Penalty notice offences) and 286 (Exemptions by regulation) and section 323 and Schedule 2 (the general regulation-making powers).

Clause 1 Protection of the Environment Operations Legislation Amendment (Control of Burning) Regulation 2006

Protection of the Environment Operations Legislation Amendment (Control of Burning) Regulation 2006

under the

Protection of the Environment Operations Act 1997

1 Name of Regulation

This Regulation is the *Protection of the Environment Operations Legislation Amendment (Control of Burning) Regulation 2006*.

2 Commencement

This Regulation commences on 1 September 2006.

3 Amendment of Protection of the Environment Operations (Clean Air) Regulation 2002

The *Protection of the Environment Operations (Clean Air) Regulation 2002* is amended as set out in Schedule 1.

4 Amendment of Protection of the Environment Operations (General) Regulation 1998

The *Protection of the Environment Operations (General) Regulation 1998* is amended as set out in Schedule 2.

5 Amendment of Protection of the Environment Operations (Penalty Notices) Regulation 2004

The *Protection of the Environment Operations (Penalty Notices) Regulation 2004* is amended as set out in Schedule 3.

Protection of the Environment Operations Legislation Amendment (Control of Burning) Regulation 2006

Amendment of Protection of the Environment Operations (Clean Air) Regulation 2002

Schedule 1

Schedule 1 Amendment of Protection of the Environment Operations (Clean Air) Regulation 2002

(Clause 3)

[1] Part 2A

Insert after clause 6:

Part 2A Control of burning

Division 1 Preliminary

6A Definitions

In this Part:

approval means an approval in force under clause 6G.

domestic waste means waste (other than vegetation) that is of a kind and quantity ordinarily generated on domestic premises.

domestic waste management services has the same meaning as in the *Local Government Act 1993*.

Note. **domestic waste management services**, as defined in the *Local Government Act 1993*, means services comprising the periodic collection of domestic waste from individual parcels of rateable land and services that are associated with those services.

6B Application of Part

This Part does not apply to or in respect of the following:

- (a) the carrying out of bush fire hazard reduction work under the *Rural Fires Act 1997*,
- (b) the destruction, by means of burning, of any prohibited plant or prohibited drug under the *Drug Misuse and Trafficking Act 1985*,
- (c) the destruction, by means of burning, of an animal that has died, or is reasonably suspected to have died, as the result of a disease proclaimed under the *Stock Diseases Act 1923* or an exotic disease within the meaning of the *Exotic Diseases of Animals Act 1991*.

Note. In addition to section 133 of the Act (which allows the EPA to prohibit the burning of fires in the open or in incinerators) and the prohibitions imposed by this Part, other legislative controls exist in relation to the lighting of fires (for example, see the *Rural Fires Act 1997*, the *Native Vegetation Act 2003* and the *Threatened Species Conservation Act 1995*).

Protection of the Environment Operations Legislation Amendment (Control of Burning) Regulation 2006

Schedule 1 Amendment of Protection of the Environment Operations (Clean Air) Regulation 2002

Division 2 Control of burning generally

6C General obligation to prevent or minimise air pollution

- (1) A person who burns anything in the open or in an incinerator must do so by such practicable means as are necessary to prevent or minimise air pollution.

Maximum penalty: 100 penalty units in the case of a corporation, 50 penalty units in the case of an individual.

- (2) Without limiting subclause (1), the means of preventing or minimising air pollution may include the following:
- (a) taking into account the potential for smoke impacting on any person having regard to:
 - (i) wind direction, and
 - (ii) weather conditions, and
 - (iii) the length of time that the material being burnt is likely to burn,
 - (b) taking reasonable measures to ensure that the material being burnt is not wet,
 - (c) burning only material that is suitable for disposal by burning, having regard to possible effects on human health and the environment.

6D Prohibition on burning certain articles

- (1) A person must not burn a prohibited article:
- (a) in the open, or
 - (b) in an incinerator that is not authorised or controlled by a licence under the Act.

Maximum penalty: 100 penalty units in the case of a corporation, 50 penalty units in the case of an individual.

- (2) It is not an offence under this clause to burn a tyre for the purposes of the giving of instruction in methods of fire fighting by an officer or member of a fire fighting authority, or by a fire control officer within the meaning of the *Rural Fires Act 1997*, when acting in his or her official capacity.
- (3) The EPA may, by written notice given to a public authority, exempt the public authority from the operation of subclause (1).
- (4) The EPA may grant such an exemption only in relation to the burning of prohibited articles in the course of any of the following activities:

Protection of the Environment Operations Legislation Amendment (Control of Burning) Regulation 2006

Amendment of Protection of the Environment Operations (Clean Air) Regulation 2002

Schedule 1

-
- (a) research to improve safety in relation to the flammability of materials and smoke reduction (including the development of testing procedures),
 - (b) training of fire-fighters,
 - (c) rating of the effectiveness of fire extinguishers and fire suppression systems,
 - (d) testing undertaken to certify that manufactured or imported products comply with Australian Standards or International Standards or meet any legislative requirements placed on them.
- (5) An exemption referred to in subclause (3):
- (a) is subject to any conditions that may be specified in the written notice by which it is granted, and
 - (b) may be amended or revoked by means of a further written notice given to the public authority, and
 - (c) unless sooner revoked by the EPA, remains in force:
 - (i) for a period of 12 months from the date it is granted, or
 - (ii) for such other period as is specified in the written notice by which it is granted, and
 - (d) extends to apply to any person acting at the direction of the public authority to which it is granted.
- (6) In this clause, *prohibited article* means any of the following:
- (a) tyres,
 - (b) coated wire,
 - (c) paint containers and residues,
 - (d) solvent containers and residues,
 - (e) timber treated with copper chromium arsenate (CCA) or pentachlorophenol (PCP).

Division 3 Control of burning in local government areas

6E Offences

- (1) A person must not burn anything:
 - (a) in the open, or

Protection of the Environment Operations Legislation Amendment (Control of Burning) Regulation 2006

Schedule 1 Amendment of Protection of the Environment Operations (Clean Air) Regulation 2002

- (b) in an incinerator,
in a local government area specified in Part 1 of Schedule 8 except in accordance with an approval.
Maximum penalty: 100 penalty units in the case of a corporation, 50 penalty units in the case of an individual.
- (2) A person must not burn any vegetation:
- (a) in the open, or
(b) in an incinerator,
in a local government area specified in Part 2 of Schedule 8 except in accordance with an approval.
Maximum penalty: 100 penalty units in the case of a corporation, 50 penalty units in the case of an individual.
- (3) A person must not burn anything (other than vegetation):
- (a) in the open, or
(b) in an incinerator,
in a local government area specified in Part 3 of Schedule 8 except in accordance with an approval.
Maximum penalty: 100 penalty units in the case of a corporation, 50 penalty units in the case of an individual.
- Note.** See clause 6F (4) which provides a specific exception to the offence under this subclause.

6F Exceptions

- (1) It is not an offence under clause 6E:
- (a) to cook or barbecue in the open, or to light, maintain or use a fire for recreational purposes such as camping, picnicking, scouting or other similar outdoor activities, so long as only dry seasoned wood, liquid petroleum gas (LPG), natural gas or proprietary barbecue fuel (including a small quantity of fire starter) is used, or
- (b) to burn vegetation, in the course of carrying on agricultural operations, on premises on which the vegetation grew, including:
- (i) the burning of vegetation for the purposes of clearing (other than for construction), or
- (ii) the burning of stubble, orchard prunings, diseased crops, weeds or pest animal habitats on farms, or
- (iii) the burning of pasture for regenerative purposes, or

Protection of the Environment Operations Legislation Amendment (Control of Burning) Regulation 2006

Amendment of Protection of the Environment Operations (Clean Air) Regulation 2002

Schedule 1

-
- (c) to burn anything for the purposes of the giving of instruction in methods of fire fighting by:
- (i) an officer or member of a fire fighting authority, or
 - (ii) a fire control officer within the meaning of the *Rural Fires Act 1997*, or
 - (iii) an industrial fire control officer, when acting in his or her official capacity.
- (2) It is not an offence under clause 6E:
- (a) to burn anything in an incinerator that is authorised or controlled by a licence under the Act, or
 - (b) to burn anything in an incinerator that:
 - (i) is equipped with a primary and secondary furnace, and
 - (ii) is designed, maintained and operated in a manner that ensures the maintenance of appropriate temperatures for the complete combustion of anything that the incinerator is designed to burn and prevents the escape of sparks or other burning material, and
 - (iii) is equipped with suitable equipment that is designed, maintained and operated for the purposes of controlling air impurities in the exhaust gas once the incineration process has been completed, and
 - (iv) is not installed in a residential building comprising home units, flats or apartments.
- (3) It is not an offence under clause 6E to burn air impurities by the process known as flaring if the flare is designed, maintained and operated so as to prevent or minimise air pollution.
Note. See clause 41 for an operating requirement for flares.
- (4) It is not an offence under clause 6E (3) to burn domestic waste on residential premises in a local government area specified in Part 3 of Schedule 8, being premises on which the waste was generated, if domestic waste management services are not available to those premises.

Protection of the Environment Operations Legislation Amendment (Control of Burning) Regulation 2006

Schedule 1 Amendment of Protection of the Environment Operations (Clean Air) Regulation 2002

6G Approval for certain fires or incinerators

Note. An approval may be granted so as to permit burning in circumstances where it would otherwise be prohibited under clause 6E. However, even though this Part may permit the burning of fires in the open or in an incinerator in accordance with an approval or because of the operation of clause 6F, burning may still be prohibited by an order of the EPA under section 133 of the Act or by an order under the *Rural Fires Act 1997*.

- (1) The EPA may grant an approval for the purposes of this Part:
 - (a) to any class of persons—by means of a notice published in the *Gazette*, or
 - (b) to any particular person—by means of a written notice given to the person (except in relation to an approval that would be granted to the person in accordance with subclause (2)).
- (2) The council of a local government area specified in Part 2 of Schedule 8 may grant an approval for the purposes of this Part in respect of the burning of dead and dry vegetation on the premises on which the vegetation grew in the local government area:
 - (a) to any class of persons—by means of a notice published in a local newspaper circulating in the local government area, or
 - (b) to any particular person—by means of a written notice given to the person.
- (3) Before granting an approval for the purposes of this Part, the EPA or local council concerned must take the following matters into consideration:
 - (a) the impact on regional air quality and amenity,
 - (b) the impact on local air quality and amenity,
 - (c) the feasibility of re-use, recycling or other alternative means of disposal,
 - (d) any opinions of the sector of the public likely to be affected by the proposed approval,
 - (e) in the case of an approval under subclause (2) (a)—any opinions of the EPA in relation to the proposed approval.
- (4) An approval:
 - (a) is subject to such conditions (if any) as are specified in the notice by which the approval is granted, and
 - (b) may be amended or revoked by means of a notice given or published in the same way as the original notice granting the approval was given or published, and

Protection of the Environment Operations Legislation Amendment (Control of Burning) Regulation 2006

Amendment of Protection of the Environment Operations (Clean Air) Regulation 2002

Schedule 1

- (c) remains in force for a period of 12 months (or such other period as is specified in, or implied by, the approval) from the date it is granted unless sooner revoked by the authority that granted it.

[2] Clause 46 Exemption from prescribed standards of concentration for the emission of smoke

Omit clause 46 (2) (b) and (c). Insert instead:

- (b) training of fire-fighters,
- (b1) rating of the effectiveness of fire extinguishers and fire suppression systems,
- (c) testing undertaken to certify that manufactured or imported products comply with Australian Standards or International Standards or meet any legislative requirements placed on them.

[3] Clause 46 (4) (d)

Insert at the end of clause 46 (4) (c) (ii):

, and

- (d) extends to apply to any person acting at the direction of the public authority to which it is granted.

[4] Clause 46 (5)

Omit the subclause.

[5] Clause 58

Insert after clause 57:

58 Savings relating to repealed Regulation

- (1) Any act, matter or thing that had effect under the *Protection of the Environment Operations (Control of Burning) Regulation 2000* immediately before the repeal of that Regulation is taken to have effect under this Regulation.
- (2) In particular, an approval granted by the EPA under clause 9 of that Regulation, being an approval that was in force immediately before the commencement of this clause:
 - (a) is taken to be an approval granted under Part 2A of this Regulation, and
 - (b) may be amended or revoked accordingly.

Protection of the Environment Operations Legislation Amendment (Control of Burning) Regulation 2006

Schedule 1 Amendment of Protection of the Environment Operations (Clean Air) Regulation 2002

[6] Schedule 8

Insert after Schedule 7:

Schedule 8 Local government areas in which burning is prohibited

(Clauses 6E, 6F (4) and 6G (2))

Part 1 Areas in which all burning (including burning of vegetation and domestic waste) is prohibited except with approval

Ashfield	Lake Macquarie City
Auburn	Lane Cove
Bankstown City	Leichhardt
Blacktown City	Liverpool City
Botany Bay City	Manly
Broken Hill City	Marrickville
Burwood	Mosman
Camden	Newcastle City
Campbelltown City	North Sydney
Canada Bay	Parramatta City
Canterbury City	Pittwater
Fairfield City	Queanbeyan City
Gosford City	Randwick City
Holroyd City	Rockdale City
Hunter's Hill	Ryde City
Hurstville City	Shellharbour City
Kogarah	Strathfield
Ku-ring-gai	Sutherland Shire
City of Sydney	Wollongong City
Warringah	Woollahra
Waverley	Wyong
Willoughby City	

Protection of the Environment Operations Legislation Amendment (Control of Burning) Regulation 2006

Amendment of Protection of the Environment Operations (Clean Air) Regulation 2002

Schedule 1

Part 2 Areas in which burning of vegetation is prohibited except with approval

City of Albury	Hornsby
Armidale Dumaresq	Kiama
Ballina	Leeton
Balranald	Lismore City
Bathurst Regional	City of Lithgow
Baulkham Hills	Liverpool Plains
Bellingen	Maitland City
Bland	Mid-Western Regional
Blue Mountains City	Muswellbrook
Boorowa	Nambucca
Bourke	Narrabri
Brewarrina	Narromine
Cessnock City	Orange City
Clarence Valley	Penrith City
Cobar	Port Macquarie-Hastings
Coffs Harbour City	Port Stephens
Cooma-Monaro Shire	Tamworth Regional
Coonamble	Tumut
Dubbo City	Uralla
Eurobodalla	Wagga Wagga City
Goulburn Mulwaree	Warren
Greater Taree City	Wellington
Gunnedah	Wentworth
Gwydir	Wingecarribee
Hawkesbury City	Wollondilly
Hay	

Protection of the Environment Operations Legislation Amendment (Control of Burning) Regulation 2006

Schedule 1 Amendment of Protection of the Environment Operations (Clean Air) Regulation 2002

Part 3 Areas in which all burning (other than burning of vegetation) is prohibited except with approval or in relation to certain domestic waste

City of Albury	Inverell
Armidale Dumaresq	Junee
Ballina	Kiama
Balranald	Kyogle
Bathurst Regional	Leeton
Baulkham Hills	Lismore City
Bland	City of Lithgow
Blue Mountains City	Maitland City
Boorowa	Mid-Western Regional
Bourke	Muswellbrook
Brewarrina	Narrabri
Cessnock City	Narromine
Clarence Valley	Oberon
Cobar	Orange City
Coffs Harbour City	Palerang
Cooma-Monaro Shire	Penrith City
Coonamble	Port Macquarie-Hastings
Cootamundra	Port Stephens
Dubbo City	Tamworth Regional
Eurobodalla	Temora
Glen Innes Severn	Tumut
Goulburn Mulwaree	Upper Hunter Shire
Greater Hume Shire	Urana
Greater Taree City	Wagga Wagga City
Gunnedah	Warren
Guyra	Wellington
Gwydir	Wentworth
Hawkesbury City	Wingecarribee
Hay	Wollondilly
Hornsby	

Protection of the Environment Operations Legislation Amendment (Control of Burning) Regulation 2006

Amendment of Protection of the Environment Operations (General) Regulation 1998

Schedule 2

Schedule 2 Amendment of Protection of the Environment Operations (General) Regulation 1998

(Clause 4)

Clause 63 Additional matters to be included in public register: sec 308

Omit clause 63 (1) (c) and (d). Insert instead:

- (c) any approval granted under clause 6G or 31 of the *Protection of the Environment Operations (Clean Air) Regulation 2002*,

	Protection of the Environment Operations Legislation Amendment (Control of Burning) Regulation 2006
Schedule 3	Amendment of Protection of the Environment Operations (Penalty Notices) Regulation 2004

Schedule 3 Amendment of Protection of the Environment Operations (Penalty Notices) Regulation 2004

(Clause 5)

[1] Schedule 1 Penalty notice offences

Insert in appropriate order in the matter relating to the *Protection of the Environment Operations (Clean Air) Regulation 2002* in Columns 1, 2, 3 and 4, respectively:

Clause 6C (1)	1, 2	\$500	\$1000
Clause 6D (1)	1, 2	\$500	\$1000
Clause 6E (1)	1, 2	\$500	\$1000
Clause 6E (2)	1, 2	\$500	\$1000
Clause 6E (3)	1, 2	\$500	\$1000

[2] Schedule 1, matter relating to Protection of the Environment Operations (Control of Burning) Regulation 2000

Omit the matter.

Rules



New South Wales

Local Courts (Criminal and Applications Procedure) Rule (Amendment No 1) 2006

under the

Local Courts Act 1982

The Local Court Rule Committee made the following rule of court under section 28A of the *Local Courts Act 1982* on 3 August 2006, and that rule has been approved by the Attorney General as referred to in subsection (2) of that section.

Stephen Olischlager
Secretary of the Rule Committee

Explanatory note

The objects of this Rule are:

- (a) to enable a court attendance notice or application notice to be served on a legal practitioner who is acting for the accused person to whom the notice relates, provided the legal practitioner consents to the service, and
- (b) to make it clear that the provision that prescribes the form of the endorsement to be given in relation to a witness statement under section 79 of the *Criminal Procedure Act 1986* (an endorsement to the effect that the witness is telling the truth) need not use the exact form of words suggested by that provision.

Clause 1 Local Courts (Criminal and Applications Procedure) Rule (Amendment
 No 1) 2006

Local Courts (Criminal and Applications Procedure) Rule (Amendment No 1) 2006

under the

Local Courts Act 1982

1 Name of Rule

This Rule is the *Local Courts (Criminal and Applications Procedure) Rule (Amendment No 1) 2006*.

2 Amendment of Local Courts (Criminal and Applications Procedure) Rule 2003

The *Local Courts (Criminal and Applications Procedure) Rule 2003* is amended as set out in Schedule 1.

Local Courts (Criminal and Applications Procedure) Rule (Amendment
No 1) 2006

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 2)

[1] Clause 6 Service of court attendance notices in committal proceedings

Insert after clause 6 (2):

- (2A) In the case of a court attendance notice concerning proceedings in relation to which the accused person is represented by a legal practitioner, service of the notice may also be effected:
- (a) by handing it to the legal practitioner, or
 - (b) by handing it to a person at the legal practitioner's usual place of business who is apparently of or above the age of 16 years, or
 - (c) by sending it by post or facsimile to the legal practitioner's business address, or
 - (d) by sending it by electronic mail to the legal practitioner's email address,

but only if the legal practitioner has agreed to accept service of the notice and only in accordance with a mode of service agreed to by the legal practitioner.

[2] Clause 11 Endorsement of written statements

Insert "or to the effect of" after "is to be in" in clause 11 (1).

[3] Clause 11 (2)

Omit the subclause. Insert instead:

- (2) For the purposes of section 79 (3) of the Act, an endorsement on a statement made by an adult who suffers from appreciably below average general intelligence, or on a statement made by a child, is to be in a form that includes:
- (a) words to the effect that the statement is true, or
 - (b) words to the effect that the statement contains no lies.

[4] Clause 18 Service of court attendance notices in summary proceedings

Insert after clause 18 (2):

- (2A) In the case of a court attendance notice concerning proceedings in relation to which the accused person is represented by a legal practitioner, service of the notice may also be effected:
- (a) by handing it to the legal practitioner, or

Local Courts (Criminal and Applications Procedure) Rule (Amendment
No 1) 2006

Schedule 1 Amendments

- (b) by handing it to a person at the legal practitioner's usual place of business who is apparently of or above the age of 16 years, or
- (c) by sending it by post or facsimile to the legal practitioner's business address, or
- (d) by sending it by electronic mail to the legal practitioner's email address,

but only if the legal practitioner has agreed to accept service of the notice and only in accordance with a mode of service agreed to by the legal practitioner.

[5] Clause 24 Service of application notices

Insert after clause 24 (2):

- (2A) In the case of an application notice concerning proceedings in relation to which the respondent is represented by a legal practitioner, service of the notice may also be effected:
 - (a) by handing it to the legal practitioner, or
 - (b) by handing it to a person at the legal practitioner's usual place of business who is apparently of or above the age of 16 years, or
 - (c) by sending it by post or facsimile to the legal practitioner's business address, or
 - (d) by sending it by electronic mail to the legal practitioner's email address,

but only if the legal practitioner has agreed to accept service of the notice and only in accordance with a mode of service agreed to by the legal practitioner.

By-laws



New South Wales

Crown Lands (General Reserves) By-law 2006

under the

Crown Lands Act 1989

Her Excellency the Governor, with the advice of the Executive Council, has made the following By-law under the *Crown Lands Act 1989*.

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

Explanatory note

The object of this By-law is to remake, with changes, the *Crown Lands (General Reserves By-law 2001*, which is repealed on 1 September 2006 by section 10 (2) of the *Subordinate Legislation Act 1989*.

This By-law deals with the following:

- (a) the reserve trusts and reserves to which various provisions of the By-law apply,
- (b) the procedures to be followed by reserve trusts to which the By-law applies that are managed by a trust board,
- (c) administrative matters relating to trust boards for trusts to which the By-law applies, including appointment and duties of certain office holders and the procedures to be followed in respect of receipts and expenditure,
- (d) the regulation of entry to and conduct on reserves, including the regulation of the parking and mooring of vehicles and vessels,
- (e) the setting of fees and charges in relation to the use of a reserve and the provision of certain services by reserve trusts,
- (f) the management of cemeteries and crematoriums, including provisions relating to the exclusive rights of burial.

This By-law is made under the *Crown Lands Act 1989*, including section 128 (the general by-law making power).

Crown Lands (General Reserves) By-law 2006

Contents

	Page
Part 1 Preliminary	
1 Name of By-law	4
2 Commencement	4
3 Application	4
4 Definitions	4
Part 2 Administration	
Division 1 Application of Part	
5 Application of Part	7
Division 2 Trust boards	
6 Meetings	7
7 Special meetings	7
8 Prior notice of meetings	7
9 Casual vacancy	8
10 Conduct of meetings	8
11 Committees	8
Division 3 General administrative matters	
12 Officers and employees	8
13 Duties of secretary and treasurer	8
14 Receipts and disbursements	9
15 Common seal	9
Part 3 Regulation of use of reserves	
Division 1 Use of reserves generally	
16 Public access to reserve	10
17 Reserve trust may set aside parts of reserve for certain uses	10
18 Fees and charges	10
19 Entry	11
20 Vehicles on reserve	12
21 Regulation of conduct in reserve	13
22 Conduct prohibited in reserve	15
Division 2 Additional provisions relating to crematoriums and cemeteries	
23 Application of this Division	16

Crown Lands (General Reserves) By-law 2006

Contents

	Page	
24	Definitions	16
25	Planning, conduct and maintenance	17
26	Placing of objects on or near burial places	18
27	Grant of exclusive rights of burial	18
28	Transfer of exclusive rights of burial	18
29	Sale of exclusive rights of burial to reserve trust	18
30	Grant or transfer of exclusive rights of burial may be refused	19
31	Exclusive right of burial to pass to surviving joint holder	19
32	Exclusive rights of burial may be bequeathed	19
33	Rules of intestacy to apply to exclusive rights of burial not bequeathed	19
34	Revocation of exclusive rights of burial	19
35	Compensation	20
36	Burials in burial places in respect of which exclusive rights have been granted	22
37	Register of burial places	22
38	Certificates of exclusive rights of burial	23
39	Order for burial	23
40	Hours of burial	23
41	Exhumations	23
Part 4	Miscellaneous	
42	Destruction or taking of plants or animals	24
43	Certain acts and omissions not to be offences	24
44	Savings	24
Schedule 1	Reserves to which this By-law applies	26

Clause 1 Crown Lands (General Reserves) By-law 2006

Part 1 Preliminary

Crown Lands (General Reserves) By-law 2006

under the

Crown Lands Act 1989

Part 1 Preliminary

1 Name of By-law

This By-law is the *Crown Lands (General Reserves) By-law 2006*.

2 Commencement

This By-law commences on 1 September 2006.

Note. This By-law replaces the *Crown Lands (General Reserves) By-law 2001* which is repealed on 1 September 2006 by section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Application

This By-law applies:

- (a) to each reserve specified in Schedule 1, and
- (b) to each reserve for which a reserve trust has been established and the affairs of which are managed by the Ministerial Corporation under section 95 of the Act,

except as specifically provided by other clauses of this By-law.

4 Definitions

- (1) In this By-law:

authorised person, in relation to a reserve trust, means:

- (a) a member of the trust board of the reserve trust, or
- (b) an administrator of the affairs of the reserve trust, or
- (c) a ranger or other person appointed in writing by the reserve trust for the purposes of this definition, or
- (d) if a corporation other than the Ministerial Corporation has been appointed to manage the affairs of the reserve trust, any officer, employee of the corporation or other person appointed as an authorised person for the purposes of this definition by the corporation, or

Crown Lands (General Reserves) By-law 2006

Clause 4

Preliminary

Part 1

- (e) if the Ministerial Corporation has been appointed to manage, or the Minister is managing, the affairs of the reserve trust, any person:
- (i) holding an office, position or rank prescribed by a regulation under the Act for the purposes of paragraph (b) of the definition of *authorised person* in section 153 of the Act, or
 - (ii) authorised by the Minister in writing for the purposes of this definition.

building includes part of a building.

council has the same meaning as in the *Local Government Act 1993*.

mooring means the anchoring of any vessel or the securing of any vessel to any post, stake, pile, float, pontoon, wall, wharf, jetty or other landing stage.

reserve has the same meaning as in Part 5 of the Act, and includes part of a reserve.

reserve trust, in relation to a reserve, means the reserve trust that is the trustee of the reserve under the Act.

secretary, in relation to a reserve trust, means the secretary of the reserve trust.

spouse means:

- (a) a husband or wife, or
- (b) the other party to a de facto relationship within the meaning of the *Property (Relationships) Act 1984*,

but where more than one person would so qualify as a spouse, means only the last person so to qualify.

the Act means the *Crown Lands Act 1989*.

vehicle includes:

- (a) a motor car, motor carriage, motor cycle or other apparatus propelled on land, snow or ice wholly or partly by volatile spirit, steam, gas, oil or electricity, and
- (b) a boat or other object that, while floating on water or submerged, whether wholly or partly, under water, is wholly or partly used for the conveyance of persons or things, and
- (c) an apparatus that, while propelled in the air by human or mechanical power or by the wind, is wholly or partly used for the conveyance of persons or things, and

Clause 4 Crown Lands (General Reserves) By-law 2006

Part 1 Preliminary

- (d) an apparatus propelled on land, snow or ice by human or animal power or by the wind, and
 - (e) a trailer or caravan, whether or not it is in the course of being towed.
- (2) Notes included in this By-law do not form part of this By-law.

Crown Lands (General Reserves) By-law 2006

Clause 5

Administration

Part 2

Part 2 Administration

Division 1 Application of Part

5 Application of Part

This Part applies to the reserve trust of a reserve to which this By-law applies, where the reserve trust is managed by a trust board.

Division 2 Trust boards

6 Meetings

- (1) The trust board is to meet at least 4 times a year at the places and times as determined by the board.
- (2) At one such meeting, to be termed the annual general meeting, the trust board is to elect:
 - (a) a chairperson and a deputy chairperson, and
 - (b) a person or persons as secretary and treasurer unless those positions are filled by a person or persons appointed and employed under clause 12.
- (3) A person elected under subclause (2) is to hold office until the next annual general meeting of the trust board.
- (4) A statement of accounts is to be presented to the annual general meeting of the trust board.

7 Special meetings

On receipt by the chairperson of a written request for a meeting of the trust board, the chairperson, if the request is signed by at least 2 members of the board and specifies the purpose of the meeting, is to call a special meeting to be held within 28 days after receipt of the request at the place and time specified by the chairperson.

8 Prior notice of meetings

- (1) Subject to subclause (2), the chairperson, not later than 10 days before the day appointed for a meeting referred to in clause 6 or 7, is to forward to each member of the trust board a notice in writing setting out the place and time of the meeting and the agenda for that meeting.
- (2) If the chairperson is of the opinion that a special meeting should be held as soon as possible, the chairperson may give such notice of the place and time of, and the agenda for, the meeting as the chairperson considers appropriate.

Clause 9 Crown Lands (General Reserves) By-law 2006

Part 2 Administration

9 Casual vacancy

If a casual vacancy occurs in the office of the chairperson, deputy chairperson, secretary or treasurer of the trust board, the trust board, at the first meeting held after the occurrence of the casual vacancy, is to elect or appoint, as the case requires, a person to fill the vacancy and the person so elected or appointed is entitled to hold office for the unexpired part of the term of office of that person's predecessor.

10 Conduct of meetings

- (1) At a meeting of the trust board, the chairperson or, in the absence of the chairperson, the deputy chairperson, is to preside.
- (2) In the absence of the chairperson and the deputy chairperson, the members of the trust board present are to elect a person from among their number to preside at the meeting and the person so elected is to preside.
- (3) The person presiding at a meeting of the trust board is to have a deliberative vote and, in the event of an equality of votes, is to have a second or casting vote.

11 Committees

- (1) The trust board may form one or more committees to carry out such works or perform such duties as the board determines.
- (2) All such committees must consist of members of the trust board.

Division 3 General administrative matters

12 Officers and employees

- (1) The reserve trust may appoint and employ a secretary, a treasurer, rangers and such other officers and employees as may be necessary for the efficient operation of the reserve.
- (2) One person may be appointed to the positions of secretary to, and treasurer of, the reserve trust.
- (3) A member of the trust board may be appointed and employed under this clause but only with the approval of the Minister.

13 Duties of secretary and treasurer

- (1) The secretary is:
 - (a) to keep and maintain minutes of each meeting of the reserve trust, and

Crown Lands (General Reserves) By-law 2006

Clause 14

Administration

Part 2

-
- (b) to keep and maintain the book (disclosure of pecuniary interests of members of a trust board) required by clause 1 (3) of Schedule 4 to the Act, and
 - (c) to perform other duties as directed by the reserve trust.
- (2) The treasurer is:
- (a) to be responsible to the reserve trust for the keeping and maintaining of proper financial records, and
 - (b) to keep and maintain the records required to be kept by the reserve trust for the purposes of section 122 (1) (b) of the Act.

14 Receipts and disbursements

- (1) All money received by the reserve trust is to be deposited to the credit of an account established with any authorised deposit-taking institution in the name of the reserve trust.
- (2) Each item of expenditure by or on behalf of the reserve trust is to be authorised or confirmed for payment, at a duly convened and constituted meeting of the reserve trust by tabling and approval of a report by the treasurer relating to that item of expenditure.
- (3) Cheques drawn on the reserve trust's account are to be signed by one member of the reserve trust board and one other person approved by the trust.
- (4) If an administrator of a reserve trust has been appointed under the Act, cheques are to be signed by the administrator and one other person chosen by the administrator.

15 Common seal

- (1) The common seal of the reserve trust is to be kept by the secretary or, if there is no secretary, by such other person as may be appointed by the trust.
- (2) A trust's seal may be affixed to an instrument or document only:
 - (a) following a resolution to do so passed at a meeting of the trust, and
 - (b) in the presence of the secretary or a member of the trust board, and
 - (c) with an attestation by the signature of the secretary or member of the fact of the affixing of the seal.
- (3) If an administrator of a trust has been appointed, the trust's seal may be affixed and attested by the administrator alone.

Clause 16 Crown Lands (General Reserves) By-law 2006

Part 3 Regulation of use of reserves

Part 3 Regulation of use of reserves

Division 1 Use of reserves generally

16 Public access to reserve

- (1) The reserve trust, by a public notice displayed at or adjacent to each entrance to the reserve, may do any of the following:
 - (a) specify the times during which the reserve is to be open to the public,
 - (b) close to the public the reserve, any part of the reserve, or any building, structure or enclosure,
 - (c) restrict or otherwise regulate the purposes for which the reserve, any part of the reserve or any building, structure or enclosure may be used,
 - (d) prohibit the use of the reserve, any part of the reserve or any building, structure or enclosure for any purpose specified in the notice.
- (2) A person must not enter or use the reserve, any part of the reserve or any building, structure or enclosure in the reserve contrary to a public notice displayed under this clause.
Maximum penalty: 5 penalty units.

17 Reserve trust may set aside parts of reserve for certain uses

Subject to and consistent with any plan of management for a reserve, the reserve trust may set aside any part of the reserve, including any building, structure or enclosure, for any purpose for which the reserve may be used.

18 Fees and charges

- (1) This clause applies to any reserve.
- (2) The reserve trust may from time to time determine the fees or charges payable in respect of any one or more of the following:
 - (a) use of the whole or any part of the reserve and any building, structure or enclosure in the reserve,
 - (b) parking or use of any vehicle or class of vehicles on the reserve,
 - (c) use of electricity, gas and water,
 - (d) rubbish disposal and cleaning of the reserve,
 - (e) removal of effluent.

Crown Lands (General Reserves) By-law 2006

Clause 19

Regulation of use of reserves

Part 3

-
- (3) The reserve trust of a reserve (other than a reserve for a cemetery or crematorium) may from time to time determine the fees or charges payable in respect of entry to the whole or any part of the reserve and any building, structure or enclosure in the reserve.
 - (4) The reserve trust of a reserve for a cemetery or crematorium may from time to time determine the fees or charges payable for the services provided in respect of the cemetery or crematorium.
 - (5) In determining fees and charges, the reserve trust is to have regard to:
 - (a) in the case of any reserve—any contractual arrangements entered into by the reserve trust, and
 - (b) in the case of a reserve for a cemetery or crematorium—the following:
 - (i) the costs of developing the land to be used for burial or cremation,
 - (ii) future maintenance,
 - (iii) the number of intended interments or cremations,
 - (iv) infrastructure costs.
 - (6) The fees or charges payable under subclause (2) or (3) must be displayed in a public notice erected at or adjacent to each entrance to the reserve or part of the reserve or building, structure or enclosure to which the fees or charges relate.
 - (7) The fees or charges payable under subclause (4) must be displayed in a public notice outside the office of the reserve trust.
 - (8) The reserve trust may in any particular case waive payment of any fee or charge determined under this clause.
 - (9) Without limiting subclause (8), a reserve trust may waive payment of a fee or charge determined under this clause in relation to a person who is unable to pay the fee or charge for services provided in respect of a cemetery or crematorium.
 - (10) The Minister may serve notice on the reserve trust disallowing or varying any fee or charge as set out in the notice and the reserve trust is to give effect to the Minister's notice.

19 Entry

- (1) A person who enters the reserve or a part of the reserve or any building, structure or enclosure in the reserve, whether on payment of an entrance fee or otherwise, enters subject to such conditions as may be determined from time to time by the reserve trust and as are displayed in public notices erected at or adjacent to each entrance to the reserve or part or the building, structure or enclosure.

Clause 20 Crown Lands (General Reserves) By-law 2006

Part 3 Regulation of use of reserves

(2) The reserve trust may designate entrance and exit points to and from the reserve, any part of the reserve or any building, structure or enclosure in the reserve by public notices displayed at or near those points.

(3) Where the reserve trust has designated any entrance and exit points, a person must not enter or leave the reserve or part of the building, structure or enclosure otherwise than through an entrance or exit as designated by public notices displayed at or adjacent to the entrance or exit.

Maximum penalty: 5 penalty units.

(4) Where the reserve trust has designated an entrance point and determined an entrance fee for the reserve, any part of the reserve or any building, structure or enclosure in the reserve, a person must not enter the reserve or part of the building, structure or enclosure unless:

- (a) the person pays that entrance fee, and
- (b) the person enters as directed by public notices displayed at or adjacent to an entrance point where any entrance fee demanded is payable.

Maximum penalty: 5 penalty units.

20 Vehicles on reserve

(1) The reserve trust may give such directions as to the bringing of vehicles into, and the use and parking or mooring of vehicles in, the reserve as the reserve trust thinks fit, and any such direction:

- (a) may be limited as to time, place or subject-matter, and
- (b) may be varied or revoked by the reserve trust.

(2) A direction given under subclause (1) has effect only where it appears in a public notice displayed on or near the reserve or part to which the direction relates.

(3) The direction appearing in a public notice that is displayed on or near a reserve or part with the authority of the reserve trust has effect as a direction, for the time being in force, given under subclause (1) in relation to the reserve or part and the notice is, for the purposes of subclause (2), notice of that direction.

(4) A person must not contravene a direction having effect under this clause.

Maximum penalty: 5 penalty units.

(5) A person must not interfere with, alter or remove any public notice displayed with the authority of the reserve trust under subclause (2).

Maximum penalty: 5 penalty units.

Crown Lands (General Reserves) By-law 2006

Clause 21

Regulation of use of reserves

Part 3

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- (6) Nothing in this clause affects any provision of the Act or any other Act or any other provision of this By-law so far as the provision has effect in relation to conduct on a reserve.

21 Regulation of conduct in reserve

- (1) A person must not make use of a reserve or carry on a specified activity in the reserve if that use or specified activity is prohibited by a public notice displayed on the reserve.
Maximum penalty: 5 penalty units.
- (2) For the purposes of subclause (1), the specified activities are as follows:
- (a) entering the reserve at a time when the reserve is not open to the public,
 - (b) entering any building, structure or enclosure or part of the reserve not open to the public,
 - (c) holding a meeting or performance or conducting an entertainment for money or consideration of any kind, or in a manner likely to cause a nuisance to any person,
 - (d) taking part in any gathering, meeting or assembly (except, in the case of a cemetery), for the purpose of a religious or other ceremony of burial or commemoration,
 - (e) selling, offering or exposing for sale any article or thing, or conducting any commercial activity,
 - (f) displaying or causing any sign or notice to be displayed,
 - (g) distributing any circular, advertisement, paper or other printed, drawn, written or photographic matter,
 - (h) having or operating television, cinematographic or photographic equipment for commercial purposes,
 - (i) camping,
 - (j) planting any tree, shrub, vine, flower or other plant,
 - (k) damaging, picking or removing any tree, shrub, plant, vine, flower or other vegetation (whether dead or alive), except as permitted by paragraphs (l) and (m),
 - (l) removing any dead timber, log or stump, whether standing or fallen, except for the purpose of cooking food in the reserve,
 - (m) damaging any lawn, playing field or green, except in the course of and as a normal incident of any recreational or sporting activity,
 - (n) defacing or removing or disturbing any rock, soil, sand, stone or similar substance,

Clause 21 Crown Lands (General Reserves) By-law 2006

Part 3 Regulation of use of reserves

- (o) lighting a fire:
 - (i) at any time when the lighting of fires in the reserve is prohibited under the *Rural Fires Act 1997*, or
 - (ii) at any other time except in a fire-place provided by the reserve trust or in portable cooking equipment,
- (p) climbing any tree, building, fence, seat, table, enclosure or other structure,
- (q) destroying, capturing, injuring, annoying or interfering with, or interfering with the habitat of, any animal, bird or other fauna, whether native or introduced,
- (r) having or keeping any dog or other animal, or allowing any animal under the person's control to depasture,
- (s) carrying, laying or setting any trap, snare or poison bait, or dropping from any aircraft any trap, snare or poison bait,
- (t) placing any beehive,
- (u) carrying, having or using a firearm within the meaning of the *Firearms Act 1996* or a prohibited weapon within the meaning of the *Weapons Prohibition Act 1998*, unless the person is a police officer acting in connection with the performance of the person's duties as such an officer,
- (v) discharging fireworks,
- (w) carrying or using any explosives,
- (x) having, selling, serving or consuming any intoxicants,
- (y) having or using any axe, saw or similar tool or implement,
- (z) assembling or using a hang-glider or landing a helicopter,
- (aa) flying a mechanically propelled model aircraft or similar thing,
- (ab) breaking any glass or throwing or projecting any stone, missile or other object,
- (ac) operating a television, radio, cassette, record player or electronic sound system at a volume likely to cause a nuisance to any person,
- (ad) conducting or taking part in any sporting activity that forms part of any organised competition or tournament,
- (ae) rock climbing, abseiling, base jumping or bungee jumping,
- (af) riding on or using a skateboard, roller skates, roller blades, scooter or similar apparatus,
- (ag) jetskiing or surfboarding,
- (ah) fishing,

Crown Lands (General Reserves) By-law 2006

Clause 22

Regulation of use of reserves

Part 3

- (ai) using any bow and arrow or throwing any stone or other dangerous missile,
- (aj) driving a vehicle or riding a horse or other animal,
- (ak) power boating (within Boobera Lagoon Reserve only).
- (3) Nothing in this clause prohibits a person with a disability (within the meaning of the *Disability Discrimination Act 1992* of the Commonwealth) from being accompanied by an assistance animal (that is, an animal referred to in section 9 of that Act).
- (4) A person must not interfere with, alter or remove any public notice displayed with the authority of the reserve trust under subclause (1).
Maximum penalty: 5 penalty units.
- (5) A reserve trust may not erect a notice as referred to in subclause (1) prohibiting the use of, or the carrying out of an activity on, land within a reserve if the Minister has erected a notice under section 156 (1) of the Act prohibiting the same use of or activity on that land.
- (6) Nothing in this clause affects any provision of the Act or any other Act or any other provision of this By-law so far as the provision has effect in relation to conduct on a reserve.

22 Conduct prohibited in reserve

- (1) A person must not, without reasonable excuse:
 - (a) damage, deface or interfere with any structure, sign, public notice, descriptive plate, label, machinery or equipment in a reserve, or
 - (b) obstruct any authorised person or employee of, or contractor to, the reserve trust of a reserve in the performance of the authorised person's duty or the employee's or contractor's work in the reserve, or
 - (c) pollute any fresh water, tank, reservoir, pool or stream in a reserve, or
 - (d) bring onto a reserve any diseased animal or any noxious animal, or
 - (e) walk over, mark, scratch or otherwise mutilate, deface, injure, interfere with, remove or destroy any Aboriginal rock carving, its surrounds or any other Aboriginal object in a reserve, or
 - (f) deface with graffiti or other form of writing, picture, or symbol, any trees, building, fence, seat, table, public notice, enclosure or other structure in a reserve, or

Clause 23 Crown Lands (General Reserves) By-law 2006

Part 3 Regulation of use of reserves

(g) remain in a reserve or any part of a reserve or any building, structure or enclosure in the reserve when reasonably requested to leave by an authorised person, or

(h) bring into or leave in a reserve any refuse, waste material, scrap metal (including any vehicle or vehicle part), rock, soil, sand, stone or other such substance.

Maximum penalty: 5 penalty units.

(2) A person must not in a reserve for a cemetery:

(a) interfere with any grave or monument, or

(b) open any coffin, or

(c) disturb or interrupt any service, procession, cortege, gathering, meeting or assembly, or

(d) bury any human remains (whether cremated or not).

Maximum penalty: 5 penalty units.

Division 2 Additional provisions relating to crematoriums and cemeteries

23 Application of this Division

(1) This Division applies to a crematorium, general cemetery or portion of a general cemetery specified in Part 2 of Schedule 1.

(2) In the application of this Division to a portion of a cemetery:

(a) a reference to a cemetery is taken to include a reference to a portion of a cemetery, and

(b) a reference to a reserve trust in relation to a cemetery is taken to be a reference to a reserve trust for a portion of a cemetery.

(3) This Division does not affect the operation of any regulations under the *Public Health Act 1991* relating to cemeteries.

24 Definitions

In this Division:

appropriate fee means the fee determined under clause 18 for the service in relation to which the expression is used.

burial place means a grave site, vault site, crypt site or other place for the disposition of the remains of the dead.

exclusive right of burial means an exclusive right of burial granted by a reserve trust in respect of a burial place.

Crown Lands (General Reserves) By-law 2006

Clause 25

Regulation of use of reserves

Part 3

holder, in relation to an exclusive right of burial, means the person recorded, in the register kept by the reserve trust, as the person entitled to the exclusive right.

register means the register kept by a reserve trust under clause 37.

25 Planning, conduct and maintenance

A reserve trust may make such provision as it considers necessary for the following:

- (a) the setting aside of sections for different types and classes of burials,
- (b) the establishment of standards of construction and design for monuments and structures,
- (c) the size, multiple use and location of burial places,
- (d) burials in vaults,
- (e) the erection or installation of structures and the making of inscriptions,
- (f) the carrying out of work by monumental masons,
- (g) the qualifications required by, and the security deposits required to be lodged by, monumental masons,
- (h) the removal, replacement and maintenance of structures,
- (i) the placing of vases, statuettes, jars, bottles or other items of embellishment on or near graves, monuments, crypts or vaults,
- (j) the improvement and maintenance of the cemetery,
- (k) the making of arrangements for the care of burial places on an annual (or longer term) or other basis,
- (l) the supply of goods and services incidental to the conduct of burials and other matters relating to the cemetery,
- (m) the conduct of religious or other ceremonies of burial or commemoration,
- (n) the disposition and memorialisation of cremated human remains,
- (o) landscaping and setbacks from stormwater and drainage canals and similar watercourses and structures,
- (p) any other matter relating to the management of the cemetery or crematorium so long as the provision made is consistent with any direction given by the Minister.

Clause 26 Crown Lands (General Reserves) By-law 2006

Part 3 Regulation of use of reserves

26 Placing of objects on or near burial places

- (1) The following objects are not to be placed on or near a grave, monument, crypt or vault in a reserve:
 - (a) ceramic or glass objects that are fragile or breakable,
 - (b) metal objects, or any other objects, that are likely to cause a risk to health or safety,
 - (c) any item that extends beyond the boundaries of the grave, monument, crypt or vault.
- (2) Any vase, statuette, jar, bottle or other item of embellishment is not to be placed on or near a grave, monument, crypt or vault in a reserve in contravention of a direction given to the person by an authorised person.

27 Grant of exclusive rights of burial

- (1) A reserve trust may grant an exclusive right of burial in respect of a burial place in the cemetery.
- (2) An application for an exclusive right of burial must be in the form approved by the reserve trust and accompanied by the appropriate fee.
- (3) An exclusive right of burial may be granted to one person or to two or more persons as joint holders.
- (4) An exclusive right of burial entitles the person or persons to whom it is granted to the exclusive right of burial in the burial place in respect of which it is granted.

28 Transfer of exclusive rights of burial

- (1) A reserve trust may, on application, transfer an exclusive right of burial from one or more persons to one or more other persons.
- (2) An application under subclause (1) may be made only by the holder of the exclusive right of burial concerned or, if the exclusive right is held by joint holders, by all of the joint holders.
- (3) An application for the transfer of an exclusive right of burial must be in the form approved by the reserve trust and accompanied by the appropriate fee.

29 Sale of exclusive rights of burial to reserve trust

A reserve trust may enter into arrangements with the holder of an exclusive right of burial for the sale of the right to the reserve trust.

Crown Lands (General Reserves) By-law 2006

Clause 30

Regulation of use of reserves

Part 3

30 Grant or transfer of exclusive rights of burial may be refused

A reserve trust may refuse to grant or transfer an exclusive right of burial if, in its opinion, the grant or transfer would tend to create a monopoly or encourage dealing in such rights as a business.

31 Exclusive rights of burial to pass to surviving joint holder

On the death of a joint holder of an exclusive right of burial, the remaining joint holder is, or joint holders are, entitled to the exclusive right of burial.

32 Exclusive rights of burial may be bequeathed

- (1) The holder of an exclusive right of burial may bequeath the right as if it were the holder's personal estate.
- (2) A person to whom an exclusive right of burial devolves as a result of a bequest does not become the holder of the right until the register is amended to indicate that fact.
- (3) On application made by a person to whom an exclusive right of burial has devolved as a result of a bequest, a reserve trust must amend the register so as to indicate that the person has become the holder of the right.
- (4) An application under this clause must be in the form approved by the reserve trust and accompanied by the appropriate fee.

33 Rules of intestacy to apply to exclusive rights of burial not bequeathed

- (1) If the holder of an exclusive right of burial dies and has not bequeathed the right, the right is to be dealt with as if it were personal property forming part of the estate of an intestate.
- (2) A person to whom an exclusive right of burial devolves as a result of intestacy does not become the holder of the right until the register is amended to indicate that fact.
- (3) On application made by a person to whom an exclusive right of burial has devolved as a result of intestacy, a reserve trust must amend the register so as to indicate that the person has become the holder of the right.
- (4) An application under this clause must be in the form approved by the reserve trust and accompanied by the appropriate fee.

34 Revocation of exclusive rights of burial

- (1) A reserve trust may revoke any exclusive right of burial it, or any previous reserve trust for the cemetery concerned, has granted if that right is not exercised within 60 years after it is granted.

Clause 35 Crown Lands (General Reserves) By-law 2006

Part 3 Regulation of use of reserves

- (2) Before revoking any exclusive right of burial under this clause, the reserve trust must cause notice of its intention to do so to be sent, by registered post, to the person (if any) shown in the register of burial places as the holder of that right.
- (3) If no response to the notice is received within 28 days after the date on which it is sent, a second notice of the reserve trust's intention is to be given by means of an advertisement, identifying the burial place and the name of the holder:
 - (a) displayed in a prominent position at the cemetery, and
 - (b) published in at least one national and one local newspaper.
- (4) If no response to the second notice is received within 6 months after the date on which it is advertised, final notice of the reserve trust's intention is to be sent, by registered post, to the person (if any) shown in the register as the holder of that right allowing the holder 28 days from the date of the notice within which to enter into negotiations of the kind referred to in subclause (6).
- (5) If the reserve trust has insufficient information to properly address the notice referred to in subclause (2) or (4), the trust is not required to send that notice but may in that case begin the notification process by means of the notice referred to in subclause (3) and may take any other notification action it considers appropriate.
- (6) At any time before the expiry of the period for responding to the final notice referred to in subclause (4) (or, in the circumstances referred to in subclause (5), within 28 days after the last date on which an advertisement referred to in subclause (3) (b) is published) the holder of the exclusive right of burial concerned may enter into negotiations with the reserve trust for:
 - (a) the sale of that right to the trust, or
 - (b) the retention of that right.
- (7) Any notice required to be displayed or published under this clause may relate to more than one burial place.

35 Compensation

- (1) If a reserve trust revokes the exclusive right of burial for a burial place, whether granted before or after the commencement of this clause, the former holder of that right is entitled:
 - (a) to be granted an exclusive right of burial:
 - (i) for an alternative burial place in the same cemetery (and, if available, in the same general location) as the original burial place, and

Crown Lands (General Reserves) By-law 2006

Clause 35

Regulation of use of reserves

Part 3

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- (ii) for an equivalent period to that for which the original exclusive right of burial was granted, or
 - (b) to be paid by the trust, by way of compensation, an amount equal to half of the fee payable (as provided by the trust's current scale of fees) for the granting of an exclusive right of burial:
 - (i) for an alternative burial place in the same cemetery (and, if available, in the same general location) as the original burial place, and
 - (ii) for an equivalent period to that for which the original exclusive right of burial was granted.
 - (2) If there is no alternative burial place available, or if there is no applicable scale of fees, the amount of compensation referred to in subclause (1) (b) is to be half of the fee payable for the granting of an exclusive right of burial under the most recent applicable scale of fees, varied in proportion to any variation in the Consumer Price Index (All Groups Index) for Sydney that has occurred between the date on which that scale was established and the date of revocation of the exclusive right of burial.
 - (3) A reserve trust must ensure that any report on its accounts contains an estimate of its contingent liability with respect to any exclusive rights of burial it has revoked.
 - (4) The reserve trust may elect whether the former holder of the revoked exclusive right of burial is to be granted an alternative burial place or paid compensation.
 - (5) Despite clause 28, if the former holder of the revoked exclusive right of burial is granted an exclusive right of burial for an alternative burial place, that right may not be transferred by the former holder within 5 years after the date on which it was granted.
 - (6) A former holder of a revoked exclusive right of burial may apply to the Minister for a review of any election of the relevant reserve trust under this section.
 - (7) An application for an entitlement under this clause:
 - (a) must be in the form approved by the reserve trust, and
 - (b) must be accompanied by the appropriate fee, and
 - (c) must be lodged with the reserve trust within 6 years after the date on which the relevant exclusive right of burial was revoked.

Note. Pursuant to clause 18 (10), the fee referred to in paragraph (b) is subject to variation or disallowance by the Minister.
 - (8) The Minister's decision on such a review:
 - (a) is final, and

Clause 36 Crown Lands (General Reserves) By-law 2006

Part 3 Regulation of use of reserves

(b) is taken to be the decision of the relevant reserve trust, and

(c) is to be given effect to accordingly.

- (9) In this clause, *former holder* of a revoked exclusive right of burial means the person who held that right immediately before it was revoked.

36 Burials in burial places in respect of which exclusive rights have been granted

- (1) The remains of a deceased person may not be buried in a burial place in respect of which an exclusive right of burial has been granted unless:

(a) the person was the holder of the right immediately before he or she died or the holder of the right gives written consent to the person's remains being buried in the burial place, and

(b) where another person is already buried in the burial place, the burial place has been dug to a depth to accommodate the remains of another deceased person.

- (2) On the death of the spouse or a child of the holder of an exclusive right of burial, the remains of the spouse or child may be buried in the burial place to which the right relates without the written consent of the holder of the right if the reserve trust is satisfied:

(a) that the holder is not available to give consent to the burial, and

(b) that consent to the burial would be given if the holder were available, and

(c) where another person is already buried in the burial place, the burial place has been dug to a depth to accommodate the remains of another deceased person.

- (3) The only compensation that the reserve trust is liable to pay to the holder of an exclusive right of burial in the event that it permits the holder's spouse or child to be buried in the burial place without the consent of the holder is an amount equivalent to the fee currently charged by the trust for the grant of an exclusive right of burial in respect of a comparable burial place.

37 Register of burial places

- (1) A reserve trust must cause a register of burial places to be kept in respect of all burial places in the cemetery in accordance with the regulations under the *Public Health Act 1991*.

- (2) The register may be kept in electronic or written form but, in either case, the location of each burial place must be identified on a plan or map that shows the sections, rows and grave numbers or other location of remains.

Crown Lands (General Reserves) By-law 2006

Clause 38

Regulation of use of reserves

Part 3

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- (3) The register is to include an up to date record of all burial rights in relation to the cemetery.
 - (4) A reserve trust may amend its register from time to time so as to remove any inaccuracies contained in it and to record any changes to burial rights as a result of a transfer, revocation or death of the holder of a burial right.
 - (5) A reserve trust must, on application made by any person, make available to the person a copy of any entry made in the register in relation to a burial place.
 - (6) Such an application must be in the form approved by the reserve trust and accompanied by the appropriate fee.

38 Certificates of exclusive rights of burial

- (1) A reserve trust may issue to the holder of an exclusive right of burial a certificate of exclusive right of burial in relation to the burial place concerned.
- (2) An application for such a certificate must be in the form approved by the reserve trust and accompanied by the appropriate fee.
- (3) A certificate under this clause is to be in such form as the reserve trust may from time to time determine.

39 Order for burial

- (1) A burial must not take place in a cemetery unless the reserve trust has issued an order for burial.
- (2) A reserve trust may set down the procedure to be followed to obtain an order for burial.

40 Hours of burial

Burials are not to take place except at such times as the reserve trust may from time to time determine.

41 Exhumations

- (1) Exhumations are not to take place unless:
 - (a) prior written approval has been obtained from the Director-General of the Department of Health in accordance with the regulations under the *Public Health Act 1991*, and
 - (b) an order for exhumation has been issued by the reserve trust.
- (2) This clause does not apply if an exhumation order has been issued by a court.

Clause 42 Crown Lands (General Reserves) By-law 2006

Part 4 Miscellaneous

Part 4 Miscellaneous

42 Destruction or taking of plants or animals

Nothing in this By-law prevents the reserve trust from authorising:

- (a) the destruction in the reserve of any noxious weed or any feral or pest animal, or
- (b) subject to the provisions of any Act, the taking from the reserve of any plant or animal that, in the opinion of the trustees, has assumed pest proportions or is required for scientific purposes.

43 Certain acts and omissions not to be offences

- (1) A person does not commit an offence under this By-law if the act or omission giving rise to the offence was done or omitted:
 - (a) by a member of the reserve trust board, an authorised person, an officer or employee of the reserve trust or a delegate of a reserve trust manager (within the meaning of section 92 (6A) of the Act) in the exercise of his or her duty as a member, authorised person, officer, employee or delegate, or
 - (b) in accordance with the conditions (whether express or implied) of a lease or licence granted by the reserve trust, or
 - (c) under the direction or with the written consent of the reserve trust.
- (2) The consent of the reserve trust referred to in this clause may be given generally or in a particular case.
- (3) Nothing in this clause permits the reserve trust to consent to the doing of any thing in the reserve which is otherwise prohibited by the Act or any other law (other than this By-law).

44 Savings

- (1) Any act, matter or thing that, immediately before the repeal of the *Crown Lands (General Reserves) By-law 2001*, had effect under that By-law, is taken to have effect under this By-law.
- (2) Without limiting subclause (1):
 - (a) clause 12 (3) does not affect the appointment or employment of a person who is a member of a reserve trust as a secretary, treasurer, ranger or other officer or employee of the reserve trust, and

Crown Lands (General Reserves) By-law 2006

Clause 44

Miscellaneous

Part 4

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- (b) any such person is taken to be so appointed or employed under clause 12 for the duration of the appointment or employment that applied to the person immediately before the commencement of this By-law.

Crown Lands (General Reserves) By-law 2006

Schedule 1 Reserves to which this By-law applies

Schedule 1 Reserves to which this By-law applies

(Clauses 3 and 23)

Part 1 Reserves other than reserves for general cemeteries

Location	Reserve name	Number, purpose, date	Corporate name
Adaminaby	Adaminaby Racecourse and Showground Reserve	R.84984 for racecourse and showground (notified 21 August 1964) and any additions thereto	Adaminaby Racecourse and Showground Trust
Albury	Albury Showground	22.4471 hectares dedicated for showground at Albury (notified 26 November 1948) and any additions thereto, now assigned the number D620063 in the records of the Department of Lands	Albury Showground Trust
Alumy Creek	Alumy Creek Reserve	R.140020 for public recreation and museum (notified 26 June 1987) and any additions thereto	Alumy Creek Reserve Trust
Armidale	Armidale Showground Reserve	R.110029 for showground (notified 22 December 1989) and any additions thereto	Armidale Showground Reserve Trust
Armidale	Armidale Tennis Courts Reserve	R.89699 for public recreation (notified 24 December 1975) and any additions thereto	Armidale Tennis Courts Reserve Trust
Bathurst	Bathurst Showground	16.4042 hectares dedicated for showground at Bathurst (notified 19 October 1877) and any additions thereto, now assigned the number D590074 in the records of the Department of Lands	Bathurst Showground Trust
Bega	Zingel Place Reserve	R.97856 for public recreation and parking (notified 2 August 1985) and any additions thereto	Zingel Place (R.97856) Reserve Trust

Crown Lands (General Reserves) By-law 2006

Reserves to which this By-law applies

Schedule 1

Location	Reserve name	Number, purpose, date	Corporate name
Bellingen	Bellingen Showground	4.86 hectares dedicated for showground at Bellingen (notified 26 July 1911) and any additions thereto, now assigned the number D540022 in the records of the Department of Lands	Bellingen Showground Trust
Bemboka	Bemboka Showground Reserve	R.40788 for showground (notified 22 August 1906) and any additions thereto	Bemboka Showground Trust
Bigga	Grabine Lakeside State Park	D1001354 for public recreation (notified 1 June 1997) and any additions thereto	Grabine Lakeside State Park Trust
Boggabilla	Boobera Lagoon Reserve	R.1009930 for environmental protection, heritage purposes and public recreation (notified 12 March 2004)	Boobera Lagoon Reserve Trust
Bonshaw	Bonshaw Racecourse Reserve	R.42857 for racecourse (notified 8 July 1908) and any additions thereto	Bonshaw Racecourse Reserve Trust
Bowling Alley Point	Chaffey Dam Reserve	R.96568 for public recreation (notified 28 January 1983) and any additions thereto	Bowling Alley Point Recreation Reserve Trust
Broadmeadow	District Park Tennis Courts	3.53 hectares dedicated for tennis courts at Broadmeadow (notified 18 October 1935) and any additions thereto, now assigned the number D570095 in the records of the Department of Lands	District Park Tennis Courts Trust
Broken Head	Broken Head Reserve	R.24495 for public recreation (notified 25 July 1896) and any additions thereto	Broken Head Reserve Trust

Crown Lands (General Reserves) By-law 2006

Schedule 1 Reserves to which this By-law applies

Location	Reserve name	Number, purpose, date	Corporate name
Broken Hill	Broken Hill Living Desert	R.230092 for the public purpose of environmental protection, heritage purposes and public recreation (notified 7 October 1994) and any additions thereto	Living Desert Reserve Trust
Brooms Head	Brooms Head Reserve	R.65975 for resting place and public recreation (notified 15 May 1936) and any additions thereto	Clarence Coast Reserve Trust
Brunswick Heads	Brunswick Heads Reserve	R.80457 for public recreation (notified 21 March 1958) and any additions thereto	Brunswick Heads (R.80457) Public Recreation Reserve Trust
Brunswick Heads	Brunswick Heads Reserve	R.97139 for public recreation (notified 20 January 1984) and any additions thereto	Brunswick Heads (R.97139) Public Recreation Reserve Trust
Brunswick Heads	Ferry Reserve	R.74701 for public recreation (notified 18 January 1952) and any additions thereto	Byron Shire Holiday Parks Reserve Trust
Brunswick Heads	Massey Green Reserve	R.91536 for caravan and camping park (notified 17 August 1979) and any additions thereto	Byron Shire Holiday Parks Reserve Trust
Brunswick Heads	Terrace Reserve Caravan Park	R.82999 for resting place and public recreation (notified 6 January 1961) and any additions thereto	Byron Shire Holiday Parks Reserve Trust
Bulli Pass	Bulli Pass Scenic Reserve	R.67711 for public recreation (notified 1 July 1938) and any additions thereto	Bulli Pass Scenic Reserve Trust
Bundarra	Bundarra Community Centre	R.110007 for community purposes (notified 27 March 1987) and any additions thereto	Bundarra Community Purposes Reserve Trust
Bundarra	Bundarra Racecourse Reserve	R.42217 for racecourse (notified 27 November 1907) and any additions thereto	Bundarra Racecourse Reserve Trust

Crown Lands (General Reserves) By-law 2006

Reserves to which this By-law applies

Schedule 1

Location	Reserve name	Number, purpose, date	Corporate name
Bundarra	Bundarra Showground	7.158 hectares dedicated for showground and public recreation at Bundarra (notified 15 September 1909) and any additions thereto, now assigned the number D510031 in the records of the Department of Lands	Bundarra Showground Trust
Byron Bay	Lighthouse Hill Reserve	R.49122 for public recreation and preservation of native flora (notified 30 July 1913) and any additions thereto	Byron Shire Holiday Parks Reserve Trust
Canowindra	Canowindra Showground Reserve	R.47413 for showground and racecourse (notified 24 January 1912) and any additions thereto	Canowindra Showground Trust
Cobargo	Cobargo Showground	14.5069 hectares dedicated for showground at Cobargo (notified 20 December 1887) and any additions thereto, now assigned the number D580107 in the records of the Department of Lands	Cobargo Showground Trust
Coffs Harbour	Coffs Harbour Racecourse	50.77 hectares dedicated for racecourse and public recreation at Coffs Harbour (notified 7 December 1956) and any additions thereto, now assigned the number D540023 in the records of the Department of Lands	Coffs Harbour Racecourse and Public Recreation Trust
Coffs Harbour	Coffs Harbour Showground	17.6109 hectares dedicated for showground and public recreation at Coffs Harbour (notified 31 March 1967) and any additions thereto, now assigned the number D540030 in the records of the Department of Lands	Coffs Harbour Showground and Public Recreation Trust

Crown Lands (General Reserves) By-law 2006

Schedule 1 Reserves to which this By-law applies

Location	Reserve name	Number, purpose, date	Corporate name
Coffs Harbour	Park Beach Reserve	R.63966 for resting place and public recreation (notified 2 June 1933), R.81703 for resting place and public recreation (notified 19 June 1959), R.140089 for caravan park (notified 26 May 1995) and any additions thereto	Coffs Coast State Park Trust
Coonabarabran	Coonabarabran Showground Reserve	R.85201 for showground and public recreation (notified 22 January 1965) and any additions thereto	Coonabarabran Showground Trust
Cowra	Cowra Racecourse and Showground	39.1513 hectares dedicated for showground and racecourse at Cowra (notified 17 February 1909) and any additions thereto, now assigned the number D590004 in the records of the Department of Lands	Cowra Showground Racecourse and Paceway Trust
Cowra	Wyangala Waters State Park	D1001342 for public recreation (notified 1 June 1997) and any additions thereto	Wyangala Waters State Park Trust
Deepwater	Deepwater Public Hall Reserve	R.110017 for public hall (notified 25 March 1988) and any additions thereto	Deepwater Public Hall Trust
Delungra	Delungra Recreation Ground Reserve	R.82061 for public recreation (notified 9 October 1959) and any additions thereto	Delungra Recreation Reserve Trust
Dubbo	Dubbo Showground Reserve	R.84662 for showground and public recreation (notified 6 December 1963) and any additions thereto	Dubbo Showground Trust
Dubbo	Dubbo Small Bore Rifle Club Reserve	R.97620 for non-profit making organisations (notified 14 December 1984) and any additions thereto	Dubbo Small Bore Rifle Club Trust

Crown Lands (General Reserves) By-law 2006

Reserves to which this By-law applies

Schedule 1

Location	Reserve name	Number, purpose, date	Corporate name
Eureka	Eureka Public Recreation Reserve	R.86949 for public recreation (notified 8 November 1968) and any additions thereto	Eureka Public Recreation Reserve Trust
Evans Head	Dirawong Reserve	R.140012 for public recreation, preservation of native flora, preservation of fauna, conservation of Aboriginal heritage (notified 9 January 1987) and any additions thereto	Dirawong Reserve Trust
Evans Head	Evans Head Public Recreation Reserve	R.82910 for public recreation (notified 18 November 1960) and any additions thereto	Evans Head (R.82910) Public Recreation Reserve Trust
Forbes	Forbes Showground	5.71 hectares dedicated for showground at Forbes (notified 2 December 1899) and any additions thereto, now assigned the numbers D590010 and R.1002245 in the records of the Department of Lands	Forbes Showground Trust
Gilgai	Gilgai Public Hall and Recreation Reserves	R.37860 for public recreation (notified 25 June 1904) R.77683 for public recreation (notified 10 June 1955) R.89717 for public recreation and public hall (notified 30 January 1976) and any additions thereto	Gilgai Public Hall and Recreation Reserves Trust
Glen Innes	Glen Innes Showground	10.6918 hectares dedicated for showground at Glen Innes (notified 22 May 1877) and any additions thereto, now assigned the number D510036 in the records of the Department of Lands	Glen Innes Showground Trust
Goobarraganda	Thomas Boyd Trackhead	R.220011 for public recreation (notified 20 March 1987) and any additions thereto	Goobarraganda Valley Reserve Trust

Crown Lands (General Reserves) By-law 2006

Schedule 1 Reserves to which this By-law applies

Location	Reserve name	Number, purpose, date	Corporate name
Gore Hill	Gore Hill Memorial Cemetery	5.07 hectares dedicated as an historic cemetery at Gore Hill (notified 1 July 1987) and any additions thereto, now assigned the number D500620 in the records of the Department of Lands	Gore Hill Memorial Cemetery Trust
Grafton	Grafton Racecourse and Recreation Reserve	R.84958 for racecourse and public recreation (notified 24 July 1964) and any additions thereto	Grafton Racecourse and Recreation Reserve Trust
Greenwell Point	Greenwell Point Wharf Reserve	R.180017 for wharf facility (notified 24 April 1987) and any additions thereto	Greenwell Point Fishermen's Wharf Trust
Gulgong	Gulgong Racecourse Reserve	94.32 hectares dedicated for racecourse and public recreation at Gulgong (notified 22 January 1960) and any additions thereto, now assigned the number D520071 in the records of the Department of Lands	Gulgong Racecourse Reserve Trust
Gunnedah	Riverside Racecourse Reserve	R.72486 for racecourse (notified 31 October 1947) and any additions thereto	Gunnedah Racecourse Reserve Trust
Hampton	Hampton Park	4.047 hectares dedicated for the purpose of Park (notified 16 July 1904) and any additions thereto, now assigned the number D590012 in the records of the Department of Lands	Hampton Park Reserve Trust
Iluka	Iluka Koala Reserve	R.140072 for environmental protection (notified 13 December 1991) and any additions thereto	Iluka Koala Reserve Trust
Iluka	Iluka Park Reserve	R.89830 for caravan and camping park (notified 4 June 1976) and any additions thereto	Clarence Coast Reserve Trust

Crown Lands (General Reserves) By-law 2006

Reserves to which this By-law applies

Schedule 1

Location	Reserve name	Number, purpose, date	Corporate name
Inverell	Copeton Waters State Park	D1001341 for public recreation (notified 1 June 1997) and any additions thereto	Copeton Waters State Park Trust
Inverell	Goonoowigall Bushland Reserve	R.89639 for public recreation and preservation of native flora (notified 6 February 1976) and any additions thereto	Goonoowigall Bushland Reserve Trust
Inverell	Inverell Pioneer Village Reserve	R.87505 for museum (notified 14 November 1969) and any additions thereto	Inverell Pioneer Village Reserve Trust
Inverell	Inverell Speedway Reserve	R.97964 for public recreation (speedway) (notified 25 October 1985) and any additions thereto	Inverell Speedway Reserve Trust
Katoomba-Jenolan	Six Foot Track Heritage Reserve	R.1001056 for environmental protection, heritage purposes and public recreation (notified 27 February 1998) and any additions thereto	Six Foot Track Heritage Trust
Lawrence	Lawrence Recreation Reserve	R.96692 for public recreation (notified 8 April 1983) and any additions thereto	Lawrence (R.96692) Public Recreation Reserve Trust
Lithgow	Zig Zag Reserve	202.7 hectares dedicated for public recreation at Lithgow (notified 14 March 1881) and any additions thereto, now assigned the number D590044 in the records of the Department of Lands	Zig Zag Reserve Trust
Maclean	Wooloweyah Foreshore Reserve	R.95841 for public recreation and preservation of native flora (notified 5 March 1982) and any additions thereto	Clarence Coast Reserve Trust
Manilla	Split Rock Dam Recreation Reserve	R.200020 for public recreation (notified 2 March 1990) and any additions thereto	Split Rock Dam Recreation Reserve Trust

Crown Lands (General Reserves) By-law 2006

Schedule 1 Reserves to which this By-law applies

Location	Reserve name	Number, purpose, date	Corporate name
Mendooran	Mendooran Racecourse Reserve	R.43605 for racecourse (notified 10 March 1909) and any additions thereto	Mendooran Racecourse Trust
Moonee Beach	Moonee Beach Reserve	R.64933 for resting place and public recreation (notified 23 November 1934) and any additions thereto	Moonee Beach Public Recreation Reserve Trust
Mudgee	Mudgee Memorial Combined Sports Ground	R.81127 for showground, race-course and public recreation (notified 3 October 1958) and any additions thereto	Mudgee Combined Sportsground Trust
Mumbil	Burrendong Arboretum	R.120082 for arboretum (notified 22 June 1990) and any additions thereto	Burrendong Arboretum Trust
Mumbil	Lake Burrendong State Park	D1001355 for public recreation (notified 1 June 1997) and any additions thereto	Lake Burrendong State Park Trust
Nambucca Heads	Bellwood Park Reserve	R.77534 for public recreation (notified 15 April 1955) and any additions thereto	Nambucca Heads Bellwood Park Reserve Trust
Nambucca Heads	Headland Reserve	R.63811 for resting place and public recreation (notified 3 March 1933) and any additions thereto	Nambucca Heads (R.63811) Headland Reserve Trust
Nambucca Heads	Reserve 69215	R.69215 for public recreation and access (notified 10 May 1940) and any additions thereto	Nambucca Heads (R.69215) Swimming Creek Reserve Trust
Nambucca Heads	Reserve 85113	R.85113 for public recreation (notified 20 November 1964) and any additions thereto	Nambucca Heads (R.85113) Public Recreation Reserve Trust
Nambucca Heads	Stuarts Island Reserve	R.77566 for public recreation (notified 22 April 1955) and any additions thereto	Nambucca Heads Stuarts Island Reserve Trust

Crown Lands (General Reserves) By-law 2006

Reserves to which this By-law applies

Schedule 1

Location	Reserve name	Number, purpose, date	Corporate name
Nambucca Heads	Swimming Creek Reserve	R.81006 for public recreation (notified 22 August 1958) and any additions thereto	Nambucca Heads (R.81006) Swimming Creek Public Recreation Reserve Trust
Nambucca Heads	Valley Valley Recreation Reserve	R.88941 for public recreation and preservation of native flora (notified 29 June 1973) and any additions thereto	Nambucca Heads (R.88941) Public Recreation Reserve Trust
Newton Boyd	Newton Boyd Reserve	R.90728 for public recreation and public hall (notified 11 March 1977) and any additions thereto	Newton Boyd Hall Reserve Trust
Nymboida	Chambigne Recreation Reserve	R.86968 for public recreation (notified 22 November 1968) and any additions thereto	Chambigne (R.86968) Public Recreation Reserve Trust
Nymboida	Eatonville Public Recreation Reserve	R.86394 for public recreation (notified 25 August 1967) and any additions thereto	Eatonville (R.86394) Public Recreation Reserve Trust
Nymboida	Nymboida Recreation Reserve	R.91555 for public recreation (notified 7 September 1979) and any additions thereto	Nymboida (R.91555) Public Recreation Reserve Trust
Nymboida	Towallum Recreation Reserve	R.91347 for public recreation (notified 15 December 1978) and any additions thereto	Towallum (R.91347) Public Recreation Reserve Trust
Oberon	Oberon Showground	4.388 hectares dedicated for showground at Oberon (notified 9 September 1899) and any additions thereto, now assigned the number D590080 in the records of the Department of Lands	Oberon Showground Trust

Crown Lands (General Reserves) By-law 2006

Schedule 1 Reserves to which this By-law applies

Location	Reserve name	Number, purpose, date	Corporate name
Orange	Central Tablelands Heritage Lands Reserve	R.81412 for public recreation (notified 20 February 1959) and R.190027 for public recreation (notified 30 January 1987) and any additions thereto	Central Tablelands Heritage Lands Trust
Orange	Ophir Memorial Reserve	R.65909 for public recreation (notified 3 April 1936) and any additions thereto	Ophir (R.65909) Reserve Trust
Orange	Orange Racecourse	117.26 hectares dedicated for racecourse at Orange (notified 1 July 1873) and any additions thereto, now assigned the numbers D590050 and D590136 in the records of the Department of Lands	Orange Racecourse Trust
Pambula	Pambula Recreation Reserve	R.98164 for showground and public recreation (notified 9 May 1986) and any additions thereto	Pambula Recreation and Showground (R.98164) Reserve Trust
Parkes	Parkes Racecourse Reserve	R.15223 for racecourse (notified 13 February 1892) and any additions thereto	Parkes Racecourse Trust
Peak Hill	Peak Hill Showground	26.87 hectares dedicated for showground at Peak Hill (notified 19 October 1894) and any additions thereto, now assigned the number D590055 in the records of the Department of Lands	Peak Hill Showground Trust
Peel	Peel Native Flora and Fauna Reserve	R.91214 for promotion of the study and the preservation of native flora and fauna (notified 4 August 1978) and any additions thereto	Peel Native Flora and Fauna Reserve Trust

Crown Lands (General Reserves) By-law 2006

Reserves to which this By-law applies

Schedule 1

Location	Reserve name	Number, purpose, date	Corporate name
Quaama	Quaama Sports Ground	2.6589 hectares dedicated for racecourse and public recreation at Quaama (notified 31 October 1947) and any additions thereto, now assigned the number D580101 in the records of the Department of Lands	Quaama Sports Ground Trust
Quirindi	Quirindi Racecourse Reserve	R.72708 for showground, racecourse and public recreation (notified 21 May 1948) and any additions thereto	Quirindi (R72708) Reserve Trust
Red Rock	Red Rock Recreation Reserve	R.64746 for public recreation and resting place (notified 14 September 1934) and any additions thereto	Red Rock Public Recreation Reserve Trust
Rushcutters Bay	Sir David Martin Reserve	R.100076 for public recreation and maritime purposes (notified 16 January 1987) and any additions thereto	Rushcutters Bay Maritime Reserve Trust
Rylstone	Ferntree Gully Reserve	R.190113 for environmental protection (notified 19 August 1994) and any additions thereto	Ferntree Gully Reserve Trust
Sawtell	Boambee Creek Park	R.84835 for public recreation (notified 10 April 1964) and any additions thereto	Boambee Creek Park Reserve Trust
Scone	Lake Glenbawn State Park	D1001337 for public recreation (notified 1 June 1997) and any additions thereto	Lake Glenbawn State Park Trust
Scotts Head	Scotts Head Reserve	R.65963 for resting place and public recreation (notified 8 May 1936) and any additions thereto	Scotts Head Reserve Trust
Shellharbour	Killalea State Park	D1001339 for public recreation (notified 1 June 1997) and any additions thereto	Killalea State Park Trust

Crown Lands (General Reserves) By-law 2006

Schedule 1 Reserves to which this By-law applies

Location	Reserve name	Number, purpose, date	Corporate name
Tamworth	Lake Keepit State Park	D1001338 for public recreation (notified 1 June 1997) and any additions thereto	Lake Keepit State Park Trust
Temora	Temora Showground	21.25 hectares dedicated for showground at Temora (notified 10 September 1886) and any additions thereto, now assigned the number D620071 in the records of the Department of Lands	Temora Showground Trust
Tenterfield	Tenterfield Showground	10.75 hectares dedicated for showground at Tenterfield (notified 28 January 1879) and any additions thereto, now assigned the numbers D510045 to D510048 in the records of the Department of Lands	Tenterfield Showground Trust
Tingha	Tingha Caravan Park and Recreation Reserve	R.110016 for public recreation, caravan and camping park (notified 5 February 1988) and any additions thereto	Tingha Caravan Park Reserve Trust
Ulladulla	Ulladulla Wildflower Reserve	R.95755 for preservation of native flora (notified 24 December 1981) and any additions thereto	Ulladulla Wildflower Reserve Trust
Urunga	Urunga Heads Caravan Park	R.82452 for public recreation (notified 1 April 1960) and any additions thereto	Morgo Street Reserve Trust
Valla Beach	Valla Beach Recreation Reserve	R.82967 for public recreation (notified 16 December 1960) and any additions thereto	Valla Beach (R.82967) Public Recreation Reserve Trust
Walcha	Walcha Tennis Courts Reserve	R.82902 for tennis courts (notified 11 November 1960) and any additions thereto	Walcha Tennis Courts Reserve Trust

Crown Lands (General Reserves) By-law 2006

Reserves to which this By-law applies

Schedule 1

Location	Reserve name	Number, purpose, date	Corporate name
Wattle Flat	Wattle Flat Recreation Reserve	R.190105 for environmental protection and public recreation (notified 24 December 1992) and any additions thereto	Wattle Flat Heritage Lands Trust
Wee Jasper	Wee Jasper Reserves	R.60618 for public recreation (notified 27 July 1928), R.130005 to 130010 for public recreation (notified 12 December 1986), R.130064 for public recreation (notified 14 May 1993) and R.87128 for preservation of caves (notified 3 April 1969) and any additions thereto	Wee Jasper Reserve Trust
Wingham	Wingham Showground	10.12 hectares dedicated for showground at Wingham (notified 15 July 1884) and any additions thereto, now assigned the number D610034 in the records of the Department of Lands	Wingham Showground Trust
Woolgoolga	Woolgoolga Beach and Lakes Reserve	R.63076 for resting place and public recreation (notified 27 November 1931) and any additions thereto	Woolgoolga Beach Reserve Trust
Yarrie Lake	Yarrie Lake Flora and Fauna Reserve	R.86842 for public recreation and preservation of native flora and fauna (notified 30 August 1968) and any additions thereto	Yarrie Lake Flora and Fauna Reserve Trust
Yass	Burrinjuck Waters State Park	D1001340 for public recreation (notified 1 June 1997) and any additions thereto	Burrinjuck Waters State Park Trust

Crown Lands (General Reserves) By-law 2006

Schedule 1 Reserves to which this By-law applies

Location	Reserve name	Number, purpose, date	Corporate name
Young	Young Showground	19.4526 hectares dedicated for Showground at Young (notified 6 April 1895) and any additions thereto, now assigned the number D530011 in the records of the Department of Lands	Young Showground Trust

Part 2 Reserves for crematoriums, general cemeteries or portions of general cemeteries

Each cemetery and crematorium within the Necropolis referred to in the *Rookwood Necropolis Act 1901*

Botany Cemetery

Eastern Suburbs Crematorium

Field of Mars Catholic Cemetery

Field of Mars General Cemetery, Baptist Portion

Field of Mars General Cemetery, Church of England Portion

Field of Mars General Cemetery, Presbyterian Portion

Field of Mars General Cemetery, Uniting Church Portion

Field of Mars Independent (Congregational) Cemetery

Frenchs Forest General Cemetery

Liverpool General Cemetery, Baptist Portion

Liverpool General Cemetery, Catholic Portion

Liverpool General Cemetery, Church of England Portion

Liverpool General Cemetery, Muslim Portion

Liverpool General Cemetery, Presbyterian Portion

Liverpool General Cemetery, Seventh-day Adventist Portion

Liverpool General Cemetery, Uniting Church Portion

Northern Suburbs General Cemetery

Sandgate General Cemetery

Woronora General Cemetery

OFFICIAL NOTICES

Appointments

ABORIGINAL LAND RIGHTS ACT 1983

Notice of Extension of Administrator
Ashford Local Aboriginal Land Council

I, the Honourable MILTON ORKOPOULOS, M.P., Minister for Aboriginal Affairs, following approval by the New South Wales Aboriginal Land Council, do, by this notice pursuant to section 231(2) of the Aboriginal Land Rights Act 1983 (the Act), extend the appointment of Mr Barry JAMESON as Administrator to the Ashford Local Aboriginal Land Council for a maximum period of six (6) calendar months, effective from 9 September 2006. During the period of his appointment, the Administrator will have all of the functions of a Local Aboriginal Land Council as specified in section 52(1) of the Act, and any other duties as specified by the agreed terms of appointment. The Administrator's remuneration is not to exceed \$50,000 dollars, excluding GST.

Signed and sealed this 17th day of August 2006.

MILTON ORKOPOULOS, M.P.,
Minister for Aboriginal Affairs

GOD SAVE THE QUEEN!

ABORIGINAL LAND RIGHTS ACT 1983

Notice of Extension of Administrator
Moree Local Aboriginal Land Council

I, the Honourable MILTON ORKOPOULOS, M.P., Minister for Aboriginal Affairs, following approval by the New South Wales Aboriginal Land Council, do, by this notice pursuant to section 231(2) of the Aboriginal Land Rights Act 1983 (the Act), extend the appointment of Mr Paul GIDLEY as Administrator to the Moree Local Aboriginal Land Council for a maximum period of twelve (12) calendar months, effective from 14 August 2006. During the period of his appointment, the Administrator will have all of the functions of a Local Aboriginal Land Council as specified in section 52(1) of the Act, and any other duties as specified by the agreed terms of appointment. The Administrator's remuneration is not to exceed \$120,000 dollars, excluding GST.

Signed and sealed this 14th day of August 2006.

MILTON ORKOPOULOS, M.P.,
Minister for Aboriginal Affairs

GOD SAVE THE QUEEN!

CRIMES (ADMINISTRATION OF SENTENCES) ACT 1999

Appointment of Chairperson
Serious Offenders Review Council

HER Excellency the Governor, with the advice of the Executive Council and pursuant to the provisions of the Crimes (Administration of Sentences) Act 1999, has approved the appointment of The Hon. David Daniel LEVINE, RFD,

QC, as Chairperson of the Serious Offenders Review Council for a period of three (3) years on and from 16 August 2006 until 15 August 2009.

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

FIRE SERVICES JOINT STANDING COMMITTEE ACT 1998

Appointment of Members
Fire Services Joint Standing Committee

I, TONY KELLY, M.L.C., Minister for Emergency Services, in pursuance of section 4(2) of the Fire Services Joint Standing Committee Act 1998, appoint the following persons as Members of the Fire Services Joint Standing Committee:

Philip Christian KOPERBERG, AO, AFSM, BEM,
Gregory Philip MULLINS, AFSM,
Gerard Anthony BYRNE,
Stuart MIDGLEY, AFSM,
Christopher LORD and
Simon FLYNN,

for the three-year period expiring on 5 July 2009.

TONY KELLY, M.L.C.,
Minister for Emergency Services

LANDLORD AND TENANT (RENTAL BONDS) ACT 1977

Appointment of Members

I, DIANE BEAMER, M.P., Minister for Fair Trading, re-appoint Ms Michelle JONES and Ms Sandra McGEE as members of the Rental Bond Board pursuant to section 6(1)(d) of the Landlord and Tenant (Rental Bonds) Act 1977, for a term expiring 30 June 2007.

Dated this 15th day of August 2006.

DIANE BEAMER, M.P.,
Minister for Fair Trading,
Minister for Western Sydney
and Minister Assisting the Minister for Commerce

THE UNIVERSITY OF NEW ENGLAND ACT 1993

Notification of Appointment to the Council

I, CARMEL TEBBUTT, M.L.C., Minister for Education and Training, in pursuance of sections 9(1)(b) and 9(4) of the University of New England Act 1993, appoint the following persons:

- Ms Fiona GIUSEPPI
- Mr James HARRIS
- Ms Jill HICKSON
- Ms Jan McCLELLAND

- Mr Richard TORBAY, M.P.

as members of the Council of the University of New England for a term of office expiring on 16 August 2010.

CARMEL TEBBUTT, M.L.C.,
Minister for Education and Training

**THE UNIVERSITY OF TECHNOLOGY, SYDNEY,
ACT 1989**

Notification of Appointments to the Council

I, CARMEL TEBBUTT, M.L.C., Minister for Education and Training, in pursuance of sections 9(1)(b) and 9(4) of the University of Technology, Sydney, Act 1989, appoint the following persons as members of the Council of the University of Technology, Sydney, commencing on 1 November 2006:

- Mr Anthony STEWART, M.P., for a term of office expiring on 31 October 2008.
- Mr Ross FOWLER, for a term of office expiring on 31 October 2008.
- Mr Russell TAYLOR, for a term of office expiring on 31 October 2008.
- Mrs Dianne LECKIE, for a term of office expiring on 31 October 2010.
- Mr Warwick WATKINS, for a term of office expiring on 31 October 2010.
- Mr Brian WILSON, for a term of office expiring on 31 October 2010.

CARMEL TEBBUTT, M.L.C.,
Minister for Education and Training

Department of Lands

FAR WEST REGIONAL OFFICE

45 Wingewarra Street (PO Box 1840), Dubbo NSW 2830

Phone: (02) 6883 3000 Fax: (02) 6883 3099

SURRENDER OF A WESTERN LANDS LEASE

IT is hereby notified for public information that in pursuance of section 33A of the Western Lands Act 1901, the Western Lands Lease particularised hereunder has been surrendered.

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

Western Lands Lease No.: 4121.

Name of Lessee: Glengarry Grawin Sheeppark Miners Association Incorporated.

Area Surrendered: Lot 1952, DP 763834 of 1579 hectares.

Date of Surrender: 11 August 2006.

Administrative District: Walgett.

Shire: Walgett.

GRANTING OF A WESTERN LANDS LEASE

IT is hereby notified that under the provisions of section 28A of the Western Lands Act 1901, the Western Lands Lease of the land specified has been granted to the undermentioned persons.

The lease is subject to the provisions of the Western Lands Act 1901 and the Regulations thereunder and to the special conditions, provisions, exceptions, covenants and reservations set out hereunder.

The land is to be used only for the purpose for which the lease is granted.

All amounts due and payable to the Crown must be paid to the Department of Lands by the due date.

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

*Administrative District – Cobar; Shire – Cobar;
Parish – Yanda; County – Robinson.*

Western lands Lease 14554 was granted to Alastair Walter McROBERT, comprising Lot 5994, DP 765195 (folio identifier 5994/765195), of 64.75 hectares at Cobar, for the purpose of "Grazing" for a term of 40 years commencing 30 August 2004 and expiring 29 August 2044.

Papers: WLL 14554.

CONDITIONS AND RESERVATIONS ATTACHED TO WESTERN LANDS LEASE 14554

(1) In the conditions annexed to the lease, the expression "the Minister" means the Minister administering the Western Lands Act 1901, and any power, authority, duty or function conferred or imposed upon the Minister by or under those conditions may be exercised or performed either by the Minister or by such officers

of the Department of Infrastructure, Planning and Natural Resources as the Minister may from time to time approve.

- (2) In these conditions and reservations the expression "the Commissioner" means the Commissioner charged with the administration of the Western Lands Act 1901 ("the Act") in accordance with section 4(2) of the Act.
- (3) (a) For the purposes of this clause the term Lessor shall include Her Majesty the Queen Her Heirs and Successors the Minister and the agents servants employees and contractors of the Lessor Her Majesty Her Majesty's Heirs and Successors and the Minister.
 - (b) The lessee covenants with the Lessor to indemnify and keep indemnified the Lessor from and against all claims for injury loss or damage suffered by any person or body using or being in or upon the Premises or any adjoining land or premises of the Lessor arising out of the Holder's use of the Premises and against all liabilities for costs charges and expenses incurred by the Lessor in respect of the claim of any such person or body except to the extent that any such claims and demands arise wholly from any negligence or wilful act or omission on the part of the Lessor.
 - (c) The indemnity contained in this clause applies notwithstanding that this Lease authorised or required the lessee to undertake or perform the activity giving rise to any claim for injury loss or damage.
 - (d) The lessee expressly agrees that the obligations of the Holder under this clause shall continue after the expiration or sooner determination of this Lease in respect of any act deed matter or thing occurring before such expiration or determination.
- (4) The rent of the lease shall be assessed in accordance with Part 6 of the Western Lands Act 1901.
- (5) The rent shall be due and payable annually in advance on 1 July in each year.
- (6) (a) "GST" means any tax on goods and/or services, including any value-added tax, broad-based consumption tax or other similar tax introduced in Australia.

"GST law" includes any Act, order, ruling or regulation, which imposes or otherwise deals with the administration or imposition of a GST in Australia.

 - (b) Notwithstanding any other provision of this Agreement:
 - (i) If a GST applies to any supply made by either party under or in connection with this Agreement, the consideration provided or to be provided for that supply will be increased by an amount equal to the GST liability properly incurred by the party making the supply.

- (ii) If the imposition of a GST or any subsequent change in the GST law is accompanied by or undertaken in connection with the abolition of or reduction in any existing taxes, duties or statutory charges (in this clause "taxes"), the consideration payable by the recipient of the supply made under this Agreement will be reduced by the actual costs of the party making the supply that are reduced directly or indirectly as a consequence of the abolition of or reduction in taxes.
- (7) The lessee shall pay all rates and taxes assessed on or in respect of the land leased during the currency of the lease.
- (8) The lessee shall hold and use the land leased bona fide for the lessee's own exclusive benefit and shall not transfer, convey or assign the land or any portion thereof without having first obtained the written consent of the Minister.
- (9) The lessee shall not enter into a sublease of the land leased unless the sublease specifies the purpose for which the land may be used under the sublease, and it is a purpose which is consistent with the purpose for which the land may be used under this lease.
- (10) If the lessee enters into a sublease of the land leased, the lessee must notify the Commissioner of the granting of the sublease within 28 days after it is granted.
- (11) The land leased shall be used only for the purpose of "Grazing".
- (12) The lessee shall maintain and keep in reasonable repair all improvements on the land leased during the currency of the lease and shall permit the Minister or the Commissioner or any person authorised by the Minister or the Commissioner at all times to enter upon and examine the whole or any part of the land leased and the buildings or other improvements thereon.
- (13) All minerals within the meaning of the Mining Act 1992, and all other metals, gemstones and semiprecious stones, which may be in, under or upon the land leased are reserved to the Crown and the lessee shall permit any person duly authorised in that behalf to enter upon the land leased and search, work, win and remove all or any minerals, metals, gemstones and semiprecious stones in, under or upon the land leased.
- (14) Mining operations may be carried on, upon and in the lands below the land leased and upon and in the lands adjoining the land leased and the lands below those lands and metals and minerals may be removed therefrom and the Crown and any lessee or lessees under any Mining Act or Acts shall not be subject to any proceedings by way of injunction or otherwise in respect of or be liable for any damage occasioned by the letting down, subsidence or lateral movement of the land leased or any part thereof or otherwise by reason of the following acts and matters, that is to say, by reason of the Crown or any person on behalf of the Crown or any lessee or lessees, having worked now or hereafter working any mines or having carried on or now or hereafter carrying on mining operations or having searched for, worked, won or removed or now or hereafter searching for, working, winning or removing any metals or minerals under, in or from the lands lying beneath the land leased or any part thereof, or on, in, under or from any other lands situated laterally to the land leased or any part thereof or the lands lying beneath those lands, and whether on or below the surface of those other lands and by reason of those acts and matters or in the course thereof the Crown reserves the liberty and authority for the Crown, any person on behalf of the Crown and any lessee or lessees from time to time to let down without payment of any compensation any part of the land leased or of the surface thereof.
- (15) The lessee shall comply with the provisions of the Local Government Act 1993, and of the ordinances made thereunder.
- (16) The lessee shall ensure that the land leased is kept in a neat and tidy condition to the satisfaction of the Commissioner and not permit refuse to accumulate on the land.
- (17) Upon termination or forfeiture of the lease the Commissioner may direct that the former lessee shall remove any structure or material from the land at his own cost and without compensation. Where such a direction has been given the former lessee shall leave the land in a clean and tidy condition free from rubbish and debris.
- (18) The lessee shall, within 1 year from the date of commencement of the lease or such further period as the Commissioner may allow, enclose the land leased, either separately or conjointly with other lands held in the same interest, with a suitable fence to the satisfaction of the Commissioner.
- (19) The lessee shall not obstruct or interfere with any reserves, roads or tracks on the land leased, or the lawful use thereof by any person.
- (20) The lessee shall erect gates on roads within the land leased when and where directed by the Commissioner for public use and shall maintain those gates together with approaches thereto in good order to the satisfaction of the Commissioner.
- (21) The right is reserved to the public of free access to, and passage along, the bank of any watercourse adjoining the land leased and the lessee shall not obstruct access or passage by any member of the public to or along the bank.
- (22) Any part of a reserve for travelling stock, camping or water supply within the land leased shall, during the whole currency of the lease, be open to the use of bona fide travellers, travelling stock, teamsters and carriers without interference or annoyance by the lessee and the lessee shall post in a conspicuous place on the reserve a notice board indicating for public information the purpose of such reserve and, in fencing the land leased, the lessee shall provide gates and other facilities for the entrance and exit of travelling stock, teamsters and others. The notice board, gates and facilities shall be erected and maintained to the satisfaction of the Commissioner. The lessee shall not overstock, wholly or in part, the areas leased within the reserve, the decision as to overstocking resting with the Commissioner.
- (23) The Crown shall not be responsible to the lessee or the lessee's successors in title for provision of access to the land leased.

- (24) The lessee shall comply with requirements of section 18DB of the Western Lands Act 1901 which provides that, except in the circumstances referred to in subsection (4) of that section, any native vegetation on the land the subject of the lease, and any part of the land that is protected land, must not be cleared except in accordance with the Native Vegetation Conservation Act 1997.
- (25) The lessee shall comply with requirements of section 18DA of the Western Lands Act 1901 which provides that except in circumstances referred to in subsection (3) of that section, cultivation of the land leased or occupied may not be carried out unless the written consent of the Department has first been obtained and any condition to which the consent is subject under subsection (6) is complied with.
- (26) Notwithstanding any other condition annexed to the lease, the lessee shall, in removing timber for the purpose of building, fencing or firewood, carefully preserve all timber, scrub, vegetative cover and any regeneration thereof (except noxious plants and those "woody weeds" specified in Clause 28(1) and parts 9 and 13 in Schedule 4 of the Regulations) on the following parts of the land leased:
- between the banks of, and within strips at least 20 metres wide along each bank of, any creek or defined watercourse;
 - within strips at least 30 metres wide on each side of the centre line of any depression, the sides of which have slopes in excess of 1 (vertically) in 4 (horizontally), that is, approximately 14 degrees;
 - where the slopes are steeper than 1 (vertically) in 3 (horizontally), that is, approximately 18 degrees;
 - within strips not less than 60 metres wide along the tops of any ranges and main ridges;
 - not in contravention of section 21CA of the Soil Conservation Act 1938.
- In addition to the foregoing requirements of this condition, the lessee shall preserve on so much of the land leased as is not the subject of a clearing licence (where possible, in well distributed clumps or strips) not less than an average of 30 established trees per hectare, together with any other timber, vegetative cover or any regeneration thereof which may, from time to time, be determined by the Commissioner to be useful or necessary for soil conservation or erosion mitigation purposes or for shade and shelter.
- (27) The lessee shall not interfere with the timber on any of the land leased which is within a State forest, timber reserve or flora reserve unless authorisation has been obtained under the provisions of the Forestry Act 1916 and shall not prevent any person or persons duly authorised in that behalf from taking timber on the land leased. The lessee shall not have any property right in the timber on the land leased and shall not ringbark, kill, destroy or permit the killing or destruction of any timber unless authorised under the Forestry Act 1916 or unless a clearing licence has been issued pursuant to section 18DB of the Western Lands Act 1901, but the lessee may take such timber as the lessee may reasonably require for use on the land leased, or on any contiguous land held in the same interest, for building, fencing or firewood.
- (28) The lessee shall take all necessary steps to protect the land leased from bush fire.
- (29) The lessee shall, as the Commissioner may from time to time direct, foster and cultivate on the land leased such edible shrubs and plants as the Commissioner may consider can be advantageously and successfully cultivated.
- (30) Whenever so directed by the Commissioner, the lessee shall, on such part or parts of the land leased as shall be specified in the direction, carry out agricultural practices, or refrain from agricultural practices, of such types and for such periods as the Commissioner may in the direction specify.
- (31) The lessee shall not overstock, or permit or allow to be overstocked, the land leased and the decision of the Commissioner as to what constitutes overstocking shall be final and the lessee shall comply with any directions of the Commissioner to prevent or discontinue overstocking.
- (32) The lessee shall, if the Commissioner so directs, prevent the use by stock of any part of the land leased for such periods as the Commissioner considers necessary to permit of the natural reseeding and regeneration of vegetation and, for that purpose, the lessee shall erect within the time appointed by the Commissioner such fencing as the Commissioner may consider necessary.
- (33) The lessee shall furnish such returns and statements as the Commissioner may from time to time require on any matter connected with the land leased or any other land (whether within or outside the Western Division) in which the lessee has an interest.
- (34) The lessee shall, within such time as may be specified by the Commissioner take such steps and measures as the Commissioner shall direct to destroy vermin and such animals and weeds as may, under any Act, from time to time be declared (by declaration covering the land leased) noxious in the Gazette and shall keep the land free of such vermin and noxious animals and weeds during the currency of the lease to the satisfaction of the Commissioner.
- (35) The lessee shall not remove or permit any person to remove gravel, stone, clay, shells or other material for the purpose of sale from the land leased unless the lessee or the person is the holder of a quarry license under regulations made under the Crown Lands Act 1989 or, in respect of land in a State forest, unless the lessee or the person is the holder of a forest materials licence under the Forestry Act 1916, and has obtained the special authority of the Minister to operate on the land, but the lessee may, with the approval of the Commissioner, take from the land such gravel, stone, clay, shells or other material for building and other purposes upon the land as may be required by the lessee.
- (36) The lessee shall comply with the provisions of the Protection of the Environment Operations Act 1997.
- (37) The Minister may at any time terminate the lease upon giving reasonable notice if desired by Forest NSW.

GRANTING OF A WESTERN LANDS LEASE

IT is hereby notified that under the provisions of section 28A of the Western Lands Act 1901, the Western Lands Leases specified in the following Schedule have been granted.

The leases are subject to the provisions of the Western Lands Act 1901 and the Regulations thereunder.

The land is to be used only for the purpose of Residence.

Initial rent will be \$100.00 per annum and re-assessed thereafter annually on 1 April of each year.

The Conditions and Reservations annexed to the leases are those published in the *New South Wales Government Gazette* of 18 February 2005, Folios 434 and 435.

All amounts due and payable to the Crown MUST be paid to the Department of Lands by the due date.

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

SCHEDULE

Administrative District – Walgett North; L.G.A. – Walgett; Parish – Wallangulla; County – Finch.

WLL No.	Name of Lessee	Lot	Deposited Plan	Folio Identifier	Area (m2)	Term of Lease	
						From	To
WLL14658	Gary BURTON	136	1076808	136/1076808	2681	11-08-2006	10-08-2026
WLL146 50	Steven John SPENCE and Karin Therese THURSTON as Joint Tenants	20	1066289	20/1066289	2490	11-08-2006	10-08-2026
WLL14673	Cheryl Janine VOGEL	38	1066289	38/1066289	2475	11-08-2006	10-08-2026
WLL14741	Monica ELDRIDGE	202	1076808	202/1076808	2672	11-08-2006	10-08-2026

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

ORDER

Correction of Defective Instrument

IN pursuance of the provisions of the Roads Act 1993, section 257, the Instrument contained within *New South Wales Government Gazette* No. 93, dated 21 July 2006, Folio 5765, under the heading "GOULBURN OFFICE, Notification of Closing of a Road" the description is hereby amended. The description, "Lot 1, DP 1085451" is deleted and replaced with "Lots 1 and 2, DP 1095804".

File No.: GB03 H 250.JK.

NOTIFICATION OF CLOSING OF A ROAD

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

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

Description

Parish – Bywong; County – Murray;
Land District – Queanbeyan;
L.G.A. – Yass Valley Council.

Lot 20, DP 700407 (not being land under the Real Property Act).

File No.: GB04 H 121.BA.

Note: On closing, the title for the land in Lot 20 remains vested in Yass Valley Council as operational land.

REVOCATION OF RESERVATION OF CROWN LAND

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

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

SCHEDULE**COLUMN 1**

Land District: Crookwell.
 Local Government Area:
 Upper Lachlan.
 Locality: Burridgee.
 Reserve No.: 74014.
 Public Purpose: Soil
 conservation.
 Notified: 9 February 1951.
 File No.: GB04 H 461.

COLUMN 2

The whole being Lot 145,
 DP No. 753021, Parish
 Burridgee, County Georgiana,
 of an area of 35.92 hectares.

Note: To revoke reserve to facilitate conversion of perpetual lease.

**DRAFT ASSESSMENT OF CROWN LAND UNDER
 PART 3 OF THE CROWN LANDS ACT 1989 AND
 THE CROWN LANDS REGULATION 2000**

THE Minister for Lands has prepared a draft assessment for the Crown Land described hereunder.

Inspection of this draft assessment can be made at the Goulburn Office of the Department of Lands, 159 Auburn Street, Goulburn and at the Queanbeyan City Council Chambers, 257 Crawford Street, Queanbeyan, during normal business hours. The draft assessment will also be available on the Department of Lands Web Site – www.lands.nsw.gov.au.

Representations are invited from the public on the draft assessment. These may be made in writing for a period of twenty eight (28) days commencing from the 28 August until the 25 September 2006 and should be sent to the Team Leader Environment, Department of Lands, PO Box 60, Wagga Wagga NSW 2650. Please quote reference number GB05 H 164.

Reason for Assessment: The land assessment was undertaken to identify the future use of the Crown Land parcels.

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

Description

Crown Land between Erin Street, Campbell Street and Queanbeyan River at Queanbeyan, comprising a total area of 4.54 hectares being Lot 113, 114, 115 and 116, DP 821709 (excluding Henderson Street), Parish of Queanbeyan, County of Murray and Local Government Area of Queanbeyan City.

Contact: Wendy Menz (02) 6937 2711.

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

RESERVATION OF CROWN LAND**SCHEDULE 3**

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

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

SCHEDULE 1**COLUMN 1**

Land Districts: Grafton and Bellingen.
 Local Government Area: Coffs Harbour.
 Parishes: Red Rock, Corindi, Woolgoolga, Moonee, Coff, Bonville and North Bellingen.
 Counties: Clarence, Fitzroy and Raleigh.
 Locality: Coffs Harbour being the Crown Land depicted on the plan of R1012190 held by the Grafton Office Department of Lands.
 Area: About 12,645 hectares.
 File No.: GF06 R 57.

Note: Existing reservations under the Crown Lands Act are not revoked.

SCHEDULE 2**COLUMN 1**

Land Districts: Lismore and Grafton.
 Local Government Area: Richmond Valley.
 Parishes: Riley and Evans.
 County: Richmond.
 Locality: Evans Head being the Crown Land depicted on the plan of R1012192 held by the Grafton Office Department of Lands.
 Area: About 11,000 hectares.
 File No.: GF06 R 59.

Note: Existing reservations under the Crown Lands Act are not revoked.

COLUMN 1

Land District: Murwillumbah.
 Local Government Area: Tweed.
 Parishes: Mooball, Cudgen and Terranora.
 County: Rous.
 Locality: Tweed Heads being the Crown Land depicted on the plan of R1012191 held by the Grafton Office Department of Lands.
 Area: About 54,364 hectares.
 File No.: GF06 R 58.

Note: Existing reservations under the Crown Lands Act are not revoked.

COLUMN 2

Reserve No. 1012191 for the public purpose of access and public requirements, rural services, tourism purposes and environmental and heritage conservation.

HAY OFFICE
126 Lachlan Street (PO Box 182), Hay NSW 2711
Phone: (02) 6993 1306 Fax: (02) 6993 1135

NOTIFICATION OF CLOSING OF PUBLIC ROAD

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

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

SCHEDULE

Land District of Deniliquin; Council of Deniliquin.

Lot 11 of DP 1100104 at Deniliquin, Parish of South Deniliquin, County of Townsend.

File No.: HY06 H 06.

Note: On closing, title for the land comprised in Lot 11 remains vested in the Deniliquin Council as Operational Land.

HEAD OFFICE
1 Prince Albert Road, Sydney NSW 2000 (PO Box 15 Sydney 2001)
Phone: (02) 9236 7764 Fax (02) 8236 7081

ERRATUM

IN the notification appearing in the *New South Wales Government Gazette* of 18 August 2006, Folio 6332, under the heading "DECLARATION OF A PUBLIC PURPOSE PURSUANT TO SECTION 3 OF THE CROWN LANDS ACT 1989", delete the words "Access and public requirements, rural services, tourism purposes and environment and heritage conservation" and insert the words "Access and public requirements, rural services, tourism purposes and environmental and heritage conservation" in lieu thereof.

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

MAITLAND OFFICE**Corner Newcastle Road and Banks Street (PO Box 6), East Maitland NSW 2323****Phone: (02) 4937 9300 Fax: (02) 4934 2252****NOTIFICATION OF CLOSING OF ROAD**

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

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

Description

*Parish – Kahibah; County – Northumberland;
Land District – Newcastle;
Local Government Area – Lake Macquarie.*

Roads Closed: Lots 1 and 2, DP 1100943 at Belmont.

File No.: MD04 H 121.

Notes: (1) Lot 1, DP 1100943 is limited in stratum.

(2) Lot 2, DP1100943 is subject to easement for services 20.115 wide created by Deposited Plan 1100943, and easement for water main 4 wide created by Deposited Plan 1100943.

Schedule

On closing, the land within Lots 1 and 2, DP 1100943 remains vested in Lake Macquarie City Council as operational land for the purposes of the Local Government Act 1993.

Council's Reference: F2004/07485.

Description

*Parish – Millfield; County – Northumberland;
Land District – Maitland;
Local Government Area – Cessnock.*

Road Closed: Lot 3, DP 1095488 at Mount View subject to easement for transmission line variable width created by Deposited Plan 1095488.

File No.: MD04 H 81.

Schedule

In accordance with section 44 of the Roads Act 1993, the Crown consents to the land in Lot 3, DP 1095488 being vested in the Cessnock City Council as operational land, to be given by the Council as compensation for other land acquired by the Council for the purposes of the Roads Act.

Council's Reference: PIN505547.

RESERVATION OF CROWN LAND

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

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

SCHEDULE**COLUMN 1**

Land District: Gosford.
Local Government Area:
Lake Macquarie City
Council.
Locality: Bowman Street,
Swansea.
Lot 4, section A, DP No. 975286,
Parish Wallarah,
County Northumberland;
Lot 5, section A, DP No. 975286,
Parish Wallarah,
County Northumberland;
Lot 6, section A, DP No. 975286,
Parish Wallarah,
County Northumberland;
Lot 7, section A, DP No. 975286,
Parish Wallarah,
County Northumberland.
Area: About 7700 square metres.
File No.: MD92 H 380/2.

Note: R69355 for future public requirements is revoked by this notification. R1012129 is not revoked by this notification.

COLUMN 2

Reserve No.: 1012249.
Public Purpose: Public
recreation.

ESTABLISHMENT OF RESERVE TRUST

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

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

SCHEDULE**COLUMN 1**

Swansea Recreation
(R1012249) Reserve Trust.

COLUMN 2

Reserve No.: 1012249.
Public Purpose: Public
recreation.
Notified: This day.
File No.: MD92 H 380/2.

APPOINTMENT OF CORPORATION TO MANAGE RESERVE TRUST

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

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

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Lake Macquarie City Council.	Swansea Recreation (R1012249) Reserve Trust.	Reserve No.: 1012249. Public Purpose: Public recreation. Notified: This day. File No.: MD92 H 380/2.

NOTIFICATION OF CLOSING OF ROAD

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

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

Description

*Parish – Ourimbah; County – Northumberland;
Land District – Gosford; Local Government Area – Wyong.*

Road Closed: Lot 1, DP 1101459 at Wyong Creek.

File No.: MD01 H 212.

Note: On closing, the land within Lot 1, DP 1101459 will remain vested in the Crown as Crown Land.

NOWRA OFFICE

5 O’Keefe Avenue (PO Box 309), Nowra NSW 2541

Phone: (02) 4428 6900 Fax: (02) 4428 6988

RESERVATION OF CROWN LAND

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

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

SCHEDULE

COLUMN 1	COLUMN 2
Land Districts: Metropolitan and Kiama. Local Government Area: Wollongong City. Parishes: Bulgo, Southend, Wollongong, Kembla, Calderwood and Woonona. Counties: Cumberland and Camden. Locality: Wollongong being the Crown Land depicted on the plan of R1011949 held by the Department of Lands. Area: About 28,885 hectares. File No.: NA06 R 16.	Reserve No.: 1011949 for the public purpose of access and public requirements, rural services, tourism purposes and environmental and heritage conservation.

Note: Existing reservations under the Crown Lands Act are not revoked.

ERRATUM

IN the notification appearing in the *New South Wales Government Gazette* of 18 August 2006, Folio 6334, under the heading of “RESERVATION OF CROWN LAND” in Column 2, delete the word “... environment...” and insert the word “... environmental ...” in lieu thereof.

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

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

APPOINTMENT OF RESERVE TRUST

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

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

SCHEDULE**COLUMN 1**

Crown Lands Reserve Trust.

COLUMN 2

Reserve No. 1012208 for the public purpose of government purposes, notified this day and comprising Lot 2 in DP 740367.
File No.: LANDS06/407.

DECLARATION OF LAND TO BE CROWN LAND

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

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

SCHEDULE

*Land District – Metropolitan; Council – Penrith;
Parish – Londonderry; County – Cumberland.*

93.17 hectares being Lot 2, DP 740367, held in the name of the Her Most Gracious Majesty Queen Elizabeth II.

File No.: LANDS06/407.

RESERVATION OF CROWN LAND

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

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

SCHEDULE 1**COLUMN 1**

Land District: Metropolitan.
Local Government Area: Penrith.
Parish: Londonderry.
County: Cumberland.
Locality: South Windsor.
Lot 2, DP 740367.
File No.: LANDS06/407.

COLUMN 2

Reserve No. 1012208 for the public purpose of government purposes.

SCHEDULE 2**COLUMN 1**

Land District: Metropolitan.
Local Government Area: Warringah.
Parish: Manly Cove.
County: Cumberland.
Locality: Oxford Falls, being the Crown Land depicted on the plan of R1012168 held by the Department of Lands.
Area: About 546 hectares.
File No.: MN06 R 23.

COLUMN 2

Reserve No. 1012168 for the public purpose of access and public requirements, rural services, tourism purposes and environmental and heritage conservation.

Note: Existing reservations under the Crown Lands Act are not revoked.

NOTIFICATION OF CLOSING OF ROADS

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

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

Description

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

Lots 2 and 3, DP 1100688 at Blacktown, Parish Prospect (Sheet 2), County Cumberland.

File No.: MN05 H 48.

Note: On closing, title for the land in Lots 2 and 3 remain vested in Blacktown City Council as operational land.

Description

Land District – Penrith; L.G.A. – Blacktown.

Lots 10 and 11, DP 1100238 at Whalan, Parish Rooty Hill (Sheet 2), County Cumberland.

File No.: MN04 H 50.

Notes: 1. On closing, title for the land in Lots 10 and 11 remain vested in Blacktown City Council as operational land.

2. The road is closed subject to the easement for telecommunications services 3.66 wide as shown in DP 1100238.

Description

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

Lots 1-5 inclusive, DP 1097555 at Werrington County, Parish Londonderry, County Cumberland.

File No.: MN02 H 331.

Notes: 1. On closing, title for the land in Lots 1-5 inclusive remain vested in Penrith City Council as operational land.

2. The road is closed subject to the easement to drain water 1.83 wide and variable, the easement for underground cables 1.83 wide as shown in DP 1097555.

Description

Land District – Picton; L.G.A. – Campbelltown.

Lots 101-105 and 107 inclusive, DP 1096875 at Campbelltown, Parish St Peter (Sheet 3), County Cumberland.

File No.: MN06 H 93.

Note: On closing, title for the land in Lots 101-105 and 107 inclusive remain vested in Campbelltown City Council as operational land.

TAREE OFFICE

98 Victoria Street (PO Box 440), Taree NSW 2430

Phone: (02) 6591 3500 Fax: (02) 6552 2816

APPOINTMENT OF TRUST BOARD MEMBERS

PURSUANT to section 93 of the Crown Lands Act 1989, the persons whose names are specified in Column 1 of the Schedule hereunder, are appointed for the term of office specified thereunder, as members of the trust board for the reserve trust specified opposite thereto in Column 2, which has been established and appointed as trustee of the reserve referred to opposite thereto in Column 3 of the Schedule.

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

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Kym BURLEY (new member), Beverly Anne YATES, Wendy Mavis BAWN, Rodney Raymond HEATH, Marian Prudence HEATH (new member), Christopher Peter BAWN.	Johns River Public Hall and Public Recreation Reserve Trust.	Reserve No.: 97951. Public Purpose: Public hall and public recreation. Notified: 18 October 1985. File No.: TE80 R 2.

Term of Office

For a term commencing 30 August 2006 and expiring 29 August 2011.

WAGGA WAGGA OFFICE**Corner Johnston and Tarcutta Streets (PO Box 60), Wagga Wagga NSW 2650****Phone: (02) 6937 2700 Fax: (02) 6921 1851****ERRATUM**

IN the *New South Wales Government Gazette* dated 12 May 2006, Folio 3027, under the heading "RESERVATION OF CROWN LAND". Please amend the notification by removing Lot 663 DP 753326 from Column 1. and deleting "Area: 897.4ha" and inserting "Area: 831.88ha" (WA05R16).

NOTIFICATION OF CLOSING OF A ROAD

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

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

Description

*Parish – Henty; County – Hume;
Land District – Albury; Shire – Greater Hume.*

Lot 1 in DP 1101124 at Henty.

File No.: WA05 H 482.

Note: On closing, the land within the former Council public road will remain vested in the Council of the Shire of Greater Hume as operational land.

Department of Natural Resources

WATER ACT 1912

Order under Section 117E

Water Shortage – Lower Murrumbidgee Alluvium Subsurface Water Basin

THE Water Administration Ministerial Corporation, pursuant to section 117E of the Water Act 1912, on being satisfied that Zones 1 to 10 of the Lower Murrumbidgee alluvium subsurface water basin (“the water shortage zone”), as shown in Schedule 2 are unlikely to have more water available than is sufficient water to meet the requirements of licensees of bores within Zones 1 to 10 and other requirements from the Zones as determined by the Ministerial Corporation, restricts the entitlement of licensees of bores within Zones 1 to 10 of the Lower Murrumbidgee alluvium subsurface water basin as follows:

For a period concluding on 30 June 2007 (unless this order is sooner revoked or amended or the Water Act 1912 ceases to apply to the zone), licensees water allocations are reduced in accordance with the Table in Schedule 1, where the allocation set out in Column 1 and described in Column 2 subject to the volume of water being available provided that:

- (a) where the maximum annual usage recorded during the period from July 1995 to June 2002, for all bores accounted for as a property entitlement is less than the allocation set out in Column 3 and is greater than 51% of the total entitlement then the allocation is the maximum annual usage recorded during the period from July 1995 to June 2002; or
- (b) where the maximum annual usage recorded during the period from July 1995 to June 2002, for all bores accounted for as a property entitlement is less the allocation set out in Column 3 and is less than 51% of the total entitlement then the allocation will be 51% of the entitlement, or
- (c) where bores obtaining their water supply from a depth no greater than 20 metres, and are located within an area of high water table then the allocation will be 100% of the entitlement.

This Order has effect on the 25 August 2006 and applies to all bores other than bores for stock, domestic, town water supply, industrial and recreation purposes.

This Order revokes any previous order under 117E for the Lower Murrumbidgee alluvium subsurface water basin.

Dated this 21st day of August 2006.

Signed for the Water Administration Ministerial Corporation:

DAVID HARRISS,
Executive Director,
Water Management,
Department of Natural Resources
(by delegation)

SCHEDULE 1

Announced Groundwater Allocation

Column 1 Lower Murrumbidgee Alluvium Subsurface Water Basin Zone	Column 2 Lower Murrumbidgee Alluvium Subsurface Water Basin Zone Description	Column 3 Groundwater Allocation for the period 21 July 2006 to 30 June 2007 as a Percentage of Licence Entitlement
01	Euroley	95
02	Darlington Pt	95
03	Carrathool-Hay	90
04	Conargo	90
05	Urana	100
06	Hay-Balranald	100
07	CIA	95
08	MIA	95
09	Wah Wah – Booligal	100
10	Lowbidgee	100

SCHEDULE 2

Lower Murrumbidgee Alluvium Subsurface Water Basin



WATER ACT 1912

Order Under Section 117E

Water Shortage – Lower Namoi Alluvium Subsurface Water Basin

THE Water Administration Ministerial Corporation, pursuant to section 117E of the Water Act 1912, on being satisfied that the Lower Namoi alluvium subsurface water basin as shown in Schedule 1 is unlikely to have more water available than is sufficient water to meet the requirements of persons authorised by section 117E(1)(a) and (b) to take water from the subsurface water basin restricts the entitlements of licensees of bores in Zones 1, 2, 3, 4 and 5 of the subsurface water basin as follows:

For a period concluding on 30 June 2007 (unless this order is sooner revoked or amended or the Water Act 1912 ceases to apply to the zone), water allocations of

licensees in Zones 1, 2, 3, 4 and 5 are reduced to 65% of the entitlement subject to the volume of water being available provided that:

- (a) where the total licensed entitlement for all bores accounted for as a property entitlement is less than 700 ML then the announced allocation for these bores will be 100%, and
- (b) where the total licensed entitlement for all bores accounted for as a property entitlement is greater than 700 ML then the total of the announced allocation for these bores will not be reduced below 700 ML.

This Order has effect on the 25 August 2006 and applies to all bores other than bores that take water for town water supply, stock, domestic, and farming purposes.

This order revokes any previous order under 117E for the Lower Namoi alluvium subsurface water basin.

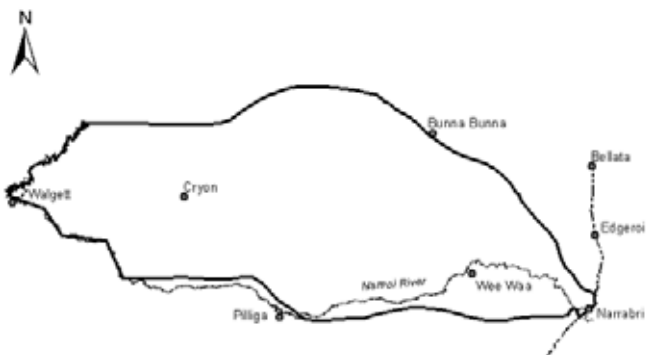
Dated this 21st day of August 2006.

Signed for the Water Administration Ministerial Corporation:

DAVID HARRISS,
Executive Director,
Water Management,
Department of Natural Resources
(by delegation)

SCHEDULE 1

Lower Namoi Alluvium Subsurface Water Basin



WATER ACT 1912

Order under Section 117E

Water Shortage – Upper Namoi Alluvium Subsurface Water Basin

THE Water Administration Ministerial Corporation, pursuant to section 117E of the Water Act 1912, on being satisfied that Zones 1, 2, 3, 4, 5, 8 and 12 of the Upper Namoi alluvium subsurface water basin (“the water shortage zone”) as shown in Schedule 2 are unlikely to have more water available than is sufficient water to meet the requirements of licensees of bores within Zones 1, 2, 3, 4, 5, 8 and 12 and other requirements from the Zones as determined by the Ministerial Corporation, restricts the entitlement of licensees of bores within that zone as follows:

For a period concluding on 30 June 2007 (unless this order is sooner revoked or amended or the Water Act 1912 ceases to apply to the Zones), licensees water allocations are reduced in accordance with the Table in Schedule 1,

where the allocation set out in Column 2 applies to all the bores in the Zones listed in Column 1 subject to the volume of water being available provided:

- (a) that where the total licensed entitlement for all bores accounted for as a property entitlement is less than the viability base in Column 3 then the announced allocation for these bores will be 100%, and
- (b) that where the total licensed entitlement for all bores accounted for as a property entitlement is greater than the viability base in Column 3 then the total of the announced allocation for these bores will not be reduced below the viability base set out in Column 3.

This Order has effect on the 25 August 2006 and applies to all bores other than bores that take water for town water supply, stock, domestic, and farming purposes.

This Order revokes any previous order under 117E for the Upper Namoi alluvium subsurface water basin.

Dated this 21st day of August 2006.

Signed for the Water Administration Ministerial Corporation:

DAVID HARRISS,
Executive Director,
Water Management,
Department of Natural Resources
(by delegation)

SCHEDULE 1

Announced Groundwater Allocation

Column 1 Upper Namoi Alluvium Subsurface Water Basin Zone	Column 2 Groundwater Allocation for the period concluding on the 30 June 2007 (Percentage of licence entitlement)	Column 3 Viability Base (Megalitres)
1	90%	60
2, 4, 5, 12	90%	500
3, 8	65%	500

SCHEDULE 2

Upper Namoi Alluvium Subsurface Water Basin



WATER MANAGEMENT ACT 2000

RODNEY WILLIAM UPTON has submitted an application for a water supply works approval under section 92 of the Water Management Act 2000, in in Hunter Regulated River Water Source, 50mm centrifugal pump - 1 at Lot 21//747226 in the Parish of Ellis, County of Brisbane; for domestic purposes at Lot 20//747226 in the Parish of Ellis, County of Brisbane.

Any inquiries regarding the above should be directed to the undersigned on 4904 2578.

Written and signed objections (fax or e-mail is not acceptable), specifying the grounds for the objection, must be lodged with the Department before close of business on the 15 September 2006. Please quote the application number 341 on all correspondence.

Commencement Date: 18 August 2006.

Closing Date: 15 September 2006.

BRUCE WESTBROOK,
Natural Resource Officer,
Hunter Region.

Department of Infrastructure, Planning and Natural Resources,
PO Box 2213, Hunter Region NSW 2309.

WATER ACT 1912

AN application under Part 2, being within a proclaimed (declared) local area under section 10 of the Water Act 1912, as amended.

Application for a licence within a proclaimed local area as generally described hereunder have been received as follows:

Namoi River Valley

Craig Collingwood BLOXSOME for a pump on Severn River on Lot 4, DP 706629, Parish of Fladbury, County of Gough, for irrigation (replacement licence due to permanent transfer of 53 megalitres of existing entitlement) (LO Papers: 90SL100907) (GA2:472327).

Written objections to the application specifying the grounds thereof may be made by any statutory authority or local occupier within the proclaimed (declared) area, whose interest may be affected and must be lodged with the Department's Manager, Resource Access, Tamworth, within 28 days as specified in the Act.

GEOFF CAMERON,
Manager,
Resource Access

Department of Natural Resources,
PO Box 550, Tamworth NSW 2340.

Department of Primary Industries

MINERAL RESOURCES

NOTICE is given that the following applications have been received:

EXPLORATION LICENCE APPLICATIONS

(06-4094)

No. 2800, ILUKA RESOURCES LIMITED (ACN 008 675 018), area of 93 units, for Group 10, dated 27 July 2006. (Broken Hill Mining Division).

(05-5233)

No. 2809, WATERFLEA PTY LTD (ACN 105 608 106), area of 4 units, for Group 8, dated 10 August 2006. (Singleton Mining Division).

(06-4110)

No. 2816, RIMFIRE MINERALS CORPORATION, area of 17 units, for Group 1, dated 11 August 2006. (Orange Mining Division).

(06-4111)

No. 2817, ALKANE EXPLORATION LTD (ACN 000 689 216), area of 33 units, for Group 1, dated 15 August 2006. (Orange Mining Division).

(06-4112)

No. 2818, FORGE MINERALS PTY LTD (ACN 121 258 713), area of 34 units, for Group 1 and Group 2, dated 15 August 2006. (Singleton Mining Division).

(06-4113)

No. 2819, FORGE MINERALS PTY LTD (ACN 121 258 713), area of 18 units, for Group 1 and Group 2, dated 15 August 2006. (Singleton Mining Division).

(06-4114)

No. 2820, PLATSEARCH NL (ACN 003 254 395), area of 99 units, for Group 1, dated 16 August 2006. (Cobar Mining Division).

(06-4115)

No. 2821, PLATSEARCH NL (ACN 003 254 395), area of 100 units, for Group 1, dated 16 August 2006. (Cobar Mining Division).

(06-4116)

No. 2822, PLATSEARCH NL (ACN 003 254 395), area of 100 units, for Group 1, dated 16 August 2006. (Cobar Mining Division).

(06-4117)

No. 2823, PLATSEARCH NL (ACN 003 254 395), area of 100 units, for Group 1, dated 16 August 2006. (Cobar Mining Division).

(06-4118)

No. 2824, PLATSEARCH NL (ACN 003 254 395), area of 100 units, for Group 1, dated 16 August 2006. (Cobar Mining Division).

(06-4119)

No. 2825, WESTLIME PTY LIMITED (ACN 090 152 828), area of 12 units, for Group 2, dated 17 August 2006. (Orange Mining Division).

(06-4120)

No. 2826, WESTLIME PTY LIMITED (ACN 090 152 828), area of 9 units, for Group 2, dated 17 August 2006. (Orange Mining Division).

(06-4121)

No. 2827, ICON RESOURCES LTD (ACN 115 009 106), area of 16 units, for Group 1, dated 21 August 2006. (Armidale Mining Division).

(06-4122)

No. 2828, SILVER MINES LIMITED (ACN 107 452 942), area of 23 units, for Group 1, dated 21 August 2006. (Inverell Mining Division).

(06-4123)

No. 2829, SILVER MINES LIMITED (ACN 107 452 942), area of 16 units, for Group 1, dated 21 August 2006. (Inverell Mining Division).

(06-4124)

No. 2830, SILVER MINES LIMITED (ACN 107 452 942), area of 35 units, for Group 1, dated 21 August 2006. (Inverell Mining Division).

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

NOTICE is given that the following applications have been granted:

EXPLORATION LICENCE APPLICATIONS

(05-296)

No. 2613, now Exploration Licence No. 6608, BOUNTY RESOURCES PTY LIMITED (ACN 108 458 420), Counties of Bathurst and Georgiana, Map Sheet (8730, 8830), area of 34 units, for Group 2, dated 2 August 2006, for a term until 1 August 2008.

(06-110)

No. 2690, now Exploration Licence No. 6607, METALLURGICAL REFINING & DEVELOPMENT PTY LTD (ACN 009 756 414), Counties of Gunderbooka and Irrara, Map Sheet (8038), area of 100 units, for Group 1, dated 2 August 2006, for a term until 1 August 2008.

(06-127)

No. 2705, now Exploration Licence No. 6606, GALLIPOLI MINING PTY LTD (ACN 106 559 317), County of Blaxland, Map Sheet (8031, 8032), area of 50 units, for Group 1, dated 2 August 2006, for a term until 1 August 2008.

(06-140)

No. 2717, now Exploration Licence No. 6605, Leslie Herbert SAVAGE, Counties of Mouramba and Robinson, Map Sheet (8134), area of 3 units, for Group 5, dated 2 August 2006, for a term until 1 August 2008.

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

NOTICE is given that the following application has been refused:

PETROLEUM APPLICATION

(05-144)

No. 75 lodged by DIAPRO PTY LTD (ACN 063 428 688) over 140 blocks in the (Broken Hill Mining Division). Refusal took effect on 21 August 2006.

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

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

(T02-0065)

Exploration Licence No. 5998, PAN GEM RESOURCES (AUST) PTY LTD (ACN 064 972 621), area of 3 units. Application for renewal received 22 August 2006.

(T03-0032)

Exploration Licence No. 6283, WILSON GEMS & INVESTMENTS PTY LTD (ACN 001 155 755), area of 3 units. Application for renewal received 18 August 2006.

(04-501)

Exploration Licence No. 6302, COBAR CONSOLIDATED RESOURCES LIMITED (ACN 118 684 576), area of 164 units. Application for renewal received 21 August 2006.

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

RENEWAL OF CERTAIN AUTHORITIES

NOTICE is given that the following authorities have been renewed:

(04-2602)

Authorisation No. 206, TAHMOOR COAL PTY LIMITED (ACN 076 663 968), County of Camden, Map Sheet (9029), area of 4080 hectares, for a further term until 5 December 2010. Renewal effective on and from 18 August 2006.

(06-910)

Authorisation No. 346, NAMOI VALLEY COAL PTY LIMITED (ACN 001 234 000), County of Nandewar, Map Sheet (8936), area of 1662 hectares, for a further term until 27 February 2011. Renewal effective on and from 3 August 2006.

(04-5149)

Authorisation No. 410, TAHMOOR COAL PTY LIMITED (ACN 076 663 968), County of Camden, Map Sheet (9029), area of 2638 hectares, for a further term until 5 December 2010. Renewal effective on and from 18 August 2006.

(T99-0144)

Exploration Licence No. 5675, ALKANE EXPLORATION LTD (ACN 000 689 216), Counties of Ashburnham, Kennedy and Narromine, Map Sheet (8531, 8532), area of 87 units, for a further term until 16 January 2008. Renewal effective on and from 7 August 2006.

(T99-0184)

Exploration Licence No. 5693, ISOKIND PTY LIMITED (ACN 081 732 498), County of Robinson, Map Sheet (8035), area of 111 units, for a further term until 7 February 2008. Renewal effective on and from 7 August 2006.

(T99-0215)

Exploration Licence No. 5740, ILUKA RESOURCES LIMITED (ACN 008 675 018), Counties of Wentworth and Tailla, Map Sheets (7329 and 7429), area of 101 units, for a further term until 6 June 2008. Renewal effective on and from 16 August 2008.

(T01-0164)

Exploration Licence No. 5922, TEMPLAR RESOURCES LIMITED (ACN 085 644 944), County of Bathurst, Map Sheet (8730, 8731), area of 199 units, for a further term until 14 February 2008. Renewal effective on and from 7 August 2006.

(T01-0114)

Exploration Licence No. 5933, PEAK GOLD MINES PTY LIMITED (ACN 001 533 777), County of Robinson, Map Sheet (8034, 8035), area of 95 units, for a further term until 16 April 2008. Renewal effective on and from 7 August 2006.

(T01-0210)

Exploration Licence No. 5942, ALKANE EXPLORATION LTD (ACN 000 689 216), County of Narromine, Map Sheet (8532), area of 19 units, for a further term until 2 May 2008. Renewal effective on and from 7 August 2006.

(T03-0049)

Exploration Licence No. 6103, Russell ROBERTS, Counties of Bathurst and Roxburgh, Map Sheet (8731), area of 1 unit, for a further term until 27 July 2007. Renewal effective on and from 7 August 2006.

(T03-0087)

Exploration Licence No. 6155, TRIAKO RESOURCES LIMITED (ACN 008 498 119), County of Mouramba, Map Sheet (8033), area of 6 units, for a further term until 16 November 2007. Renewal effective on and from 7 August 2006.

(T03-0112)

Exploration Licence No. 6168, CULLEN EXPLORATION PTY LIMITED (ACN 077 371 165), Counties of Blaxland and Cunningham, Map Sheet (8231, 8232), area of 32 units, for a further term until 4 December 2007. Renewal effective on and from 7 August 2006.

(T03-0841)

Exploration Licence No. 6174, GOLDEN DRAGON RESOURCES PTY LTD (ACN 106 269 738), County of Narromine, Map Sheet (8533), area of 33 units, for a further term until 17 December 2007. Renewal effective on and from 7 August 2006.

(T03-0058)

Exploration Licence No. 6181, CLANCY EXPLORATION PTY LTD (ACN 105 578 756), Counties of Bathurst and Wellington, Map Sheet (8731), area of 29 units, for a further term until 18 January 2008. Renewal effective on and from 7 August 2006.

(T03-0872)

Exploration Licence No. 6187, MUDGEE STONE CO PTY LIMITED (ACN 100 974 365), County of Wellington, Map Sheet (8832), area of 2 units, for a further term until 28 January 2008. Renewal effective on and from 7 August 2006.

(T03-0107)

Exploration Licence No. 6195, GOLDEN CROSS OPERATIONS PTY LTD (ACN 050 212 827), Counties of Kennedy and Narrromine, Map Sheet (8532), area of 19 units, for a further term until 17 February 2008. Renewal effective on and from 7 August 2006.

(T03-0975)

Exploration Licence No. 6202, Colin Laurence PLUMRIDGE and Joy Elizabeth PLUMRIDGE, County of Cowper, Map Sheet (8236), area of 5 units, for a further term until 1 March 2008. Renewal effective on and from 7 August 2006.

(T03-0973)

Exploration Licence No. 6223, AURICULA MINES PTY LIMITED (ACN 108 362 027), County of Mouramba, Map Sheet (8133), area of 13 units, for a further term until 4 April 2008. Renewal effective on and from 7 August 2006.

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

**CANCELLATION OF AUTHORITY AT REQUEST
OF HOLDER**

NOTICE is given that the following authority has been cancelled:

(04-531)

Exploration Licence No. 6296, CLANCY EXPLORATION PTY LTD (ACN 105 578 756), County of Clarendon, Map Sheet (8428), area of 50 units. Cancellation took effect on 18 August 2006.

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

Roads and Traffic Authority

ROAD TRANSPORT (GENERAL) ACT 2005

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

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

MARK RILEY,
General Manager,
Dubbo City Council
(by delegation from the Minister for Roads)
14 August 2006

SCHEDULE

1. Citation

This Notice may be cited as Dubbo City Council 25 Metre B-Double Notice No. 3/2006.

2. Commencement

This Notice takes effect at 7:00 p.m., on 2 September 2006.

3. Effect

This Notice remains in force until 12:00 p.m., 2 September 2006, unless it is amended or repealed earlier.

4. Application

This Notice applies to those B-Double vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 1998.

5. Routes

Type	Road No.	Road Name	Starting Point	Finishing Point
25.	000.	Darling Street, Dubbo.	Mitchell Highway (Cobra Street), Dubbo.	Newell Highway (Erskine Street), Dubbo.

ROAD TRANSPORT (GENERAL) ACT 2005

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

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

KEITH O'LEARY,
General Manager,
Great Lakes Council
(by delegation from the Minister for Roads)
14 August 2006

SCHEDULE

1. Citation

This Notice may be cited as the Great Lakes Council B-Double Notice No. 3/2006.

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

This Notice remains in force until 1 January 2007, unless it is amended or repealed earlier.

4. Application

This Notice applies to those B-Doubles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 1998.

5. Routes

Type	Road Name	Starting Point	Finishing Point	Conditions
25.	Midge Street, Coolongolook.	Pacific Highway (SH10).	Eastern access to truck parking area at rear of Caltex service station.	Route approval until 1 January 2007 only.

ROAD TRANSPORT (GENERAL) ACT 2005

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

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

PAUL HENRY,
General Manager,
Inverell Shire Council
(by delegation from the Minister for Roads)
8 August 2006

SCHEDULE**1. Citation**

This Notice may be cited as Inverell Shire Council 25 Metre B-Double Notice No. 03/2006.

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

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

4. Application

This Notice applies to those B-Double vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 1998.

5. Routes

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
25m.	SR223.	Byron Station Lane, Inverell.	MR137, Ashford Road.	SR154, Arrawatta Road.	Outside school bus times. (7:30am – 9am and 3:30pm – 5pm)
25m.	SR154.	Arrawatta Road, Inverell.	SR223, Byron Station Lane.	“Arrawatta” property entrance.	Outside school bus times. (7:30am – 9am and 3:30pm – 5pm)

ROADS ACT 1993

Notice of Dedication of Land as Public Road
at Glenwood in the Blacktown City Council area

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

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

SCHEDULE

ALL that piece or parcel of land situated in the Blacktown City Council area, Parish of Gidley and County of Cumberland, shown as Lot 10 Deposited Plan 1047875.

(RTA Papers: FPP 40.12080; RO 40.12080)

ROADS ACT 1993

Notice of Dedication of Land as Public Road
at Mirrool in the Coolamon Shire Council area

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

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

SCHEDULE

ALL those pieces or parcels of land situated in the Coolamon Shire Council area, Parish of Ariaiah and County of Bourke, shown as Lots 7 and 8 Deposited Plan 1080963.

(RTA Papers: FPP 4M1879; RO 17/96.18)

ROADS ACT 1993**Order – Section 257**

ERRATUM

THE Roads and Traffic Authority of New South Wales by this order under Section 257 of the Roads Act 1993, corrects an error published in Government Gazette No 35 dated 17 March 2006, page 1469 under the heading “Notice of Dedication of Land as Public Road at South Kempsey, West Kempsey, East Kempsey, Clybucca and Barraganyatti in the Kempsey Shire Council area”, by making the following alteration:

- deleting - “Lots 1, 2 and 3 Deposited Plan 441106”
- substituting - “The parts of Lots 1, 2 and 3 Deposited Plan 441106 exclusive of the land in Transfer H209872 having a total area of 16^{3/4} perches as delineated in Deposited Plan 444902”

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

(RTA Papers: 10/235.1228)

Other Notices

APPRENTICESHIP AND TRAINEESHIP ACT 2001

Notice of Making of a Vocational Training Order

NOTICE is given that the Commissioner for Vocational Training, in pursuance of section 6 of the Apprenticeship and Traineeship Act 2001, has made the following Vocational Training Order in relation to the recognised traineeship vocation of Community Services.

CITATION

The order is cited as the Community Services Order.

ORDER

A summary of the Order is given below.

(a) Term of Training

(i) Full-time

Training shall be given for a nominal term of 12 months for Certificates II and III respectively, and 24 months for Certificate IV, or until achievement of the relevant competencies to this Vocational Training Order is demonstrated

(ii) Part-time

The nominal term for a part time traineeship is determined by the average weekly hours worked in the traineeship (including structured training) and the nominal full-time term for that traineeship.

The table below identifies the allowable hours which may be undertaken and the nominal terms for part-time traineeships.

Full-time Traineeship Term	6 mths	12 mths	18 mths	24 mths	30 mths	36 mths	48 mths	
Weekly Hours	Nominal Term Required (Months)							
15	15	30	45	Not Allowable				
16	15	29	44					
17	14	28	42					
18	14	27	41					
19	13	26	39					
20	13	25	38					
21	12	24	36	48				
22	12	23	35	46				
23	11	22	33	44	55			
24	11	21	32	42	53			
25	10	20	30	40	50	60		
26	10	19	29	38	48	57		
27	9	18	27	36	45	54	72	
28	9	17	26	34	43	51	68	
29	8	16	24	32	40	48	64	
30	8	15	23	30	38	45	60	
31	Not Allowable		22	28	35	42	56	
32			20	26	33	39	52	

(b) Competency Outcomes

Trainees will be trained in and achieve competence in the endorsed National Community Services Competency Standards.

(c) Courses of Study to be undertaken

Trainees will undertake the following courses of study:

- Certificate II in Community Services Support Work CHC20102
- Certificate III in Aged Care Work CHC30102
- Certificate III in Home and Community Care CHC30202
- Certificate III in Children's Services CHC30402
- Certificate III in Employment Services CHC30502
- Certificate IV in Employment Services CHC40502
- Certificate III in Youth Work CHC30602
- Certificate IV in Youth Work CHC40602
- Certificate III in Disability Work CHC30302
- Certificate IV in Disability Work CHC40302
- Certificate III in Social Housing CHC30702
- Certificate IV in Social Housing CHC40802
- Certificate IV in Community Services Advocacy CHC41202
- Certificate III in Community Services Work CHC30802
- Certificate IV in Community Services Work CHC40902
- Certificate IV in Out of School Hours CHC40402
- Certificate IV in Alcohol and Other Drugs Work CHC41702
- Certificate IV in Community Services (Service Co-ordination) CHC42002
- Certificate IV in Community Services (Lifestyle and Leisure) CHC41602

AVAILABILITY FOR INSPECTION

A copy of the Vocational Training Order may be inspected at any Industry Training Centre of the Department of Education and Training or on the Internet at <http://apprenticeship.det.nsw.edu.au>

CASINO CONTROL ACT 1992

Order

PURSUANT to section 66 (1) of the Casino Control Act 1992, the Casino Control Authority does, by this Order, add to the list of games approved for play in the casino, the game of "Three Card baccarat" and approves the following rules for the playing of the game of "Three Card baccarat" in the casino operated by Star City Pty Limited under licence granted by the Casino Control Authority on 14 December 1994:

(1) Rules for the playing of 'Three Card Baccarat'

The rules for the playing of the game of 'Three Card Baccarat' in the casino as set forth in the attachment hereto are approved.

This Order shall take effect from the date of publication in the New South Wales Government Gazette.

Signed at Sydney, this 23rd day of August 2006.

BRIAN FARRELL,
Chief Executive,

for and on behalf of the Casino Control Authority.

THREE CARD BACCARAT

1. Definitions
2. Table Layout and Equipment
3. The Cards
4. The Shuffle and Cut
5. Wagers
6. Minimum And Maximum Wagers
7. Order of Hands
8. The Deal
9. Dealing Methods
10. Even Money Three Card Baccarat
11. Settlement
12. Irregularities
13. Shuffling Device Malfunction
14. General Provisions

DIAGRAM A

1. Definitions

- 1.1 In these rules, unless the contrary intention appears:

“Act” means the Casino Control Act 1992;

“baccarat” means a point count equaling zero;

“burn” means to remove a card from play by placing it in the discard holder;

“card shoe” means a device from which cards are dealt;

“deck-checking device” means a machine used to check that each deck of cards contains the correct cards for the game;

“casino promotional voucher” means a voucher of a nominated value issued by the casino operator to enable a player to wager at a gaming table to the amount identified on the voucher, subject to any conditions specified on the voucher. Where a player presents a promotional voucher at a gaming table the dealer shall exchange the voucher for an equivalent value in chips or promotional tokens, which may then be wagered on the appropriate area(s) of the layout. Any winnings resulting from such wagers are to be paid in chips;

“casino supervisor” means a person employed in a casino in a managerial capacity relating to the conduct of gaming and includes a games supervisor;

“coup” means the period of play commencing with the removal of the first card from the card shoe or shuffling device by the dealer and concluding when the dealer announces a result and, if applicable, collects losing wagers and pays out winnings;

“dealer” means a person responsible for the operation of the game;

“Even Money Three Card Baccarat” means a variation of the game of Three Card Baccarat whereby the settlement of winning wagers on the Player hand is in accordance with rule 11.2;

“games supervisor” means a person responsible for the immediate supervision of the operation of the game;

“inspector” means a person appointed under section 106 of the Act;

“marker button” means a button used to denote the winning point total of the Banker hand;

“multishuffler” means a machine used for shuffling either four(4), six(6) or eight(8) decks of cards;

“picture card” means any King, Queen or Jack;

“point count” means a total value of cards in a hand as determined in accordance with rule 3.3;

“shuffling device” means a device used for the shuffling of cards and from which cards are dealt (Note – does not include a multishuffler);

“stand off” means where a wager shall neither win nor lose;

“tie” means that both the Player hand and the Banker hand have the same point count and order at the end of a coup;

“void” means invalid with no result.

2. Table layout and equipment

- 2.1 The game of Three Card Baccarat shall be played at a table having on one side places for the players and on the opposite side a place for the dealer(s).

- 2.2 The layout cloth covering the table shall display the name and/or logo of the casino, and will have areas designated for the placement of wagers and shall be marked in a manner substantially similar to that shown in diagram “A”.

- 2.3 The following equipment shall also be used:

- 2.3.1 a card shoe or shuffling device;
- 2.3.2 a discard rack, capable of holding up to eight deck of cards;
- 2.3.3 a marker button to indicate the winning point total.

- 2.4 The table shall have a drop box attached to it.

- 2.5 Where the game in play is Even Money Three Card Baccarat a sign indicating the payout odds shall be displayed on the table.

3. The cards

- 3.1 The game of Three Card Baccarat shall be played with either six decks or eight decks of cards, each having 52 cards without jokers, with backs of the same colour and design and a cutting card.

- 3.2 The value of the cards shall be as follows:

- 3.2.1 any card from 2 to 9 inclusive shall have its face value;
- 3.2.2 any ten, jack, queen or king shall have a value of zero; and
- 3.2.3 an ace shall have a value of one.

- 3.3 The point count of a hand shall be:

- 3.3.1 where the total value of the cards in the hand is a number between 0 and 9 inclusive, that number; or
- 3.3.2 where the total value of the cards in the hand is the number 10 or a higher number, the right digit of that number.

- 3.4 All suits shall have the same rank and the order of the hands shall be determined in accordance with rule 7.

- 3.5 Cards shall be checked by a dealer or a casino supervisor or by use of a deck-checking device prior to use on a gaming table.

- 3.6 Cards may be checked, pre-shuffled and secured until such time as they may be required.

- 3.7 All cards used in the game of Three Card Baccarat shall be dealt from a card shoe or shuffling device specifically designed for such purpose.

- 3.8 No player or spectator shall handle, remove or alter any cards used in the game except as expressly permitted by these rules, and no dealer or other person shall permit a player or spectator to do so.
- 3.9 At the completion of the last coup as determined in accordance with rules 4.7 and 4.8 the cards may, at the discretion of a casino supervisor, be removed from the table and replaced by new cards. The new cards shall be shuffled in accordance with rule 4.1.
- 3.10 Where a casino supervisor forms the opinion that the cards have become unfit for further use and provided no coup is in progress, the casino supervisor shall direct that the cards be replaced. The new cards shall be shuffled in accordance with rule 4.1.
4. The Shuffle and Cut
- 4.1 The dealer shall shuffle the cards so that they are randomly intermixed:
- 4.1.1 before the start of play (unless pre-shuffled cards are introduced);
- 4.1.2 at the completion of the coup in which the cutting card is drawn (unless pre-shuffled cards are introduced); or
- 4.1.3 after a coup if directed by a casino supervisor, where there is reason to suspect that the cards are not randomly intermixed.
- 4.2 Where pre-shuffled cards are to be introduced the dealer shall, upon the request of a casino supervisor or a player, riffle shuffle the cards immediately prior to the cut.
- 4.3 After the cards have been shuffled, or when pre-shuffled cards have been introduced, the dealer shall offer the stack of cards, with backs facing away from him/her, to the players to be cut. The player to cut the cards shall be:
- 4.3.1 the first player to the table if the game is just commencing;
- 4.3.2 the player seated to the immediate left of the dealer.
- 4.4 If the player designated in rule 4.3 refuses the cut, the cards shall be offered to each player moving clockwise around the table until a player accepts the cut. If no player accepts the cut, a casino supervisor shall cut the cards.
- 4.5 A person designated in rule 4.3 or 4.4 shall cut the cards by placing the cutting card in the stack at least one deck in from either end of the stack.
- 4.6 Once the cutting card has been inserted by the person designated in these rules the dealer shall arrange the cards so that all cards in front of the cutting card are placed to the back of the stack, after which the dealer shall insert the cutting card approximately one deck from the back of the stack. The stack of cards shall then be inserted in the card shoe for commencement of play.
- 4.7 Subject to rule 4.8, whenever the cutting card appears during play, it shall be removed and placed to the side and the coup shall be completed. Upon completion of the coup, the cards shall be replaced or reshuffled.
- 4.8 Where the cutting card appears as the first card of a coup, it shall be removed and placed to the side and the dealer calling the game shall announce "last coup". Upon completion of the coup, the cards shall be replaced or reshuffled.
- 4.9 When a shuffling device is used, the cards shall be placed in the shuffling device to be shuffled and shall not be cut.
- 4.10 The dealer may perform a manual shuffle prior to inserting the cards into the shuffling device.
- 4.11 Before the start of play following each shuffle and cut of cards, the dealer shall:
- 4.11.1 remove the first card from the card shoe or shuffling device, face up;
- 4.11.2 draw, face down, additional cards equal in number to the face value of the first card drawn; and
- 4.11.3 burn the first and additional cards drawn.
- 4.12 For the purposes of rule 4.11 a ten, jack, queen and king shall have a face value of ten and an ace a face value of one.
5. Wagers
- 5.1 Wagers defined in this rule shall be the permissible wagers at the game of Three Card Baccarat:
- 5.1.1 a wager on the Player hand that shall –
- 5.1.1.1 win if the hand contains three picture cards but will constitute a stand off if the Banker hand also has three picture cards; or
- 5.1.1.2 win if the Player hand is of a higher order than the Banker hand; or
- 5.1.1.3 lose if the Player hand is of a lower order than the Banker hand; or
- 5.1.1.4 constitute a stand off if the Player hand and the Banker hand tie (i.e. of the same order).
- 5.1.2 a wager on the Tie that shall win if the Player hand and Banker hand are of the same order but otherwise shall lose.
- 5.1.3 a wager on the Three Picture Cards that shall win if the Banker hand contains three picture cards, regardless of the Player hand, but otherwise shall lose.
- 5.1.4 a wager on the Banker Point Total that shall win, regardless of the Player hand, if the point count of the Banker hand equals the specific point count wagered, but otherwise shall lose.
- 5.2 For any coup a player may wager on:
- 5.2.1 the Player hand; and/or
- 5.2.2 the Player hand and Tie; and/or
- 5.2.3 the Three Picture Cards; and/or
- 5.2.4 the Banker Point Total.
- 5.3 All wagers shall be placed by means of chips and/or casino promotional tokens.
- 5.4 A wager by a player shall be placed on the appropriate wagering areas of the Three Card Baccarat layout prior to the first card being removed from the card shoe or shuffling device for each coup.
- 5.5 Until a decision and settlement has been made in respect of any wager, no wager may be handled, placed, increased or withdrawn after the first card of the coup has been removed from the card shoe or shuffling device.

- 5.6 Up to three players may wager on any one Player area of the Three Card Baccarat layout but a casino supervisor may restrict the number of players to less than three.
- 5.7 Where there are insufficient seats at the table to accommodate player demand, a player wagering on more than one Player area shall give up a playing area or playing areas to accommodate other players.
- 5.8 A player may be permitted to wager on more than one Player and/or Banker Point Total area at a Three Card Baccarat table providing that, a player wagering on more than one Player area shall only handle the cards in relation to the Player hand at which he/she is seated.
- 5.9 A player may only be permitted to place one wager to the maximum value permitted on the Three Picture Cards wagering area of the layout.
- 5.10 Unless prior approval has been granted by a Casino Duty Manager or above, standing players shall not participate in the cut of the cards or touch or handle the cards used in the game in any manner.
- 5.11 Where it is not possible to pay a wager exactly in chips it shall be paid to the next highest amount to which payment can be made in chips.
- 5.12 Wagers shall be settled strictly in accordance with their position on the layout. Players are responsible for the positioning of their wagers on the layout, whether or not they are assisted by the dealer. Players must ensure that any instructions given to the dealer regarding the placement of their wagers are correctly carried out.
6. Minimum and Maximum Wagers
- 6.1 The minimum and maximum wagers permitted to be played by a player and/or for each playing area shall be shown on a sign at the table. Unless stated on the sign, wagers are not required to be made in multiples of the minimum. The sign may also state the minimum unit in which wagers may be made above the table minimum.
- 6.2 A wager found to be below the stated minimum, after the first card has been removed from the card shoe or shuffling device, shall be valid.
- 6.3 A wager found to be above the stated maximum, after the first card has been removed from the card shoe or shuffling device, shall be paid or collected to the maximum. In the event that a player has been found to have wagered above the stated maximum on any previous coup(s) the wagers and results of the previous coup(s) shall stand.
- 6.4 Players are responsible for ensuring that their wagers comply with the limits stated on the sign on the table.
- 6.5 A casino supervisor may alter the limits on a gaming table at any time except that a minimum wager can only be changed to a higher minimum if a sign indicating the new minimum and proposed time of change has been displayed at the table at least 20 minutes before the change.
- 6.6 A casino supervisor may allow a player to wager in excess of the stated maximum wagers permitted on that table, provided that a sign denoting the new minimum and maximum wagers for that player is placed on an appropriate area of the table.

7. Order of Hands

- 7.1 The highest possible hand shall consist of three picture cards, that shall have a point count of 0. Thereafter the ranking of the hand shall be determined by the highest point count of the hand and the greater number of picture cards in the hand.
- 7.2 The order of hands from highest to lowest is as follows:

<i>Order</i>	<i>Description</i>	<i>Point Count Total</i>
1	Three picture cards	0
2	Two picture cards and a 9	9
3	One picture card and two cards totalling 9	9
4	No picture cards and three cards totalling 9	9
5	Two picture cards and an 8	8
6	One picture card and two cards totalling 8	8
7	No picture cards and three cards totalling 8	8
8	Two picture cards and a 7	7
9	One picture card and two cards totalling 7	7
10	No picture cards and three cards totalling 7	7
11	Two picture cards and a 6	6
12	One picture card and two cards totalling 6	6
13	No picture cards and three cards totalling 6	6
14	Two picture cards and a 5	5
15	One picture card and two cards totalling 5	5
16	No picture cards and three cards totalling 5	5
17	Two picture cards and a 4	4
18	One picture card and two cards totalling 4	4
19	No picture cards and three cards totalling 4	4
20	Two picture cards and a 3	3
21	One picture card and two cards totalling 3	3
22	No picture cards and three cards totalling 3	3
23	Two picture cards and a 2	2
24	One picture card and two cards totalling 2	2
25	No picture cards and three cards totalling 2	2
26	Two picture cards and an ace	1
27	One picture card and two cards totalling 1	1
28	No picture cards and three cards totalling 1	1
29	Two picture cards and a ten	0
30	One picture card and two cards totalling 0	0
31	No picture cards and three cards totalling 0	0

8. The Deal

- 8.1 The dealer shall call "no more bets" and starting from the left and continuing clockwise round the table, shall deal a card in sequence to each Player area containing a wager/s and a card to the Banker hand position. In a like manner the dealer shall then deal a second and third card to each of the wagered Player areas and the Banker hand. No bet is allowed once the first card is removed from the card shoe or shuffling device.
- 8.2 Where the only wagers placed for a coup are on the Three Picture Cards and/or the Banker Point Total area, i.e. no wager placed on any Player hand, then cards will only be dealt to the Banker hand.

9. Dealing Methods

- 9.1 The game shall be conducted in accordance with one of the following dealing methods, namely 'Method A' or 'Method B'.
- Method A
- 9.2 All cards shall be dealt face up and players shall not be permitted to handle the cards.

Method B

- 9.3 All cards shall be dealt face down and players shall be permitted to examine their cards. The dealer shall retain the cards for the Banker hand.
- 9.4 Where a player wagers on two or more Player hands, and there is no other player seated at the playing area, the dealer shall open the hand(s).
- 9.5 After examining their cards, each player will turn their cards face up and place them in the respective playing areas.
- 9.6 The dealer will check that all cards have been placed in the respective playing area and will turn over any cards that are not exposed by the players.
- 9.7 Players must ensure that their cards do not leave the area of the table layout nor are held away from the table.

Method A and B

- 9.8 After all player cards have been placed face up in their respective playing areas the dealer shall turn the Banker cards face up if they have been dealt face downwards and declare the highest possible Three Card Baccarat value of the hand as determined in accordance with rule 7.
- 9.9 A marker will be placed on the corresponding Banker Point Total on the layout.
- 9.10 Upon comparing each hand the dealer shall collect all losing wagers, settle all winning hands in accordance with rule 11 and declare any stand offs.

10. Even Money Three Card Baccarat

- 10.1 Where the game in play is Even Money Three Card Baccarat the approved rules of Three Card Baccarat shall apply, except where the rules are inconsistent with the rules of Even Money Three Card Baccarat, in which case the rules of Even Money Three Card Baccarat shall prevail.

11. Settlement

- 11.1 Settlement of wagers after the announcement of the result of the coup shall be as follows:
 - 11.1.1 a winning wager on the Player hand shall be paid at the odds of 19 to 20;
 - 11.1.2 a winning wager on the Banker Point Total shall be paid at odds of 8 to 1;
 - 11.1.3 a winning wager on a Tie bet shall be paid at odds of 21 to 1;
 - 11.1.4 a winning wager on the Three Picture Cards shall be paid at odds of 70 to 1.
- 11.2 Where the game in play is Even Money Three Card Baccarat, settlement of wagers after the announcement of the result of the coup shall be as follows:
 - 11.2.1 a winning wager on the Player hand shall be paid at odds of 1 to 1; except when the point count total of the winning Player hand is 6 which shall be paid at odds of 1 to 2;
 - 11.2.2 a winning wager on the Banker Point Total shall be paid at odds of 8 to 1;
 - 11.2.3 a winning wager on a Tie bet shall be paid at odds of 21 to 1;
 - 11.2.4 a winning wager on the Three Picture Cards shall be paid at odds of 70 to 1.

12. Irregularities

- 12.1 Where a dealer realises, prior to any player handling their cards, that cards have been dealt incorrectly, he/she shall declare a misdeal.
- 12.2 An incorrect number of cards dealt to the Banker hand shall constitute a misdeal.
- 12.3 In the event of a misdeal all wagers shall be void and a new coup shall be dealt.
- 12.4 Where a dealer realises, after a player has handled their cards, that a hand has been dealt to a Player area that does not contain a wager, the cards for that hand shall be counted and placed in the discard rack.
- 12.5 A Player hand containing too few cards or too many cards shall be declared void.
- 12.6 Should the dealer make an error when announcing the result and/or settling any wager, and the error is detected and notified to the dealer before the commencement of the next coup, every effort must be made to reconstruct that coup and correct the error. However, should a reconstruction not be possible, then the casino supervisor shall authorise that Player hand and/or the coup being declared void and all monies returned to the player(s).
- 12.7 If there are found to be insufficient cards in the card shoe to complete a coup that coup shall be void.
- 12.8 If a card that would have been the first card of a coup has been disclosed or is found face upwards in the card shoe or shuffling device, that card shall be burnt.
- 12.9 If a card is found face upwards in the card shoe or shuffling device after the first card of a coup has been dealt, the card shall be played as if it were found face downwards.
 - 12.9.1 Where a shuffling device is used and there is reason to suspect that further cards may be incorrectly faced in the shuffling device, a casino supervisor may, after the coup has been completed, direct that all remaining cards be removed from the shuffling device and checked.
- 12.10 In the event that the cards are not cut in accordance with rules 4.3 or 4.4, the dealer shall complete the coup. The cards shall then be shuffled and cut in accordance with these rules. The results of previous coups shall stand.
- 12.11 Should the dealer forget to burn the first and/or any additional cards from the card shoe or shuffling device in accordance with rule 4.11, then play shall continue with those cards remaining in play.
- 12.12 In the event that the cards are not shuffled following the exposure of the cutting card, subject to rule 12.7, the dealer shall complete the coup. The cards shall then be shuffled and cut in accordance with these rules. The results of previous coups shall stand.
- 12.13 In the event that a card(s) is found to be missing from a card shoe or shuffling device; or a card(s) is found that does not form part of the 52 cards that make up a deck in accordance with rule 3.1, the following shall apply:
 - 12.13.1 the result of any coups previously completed shall stand; and

12.13.2 the coup where the missing card(s) is discovered or the foreign card(s) is found shall be declared void and all monies returned for that coup; and

12.13.3 the remainder of the card shoe or shuffling device shall then be declared void and the decks checked for any further missing or foreign cards.

13 Shuffling Device Malfunction

13.1 This rule and rules 13.2 to 13.3, apply if all of the following conditions are satisfied:

13.1.1 a shuffling device is in use for a game of Three Card Baccarat; and

13.1.2 it becomes evident, in a coup for which 1 or more cards have been dealt, that the shuffling device is no longer capable of operating in the way it is intended to operate; and

13.1.3 the malfunctioning of the shuffling device has not operated to the disadvantage of the casino operator or a player; and

13.1.4 another shuffling device is readily available; and

13.1.5 it is practicable to transfer cards to another shuffling device.

13.2 Where a shuffling device malfunctions without causing any damage to the cards in the shuffling device, the cards in the shuffling device must be transferred to another shuffling device and the game continued.

13.3 Where a shuffling device malfunctions and causes damage to any card in the shuffling device:

13.3.1 the damaged cards in the malfunctioning shuffling device are to be removed from play; and

13.3.2 the undamaged cards still in the malfunctioning shuffling device are to be transferred from the malfunctioning shuffling device to another shuffling device; and

13.3.3 the damaged cards are to be replaced with cards from a new deck, and the replacement cards are to be placed in the shuffling device containing the cards transferred from the malfunctioning shuffling device; and

13.3.4 the game is continued.

13.4 Where a shuffling device malfunctions and the casino operator or a player is disadvantaged by reason of the malfunction, the coup is terminated, and the amount wagered by each player must be returned to the player. The result of any coups previously completed shall stand.

13.5 Where a shuffling device malfunctions and rules 13.1.4 or 13.1.5 can not be satisfied:

13.5.1 each player must be given the opportunity to have each amount wagered by the player in the coup returned to the player; and

13.5.2 any damaged card must be replaced with cards from a new deck; and

13.5.3 the replacement cards, if any, and any undamaged cards in the shuffling device are to be shuffled and cut in the same way as applies under rule 4; and

13.5.4 the coup for the players who elected not to have their wagers returned is completed using a card shoe.

14 General Provisions

14.1 A person shall not, either alone or in concert with any other person, use or control at or near a gaming table or location related to the playing of a game a calculator, computer, or other electronic, electrical or mechanical apparatus or device that is capable, with respect to a game or a part thereof, of recording, projecting, analysing or transmitting an outcome or the changing probabilities or the playing strategies to be used.

14.2 Rule 14.1 shall not apply to use or control by an agent or employee of the casino operator or an inspector where such person is acting in the course of their duty.

14.3 Where a casino supervisor is satisfied that a person has contravened any provision of rule 14.1, he/she may:

14.3.1 declare that any wager made by the person is void;

14.3.2 direct that the person shall be excluded from further participation in the game;

14.3.3 exclude the person from the casino in line with the provisions of section 79 of the Act;

14.3.4 cause the person(s) in possession of a prohibited device to be detained until such time as an inspector or a police officer has attended and assumed responsibility for the situation.

14.4 A casino supervisor may invalidate the outcome of a game if:

14.4.1 the game is disrupted by civil commotion, fire, riot, brawl, robbery, an act of God; or

14.4.2 any fraudulent act is perpetrated by any person that, in the opinion of the casino supervisor, affects the outcome of the game.

14.5 Where the outcome of a game is invalidated under rule 14.4, all wagers made by the players for that particular result may be refunded provided that a casino supervisor may direct that the wager of any player referred to in rule 14.4.2 be forfeited.

14.6 A player shall not be advised by an employee of the casino on how to play, except to ensure compliance with these rules.

14.7 No spectator or any player wagering at any table may, unless requested by a player, attempt to influence, influence or offer advice to that player regarding that player's decisions of play.

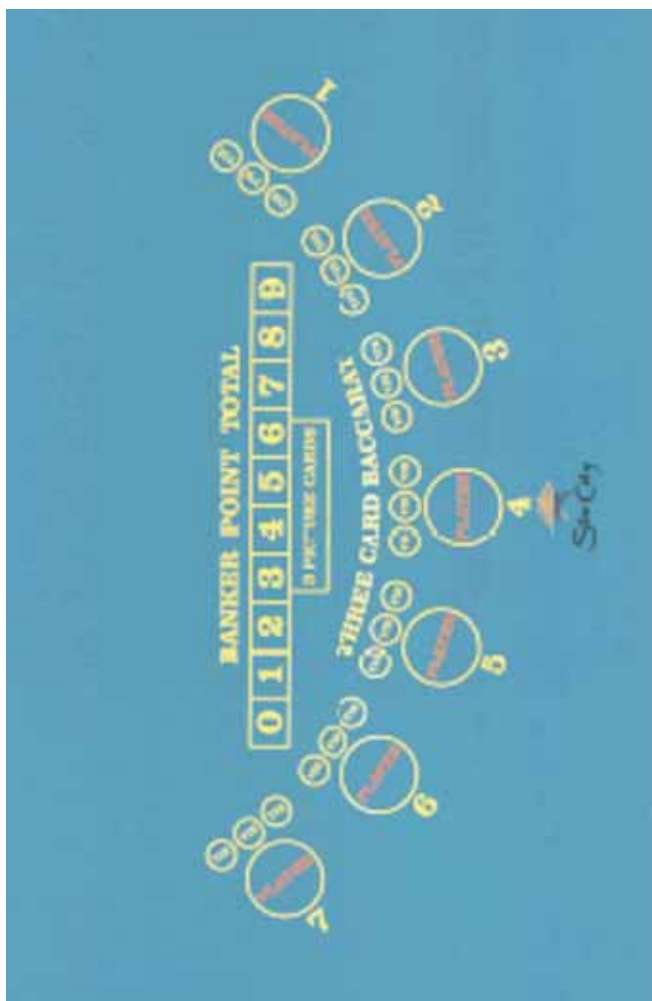
14.8 A casino supervisor may change the game in play (from or to Even Money Three Card Baccarat) providing that a sign indicating the game to be implemented and the proposed time of the change has been displayed at the table at least 20 minutes prior to the change or with the consent of all players participating in the current game.

14.9 A casino supervisor may close a gaming table at which players are present provided a sign showing the proposed time of closure has been displayed at the table for at least 20 minutes before the closure.

- 14.10 A player who abstains from placing any wagers for three consecutive coups, while all other seats or positions at the table are in use, may be required to vacate his/her seat or position.
- 14.11 Players and spectators are not permitted to have side bets with or against each other.
- 14.12 A casino supervisor or above may refuse, on reasonable grounds, any wager made by a player prior to the first card of a round of play being removed from the card shoe or shuffling device, and in so doing may cause the wager(s) to be removed from the layout.
- 14.13 Any dispute or complaint concerning a casino game shall be referred for decision in the first instance to a games supervisor, subject to a review (if requested) by a casino supervisor. In the absence of a games supervisor the matter must be referred in the first instance to a casino supervisor.
- 14.14 In any dispute arising from these Rules, the decision of the casino operator is final. Where any person is not satisfied with a decision of the casino operator relating to the conduct of gaming, the person will be advised their right to lodge a complaint with an inspector under section 110 of the Act.
- 14.15 A copy of these rules shall be made available for inspection upon request.

DIAGRAM A

Three Card Baccarat Table Layout



CO-OPERATIVES ACT 1992

Notice under Section 601AA of the Corporations Act 2001 as applied by Section 325 of the Co-operatives Act 1992

NOTICE is hereby given that the Co-operative mentioned below will be deregistered when two months have passed since the publication of this notice.

Coalition of Residents for the Environment (Core) Co-operative Ltd.

Cultureshift Co-operative Limited.

Dated this 21st day of August 2006.

C. GOWLAND,
Delegate of the Registrar of Co-operatives

DISTRICT COURT ACT 1973

District Court of New South Wales
Direction

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

Newcastle, 10:00 a.m., 18 September 2006 (2 weeks),
(sittings cancelled).

Dated this 18th day of August 2006.

R. O. BLANCH,
Chief Judge

DISTRICT COURT ACT 1973

District Court of New South Wales
Direction

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

East Maitland, 10:00 a.m., 27 November 2006 (2 weeks),
in lieu of 20 November 2006 (2 weeks).

Dated this 22nd day of August 2006.

R. O. BLANCH,
Chief Judge

DISTRICT COURT ACT 1973

District Court of New South Wales
Direction

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

Maitland, at East Maitland, 10:00 a.m., 4 September 2006
(1 week), in lieu of 4 September 2006 (2 weeks).

Maitland, at East Maitland, 10:00 a.m., 11 December 2006
(1 week), in lieu of 4 December 2006 (2 weeks).

Dated this 21st day of August 2006.

R. O. BLANCH,
Chief Judge

GAS SUPPLY ACT 1996

Application for Transfer of Gas Supplier Authorisation
Invitation to Comment

THE Tribunal has received from Sun Retail Pty Ltd (trading as Energex Retail Pty Ltd, ABN 97 078 848 549), an application to transfer to Sun Gas Retail Pty Ltd (ACN 121 177 740), its gas supplier's authorisation held under the Gas Supply Act 1996.

The Tribunal seeks public submissions on the application. Submissions should address the assessment criteria contained in the Gas Supply Act 1996.

All submissions should reach the Tribunal by 9 October 2006. Enquiries to Mr Gary Drysdale on (02) 9290 8477.

Reference No.: 03/652.

Dated: 25 August 2006.

JAMES P. COX,
Chief Executive Officer
and Full Time Member

Independent Pricing and Regulatory Tribunal,
PO Box Q290, QVB Post Office NSW 1230.

GEOGRAPHICAL NAMES ACT 1966

Notice of Proposal to Amend Address Locality and
Boundaries within the Cooma-Monaro 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 amend address locality boundaries in the Cooma-Monaro Local Government Area as shown on map GNB3753-1-A.

The proposed new boundaries for the address localities of Michelago and Tinderry as shown on map GNB3753-1-A may be viewed at Cooma-Monaro Council Office at Cooma, The Michelago General Store and at the Office of the Geographical Names Board, Land and Property Information, 346 Panorama Avenue, Bathurst NSW 2795, for a period of one month from date of this notice.

Details of this proposal may also be viewed on the Boards web sit at www.gnb.nsw.gov.au.

Any person wishing to make comment upon this proposal may within one (1) month of the date of this notice write to the Secretary of the Board with that comment.

WARWICK WATKINS,
Chairperson

Geographical Names Board,
PO Box 143, Bathurst NSW 2795.

GEOGRAPHICAL NAMES ACT 1966

Erratum

IN the Erratum notice, Folio 6127, 4 August 2006, the name Mount Nellinda was spelt incorrectly. The correct spelling is Mount Nellinda. This notice corrects this error.

WARWICK WATKINS,
Chairman

Geographical Names Board,
P O Box 143, Bathurst NSW 2795.

HEALTH ADMINISTRATION ACT 1982**LAND ACQUISITION (JUST TERMS
COMPENSATION) ACT 1991**

Notice of Acquisition of Land by Compulsory Process
for the Purposes of the Health Administration Act 1982

PURSUANT to section 10 of the Health Administration Act 1982 and section 19(1) of the Land Acquisition (Just Terms Compensation) Act 1991, the Health Administration Corporation by its delegate declares, with the approval of the Governor, that the land described in the Schedule below is by this notice acquired by compulsory process for the purposes of the Health Administration Act 1982.

Signed at Sydney, this 7th day of August 2006.

DAVID GATES,
Director,
Asset and Contract Services,
Department of Health
(a duly authorised delegate of the
Health Administration Corporation)

SCHEDULE

Land

All that piece or parcel of Crown Land situated at Nyngan in the Bogan Shire Local Government Area, Parish of Nyngan, County of Oxley, shown as Lots 1, 2, 5, 6 and 7, section 55 in Deposited Plan 758802 and Lot 7025 in Deposited Plan 1020908.

HEALTH ADMINISTRATION ACT 1982**LAND ACQUISITION (JUST TERMS
COMPENSATION) ACT 1991**

Notice of Compulsory Acquisition of Land for Health
Purposes

PURSUANT to section 10 of the Health Administration Act 1982 and section 19(1) of the Land Acquisition (Just Terms Compensation) Act 1991, the Health Administration Corporation by its delegate declares, with the approval of Her Excellency the Governor, that all the lands and interests therein described in the Schedule below are acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of the Health Administration Act 1982.

Signed at Sydney, this 18th day of August 2006.

DAVID GATES,
Director,
Asset and Contract Services,
Department of Health
(a duly authorised delegate of the
Health Administration Corporation)

SCHEDULE**Bonnells Bay (Morisset) Site**

All that piece or parcel of Crown Land situated in the Lake Macquarie Local Government Area, Parish of Morisset, County of Northumberland being Lot 559 in Deposited Plan 1075667.

(Reserved for Hospital for the Insane – part Reserve 31357, *New South Wales Government Gazette* of 25 August 1900).

Morrisset Site

All that piece or parcel of Crown Land situated in the Lake Macquarie Local Government Area, Parish of Morrisset, County of Northumberland, being Lot 7026 in Deposited Plan 1070830 excepting the Easement for Water Supply 6.096 metre(s) wide (*New South Wales Government Gazette* of 18 February 1972, Folios 510, 511), affecting the part(s) shown so burdened in the title diagram.

(Reserved for Hospital for the Insane – Reserve 45229, *New South Wales Government Gazette* of 11 May 1910).

Part Cowra Hospital Site

All that piece or parcel of Crown Land situated in the Cowra Local Government Area, Parish of Cowra, County of Bathurst, being Lot 41 in Deposited Plan 40342.

(Dedicated for Addition to Site for Public Hospital – *New South Wales Government Gazette* of 15 January 1886, Folio 311).

Part Parkes District Hospital Site

All those pieces or parcels of Crown Land situated in the Parkes Local Government Area, Parish of Currajong, County of Ashburnham, being:

Lot 162 in Deposited Plan 750152; and

Lot 1036 in Deposited Plan 750152.

(Reserved for Hospital and addition – Reserve 83660, *New South Wales Government Gazette* of 5 January 1962, Folio 27).

HERITAGE ACT 1977

Erratum

THE notice published in the *New South Wales Government Gazette* No. 103 of 18 August 2006, relating to Botany Water Reserve should have read: All those pieces or parcels of land known as Lot 3 DP 780392, Lot 2473 DP 752015, Lot 2825 DP 752015, Lot 1 DP 1039418, Lot 2 DP 1039418, Lot 1 DP 241650, Lot 4 DP 87663, Lot 5 DP 780391, Lot 6 DP 780391, Lot 7 DP 780391, Lot 2 DP 854374, Lot 13 DP 87663, Lot 1 DP 233011 in Parish of Botany, County of Cumberland shown on the plan catalogued HC 2150 in the office of the Heritage Council of New South Wales.

LOCAL GOVERNMENT ACT 1993

PROCLAMATION

M. BASHIR, Governor.

I, Professor Marie Bashir AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 218B of the Local Government Act 1993, hereby alter the boundaries of the Area of Bathurst Regional as described by Proclamation in Government Gazette No. 90 of 26 May 2004 and the Area of Blayney Shire as described by Proclamation in Government Gazette No. 162 of 15 October 2004, by taking part of the Area of Bathurst Regional described in Schedule A hereto and adding it to the Area of Blayney Shire so that the boundaries of the Area of Bathurst Regional and the boundaries of the Area of Blayney Shire shall be as respectively described in Schedule B and Schedule C hereto.

Signed and sealed at Sydney, this 16th day of August 2006.

By Her Excellency's Command,

KERRY HICKEY, M.P.,
Minister for Local Government

GOD SAVE THE QUEEN!

SCHEDULE A

Area to be transferred

Area about .0349 square kilometers. Being Lot 134, DP 750373 and Lot 2, DP 700340.

SCHEDULE B

Bathurst Regional Council (as altered)

Area about 3814.98 square kilometres. Commencing at the confluence of the Macquarie River and Tambaroora Creek, Parish of Aberfoil, County of Bathurst: and bounded thence by that river downwards to the northernmost north-eastern corner of Portion 25; by the generally eastern boundary of that portion and Portion 26 and the generally north-eastern and part of the eastern boundaries of Portion 30 generally southerly, generally south-easterly and southerly to the south-western corner of Portion 29; by part of the southernmost southern boundary of that portion easterly to the north-western corner of Portion 39; Parish of St David; by the generally western boundary of the Parish of St David; by the generally western boundary of the Parish of St David generally southerly to the easternmost south-eastern corner of Portion 35, Parish of Lennox; by the generally southern boundary of that portion generally westerly to Lucky Swamp Creek; by that creek upwards to the south-western corner of Portion 57, Parish of Freemantle; by the generally south-western boundary of Portions 84 and 85 generally south-easterly to the westernmost corner of Portion 79, Parish of Byng; by the range forming the generally south-western boundary of that portion and the generally south-eastern boundary of Portions 64, 29 and 62 generally south-easterly and generally south-westerly to the northern boundary of Portion 94; by part of that boundary and a line along the eastern boundary of that portion and Portion 96 easterly and southerly to the northeastern corner of Portion 105, Parish of Colville; by the eastern and part of the southern boundaries of that portion southerly and westerly to the easternmost north-eastern corner of Portion 180; by the easternmost eastern boundary of that portion southerly to the road from Bathurst to Orange; by that road generally westerly to the easternmost north-eastern corner of portion 128; by the eastern boundary of that portion southerly; by a line south-easterly to the north-eastern corner of Portion 135; by the eastern boundary of that portion and portion 96 southerly; by a line along part of the northern boundary of Portion 91 and the northern boundary of Portions 88, 89 and 132 easterly to the north-western corner of Portion 112; by State Highway No. 7 (Mitchell Highway) generally easterly to the north-western corner of Portion 41, Parish of Vittoria; by the western boundary of that portion and the western and part of the southern boundaries of Portion 45 southerly and easterly to its intersection with a line along the westernmost western boundary of Portion 141; by that line, the southern boundary of that portion, part of the southern boundary of Portion 129 and the generally southern boundary of Portion 161 southerly and generally easterly; by a line easterly to the westernmost south-western corner of Portion 164; by the generally southern boundary of that portion generally easterly; by a line easterly to the westernmost south-western

corner of portion 163; by the southern and south-western boundaries of that portion easterly and south-easterly; by part of the generally eastern boundary of the Parish of Torrens generally southerly, the eastern and part of the southern boundaries of Lot 134, DP 750373, southerly and westerly, the eastern boundary of Lot 2, DP 700340, southerly, again, the part of generally eastern boundary of the Parish of Torrens generally southerly, to the northernmost north-western corner of Portion 139, Parish of Galbraith; by the northernmost northern and part of the easternmost eastern boundaries of that portion and southerly to its intersection with a line parallel to 174.1 metres rectangularly distant northerly from the northern boundary of portion 76; by that line easterly to its intersection with a line along the western boundary of the said portion 76; by that line southerly to the north-western corner of the said portion 76; by a line along the northern boundary of that portion easterly to the western boundary of Portion 125; by part of the generally northern and the generally eastern boundaries of the Parish of Galbraith generally easterly and generally southerly to the south-eastern corner of Portion 120, Parish of Galbraith; by part of the generally northern, the generally eastern and the generally south-eastern boundaries of the Parish of Three Brothers and part of the generally southern boundary of the Parish of Neville generally easterly, generally southerly and generally south-westerly to Graingers Creek; by that creek and Rocky Bridge Creek downwards and the Abercrombie River upwards to the generally western boundary of the Parish of Thompson, County of Georgiana; by part of that boundary, northerly, the eastern and generally north-eastern boundaries of Lot 90, DP 753018, northerly and generally north-westerly, the eastern boundary of Lot 91, DP 753018, northerly, part of the southern, the eastern and the generally north-eastern boundaries of Lot 63, DP 753032, easterly, northerly and generally north-westerly, the generally north-western boundary of Lot Pt 1, DP 547757, generally north-easterly, a line easterly, the generally north-western boundary of Lot A, DP 401130, generally north-easterly, the generally western, the generally northern and the eastern boundaries of Lot Pt 1, DP 547757, generally northerly, generally easterly and southerly, the generally western and southern boundaries of Lot B, DP 401130, generally southerly and easterly, the southern and part of the eastern boundaries of Lot 2, DP 1025922, easterly and northerly, the southern boundary of Lot 123, DP 753032, easterly, part of the western, the southern and the north-eastern boundaries of Lot 76, DP 753032, southerly, easterly and north-westerly, the generally eastern boundary of Lot 135, DP 753032, generally northerly, a line easterly and the generally northern boundary of Lot 106, DP 655269, generally easterly to the generally south-western side of Schumachers Road; by that side of that road, generally north-westerly to the western prolongation of the generally south-eastern boundary of Lot 2, DP 818313; by that prolongation and boundary, generally north-easterly, a line, the eastern boundary of Lot 892, DP 815567, northerly, part of the southern and the eastern boundaries of Lot 2, DP 791440, easterly and northerly, the eastern boundary of Lot 130, DP 753052, northerly, the generally eastern boundary of Lot Pt 32, DP 753052, generally northerly, a line northerly, part of the generally eastern boundary of Lot Pt 142, DP 752052, generally northerly, the northern boundary of Lot 9, DP 389174, easterly, the northern and the north-eastern boundaries of Lot 1, DP 389174 and its prolongation, easterly and south-easterly to Triangle Creek; by that creek, downwards, to the western boundary of Lot F, DP 159858; by part of that boundary and the northern boundary of that lot, northerly

and easterly, the generally northern boundary of Lot 1, DP 655744 and its prolongation, generally easterly to the eastern side of Burruga Road; by that side of that road, north-easterly to the generally south-western boundary of Lot 7, DP 258535; by that boundary, generally south-easterly, part of the southern boundary of Lot 5, DP 111813, westerly to the Campbells River; by that River downwards to the southern boundary of Lot 6, DP 581791; by part of that boundary, the generally western and the generally north-western boundaries of that lot, westerly, generally northerly and generally north-easterly, the generally north-western boundary of Lot 7, DP 591246, generally north-easterly, the generally south-western boundary of Lot 12, DP 608801, generally south-easterly, the south-western and eastern boundaries of Lot 5, DP 231859, south-westerly and northerly, the generally southern boundary of Lot 3, DP 235777, generally easterly, the southern boundaries of Lot 2, DP 235777 and Lot 81, DP 757039 and their prolongation easterly to Sewells Creek; by that creek and Campbells River, downwards to the southern prolongation of the generally north-eastern boundaries of DP 859300; by that prolongation, boundaries and the generally north-eastern boundaries of DP 632418 and their prolongation, generally north-westerly, generally westerly and generally south-westerly to, again, Campbells River; by that river, downwards and Fish River, upwards to the southern prolongation of the western boundary of Portion 5, Parish of Eusdale, County of Roxburgh; by that prolongation, boundary and the northern boundary of that portion, northerly and westerly, part of the western and northern boundaries of Lot 1 DP 798788, northerly and easterly, the eastern boundary of portion 4, parish of Eusdale, County of Roxburgh, northerly to the southernmost southern boundary of Portion 108, Parish of Thornshope; by part of that boundary and the western, generally north-western and northern boundaries of that portion westerly, northerly, generally north-easterly and easterly; by the generally south-eastern and easternmost northern boundaries of Portion 124 generally north-easterly and westerly to the eastern boundary of Portion 58; by part of that boundary, the northern boundary of that portion and the northernmost northern boundary of the said Portion 124 northerly and westerly to the eastern boundary of Portion 2, Parish of Eusdale; by part of that boundary, the eastern and northern boundaries of portion 3 and part of the eastern boundary of Portion 6 northerly, westerly and again northerly to the north-eastern corner of the said Portion 6; by a line northerly to the south-eastern corner of Portion 28, Parish of Castleton; by a line along the eastern boundary of that portion northerly to the westernmost southern boundary of Portion 83, Parish of Falnash; by part of that boundary and the westernmost western and part of the northernmost northern boundaries of that portion westerly, northerly and easterly to the south-western corner of Portion 40; by a line along the western boundary of that portion northerly to the southernmost southern boundary of Portion 82; by part of that boundary and part of the generally western boundary of that portion westerly and generally northerly to the southern side of the road forming part of the southern boundary of Portion 64, Parish of Castleton; by a line north to the said southern boundary of Portion 64; by part of that boundary and part of the northernmost northern boundary of Portion 236 westerly to the southernmost southern-eastern corner of Portion 248; by the generally eastern boundary of that portion and part of the western boundary of Portion 228 generally northerly to the south-western corner of portion 62; by the southern and eastern boundaries of that portion easterly and northerly; by the road forming the generally northern boundary of Portion 86, parish of Falnash, north-easterly to its intersection with

a line along the eastern boundary of Portion 74, Parish of Castleton; by that line northerly to the southern boundary of portion 241; by part of that boundary and the western and part of the northern boundaries of that portion westerly, northerly and easterly to its intersection with the said line along the eastern boundary of portion 74; by that line northerly to the north-eastern corner of the said portion 74; by part of the generally eastern and part of the generally north-eastern boundaries of the Parish of Castleton, generally northerly and generally north-westerly to the westernmost north-western corner of Portion 57, Parish of Turon; by the westernmost northern and western boundaries of that portion, the generally western boundary of Portion 55, the westernmost western boundary of Portion 39 and part of the western boundary of Portion 16 easterly and generally northerly to the south-eastern corner of Portion 70; by the southern boundary of that portion and the southernmost southern boundary of Portion 77 westerly to Palmers Oak Creek; by that creek downwards to the south-eastern corner of Portion 159, Parish of Jesse; by the eastern and generally northern boundaries of that portion and part of the north-eastern boundary of Portion 166 northerly, generally westerly and north-westerly to a point south of the easternmost south-eastern corner of Portion 165; by a line north to that corner; by the generally northern boundary of the said Portion 165 and Portion 134 and the northernmost northern boundary of Portion 138 generally westerly; by a line westerly to the easternmost north-eastern corner of Portion 155; by the generally north-eastern boundary of that portion generally north-westerly to the northernmost corner of that portion; by the prolongation north-westerly of the northernmost north-eastern boundary of that portion north-westerly to the south-eastern boundary of Portion 62; by part of that boundary and the generally eastern boundary and the northern boundary of that portion north-easterly, generally northerly and westerly to the road from Bathurst to Upper Turon; by that road generally northerly to the Turon River; by that river downwards and Cunninghams or Crudine Creek upwards to the generally northern boundary of the Parish of Cunningham, County of Wellington; by that boundary, generally westerly to Green Valley Creek; by that creek, downwards to the generally south-eastern side of the road from Hill End to Hargraves; by that side of that road, generally south-westerly to the north-eastern prolongation of the north-western boundary of Lot 78, DP 756873; by that prolongation, boundary and part of the south-western boundary of that lot, south-westerly and south-easterly to a point 50 metres offset on the south-western side of Dixons Long Point Road; by that 50 metres offset generally north-westerly to the northern boundary of Hill End – Tamaroora Common; by that boundary and the generally western boundary of that Common westerly and generally southerly to Tamaroora Creek, aforesaid, and by that creek downwards to the point of commencement.

SCHEDULE C

Blayney Shire (as altered)

Area about 1 619.20 square kilometres: Commencing at the southern most southeastern corner of portion 275, Parish of Neville, County of Bathurst; and bounded thence by part of the generally southern boundary of the Parish of Neville and the generally southeastern, the generally eastern and part of the generally northern boundaries of the Parish of Three Brothers generally northeasterly, generally northerly and generally westerly to the southeastern corner of portion 120, Parish of Galbraith; by the generally eastern

and part of the generally northern boundaries of the Parish of Galbraith generally northerly and generally westerly to the northwestern corner of portion 125, Parish of Galbraith; by part of the western boundary of that portion southerly to its intersection with a line along the northern boundary of portion 76; by that line westerly to the northwestern corner of that portion; by the prolongation northerly of the western boundary of that portion northerly to its intersection with a line parallel to and 174.1 metres rectangularly distant northerly from the said northern boundary of portion 76; by that line westerly to the easternmost eastern boundary of portion 139; by part of that boundary and the northernmost boundary of that portion northerly and westerly; by part of the generally eastern boundary of the Parish of Torrens generally northerly, the eastern boundary of Lot 2, DP 700340, northerly, part of the southern and the eastern boundaries of Lot 134, DP 750373, easterly and northerly, again, part of the generally eastern and the generally northern boundaries of the Parish of Torrens, generally northerly and generally westerly to the northeastern corner of portion 2, Parish of Graham; by part of the generally northern boundary of the Parish of Graham generally westerly to its intersection with a line along the western boundary of portions 122 and 123, Parish of Colville; by that line northerly to the westernmost northwestern corner of the said portion 123; by a line northwesterly to the easternmost southeastern corner of lot 1, Deposited Plan 508090; by a line along the eastern boundary of that lot northerly to the generally southwestern boundary of portion 113; by part of that boundary and the generally southwestern boundary of portion 171 generally northwesterly to the westernmost southwestern corner of the said portion 171; by a line northwesterly to the southeastern corner of portion 181, Parish of Shadforth; by the southwestern boundary of that portion, the generally southern boundary of portion 222 and the southern boundary of portions 159 and 69 northwesterly and generally westerly to the southwestern corner of the said portion 69; by a line southerly to the northernmost corner of lot 2, Deposited Plan 251991; by the generally northeastern boundary of that lot generally southeasterly to the easternmost corner of that lot; by the northernmost southwestern boundary of lot 3, the southwestern boundary of lot 4 and the southernmost southwestern boundary of the said lot 3 generally southeasterly to the western boundary of portion 154; by part of that boundary and part of the western boundary of portion 153 southerly to the generally northwestern side of the road in plan catalogued R339A 1603; by that side of that road and by boundaries of portion 178 generally southwesterly, northerly, westerly and again northerly to its intersection with a line along the northernmost northern boundary of the land comprised in Certificates of Title, volume 6273, folios 133 and 166; by that line westerly to the generally eastern boundary of portion 169; by part of that boundary and the generally eastern, the southern and part of the western boundary of portion 170 generally southerly, westerly and northerly to the southeastern corner of portion 151; by the southern boundary of that portion westerly to the eastern boundary of portion 152; by part of that boundary, the southern boundary of that portion and a line along the southernmost southern boundary of portion 79 southerly and westerly to the southwestern corner of the said portion 79; by a line southwesterly to the easternmost corner of portion 86; by part of the said generally northern boundary and part of the generally southwestern boundary of the Parish of Graham generally westerly and generally southerly to the southernmost corner of portion 287, Parish of Huntley; by the generally southern boundary of the Parish of Huntley generally westerly to the easternmost southeastern corner of

portion 140, Parish of Beneree; by boundaries of that portion westerly, southerly and again westerly to Black Springs Creek; by that creek downwards to the southern prolongation of the west most eastern boundary of Lot 1, DP 874336, Parish of Waldegrave; by the boundary generally northerly and south-westerly, to Black Springs Creek, aforesaid; by that creek and Flyers Creek downwards to the northeastern corner of portion 42, Parish of Waldegrave; by the northern boundary of that portion and portion 41, the southernmost southern boundary of portion 37 and the southern boundary of portion 38 westerly to the southernmost eastern boundary of portion 28; by part of that boundary, the southernmost southern boundary of that portion and the southern boundary of portion 162 southerly and westerly to Cadiangullong Creek; by that creek upwards to the northeastern corner of portion 149, Parish of Clarendon; by the northern and part of the western boundaries of that portion and the northern and part of the western boundaries of portion 153 westerly, southerly, again westerly and again southerly to the northeastern corner of portion 68; by the generally northern boundary of that portion and the northern boundary of portion 67 generally westerly to the eastern boundary of portion 31; by part of that boundary and the northern boundary of that portion northerly and westerly to Panuara Rivulet or Four Mile Creek; by that creek downwards to the Belubula River; by that river upwards to Limestone Creek; by that creek upwards to the northern prolongation of the western boundary of Lot 1, DP 1046635; by that prolongation and boundary, southerly, the generally southern boundaries of the former lot and Lot 2 and 3, DP 1046635, generally easterly and the eastern boundary of Lot 3, DP 1046635, and its prolongation northerly to, again; Limestone Creek; by that creek upwards to the northern prolongation of the western boundary of Lot 1, DP 76918; by that prolongation, boundary and the south-western boundary of that lot, southerly and south-easterly, the south-western and south-eastern boundaries of Lot 9, DP 113022 and its prolongation, south-easterly and north-easterly to, again, Limestone Creek; by that creek, upwards to the northern boundary of portion 351, parish of Lucan; by part of the generally southwestern, the generally southern and part of the generally eastern boundaries of the Parish of Lucan generally southeasterly, generally easterly and generally northerly to the southeastern corner of portion 112, Parish of Somers; by part of the generally southern and part of the generally southeastern boundaries of the Parish of Somers generally easterly and generally northeasterly to the northwestern corner of portion 122, Parish of Egbert; by a line along the northern boundary of that portion easterly to the southernmost southwestern boundary of portion 139; by part of that boundary and the southernmost southern boundary of that portion northwesterly and westerly; and by part of the generally western and the generally northern boundaries of the Parish of Egbert generally northerly and generally easterly to the point of commencement.

PESTICIDES ACT 1999

Notice under Section 48(4)

NOTICE is hereby given, pursuant to section 48(4) of the Pesticides Act 1999, that I have granted a Pilot (Pesticide Rating) Licence, particulars of which are stated in the Schedule.

ALAN RITCHIE,
Manager, Dangerous Goods,
Environment Protection Authority
(by delegation)

SCHEDULE	
Pilot (Pesticide Rating) Licence	
<i>Name and address of Licensee</i>	<i>Date of Granting of Licence</i>
Damian Craige HERSEY, 4 Kilroy Street, St George QLD 4487.	22 August 2006

PUBLIC HEALTH ACT 1991

ORDER

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 63 (1) of the Public Health Act 1991, with effect on and from 1 September 2006, do hereby:

- (i) revoke all previous descriptions of medical districts or appointments of medical officers of health; and
- (ii) instead describe the medical districts shown in Column 2 of the attached Schedule; and
- (ii) nominate each medical practitioner named in Column 1 of the attached Schedule as the medical officer of health for the medical district described immediately opposite that person's name in Column 2 of the attached Schedule.

Signed at Sydney this twenty third day of August 2006.

By Her Excellency's Command.

JOHN HATZISTERGOS,
Minister for Health

SCHEDULE

<i>COLUMN 1</i>	<i>COLUMN 2</i>
Dr Alan S. C. SANDFORD	Greater Southern Area Health Service (Comprising the local government areas or cities of: Albury, Bega Valley, Berrigan, Bland, Bombala, Boorowa, Carrathool, Conargo, Coolamon, Cooma- Monaro, Cootamundra, Corowa, Deniliquin, Eastern Capital City Regional, Eurobodalla, Greater Argyle, Greater Hume, Greater Queanbeyan, Griffith, Gundagai, Harden, Hay, Jerilderie, Junee, Leeton, Lockhart, Murray, Murrumbidgee, Narrandera, Snowy River, Temora, Tumbarumba, Tumut, Upper Lachlan, Urana, Wagga Wagga, Wakool, Yass Valley, Young).
Dr Anthony Maitland BROWN	Greater Western Area Health Service (Comprising the local government areas or cities of: Balranald, Bathurst Regional, Blayney, Bogan, Bourke, Brewarrina, Broken Hill, Cabonne, Central Darling, Cobar, Coolah, Coonabarabran, Coonamble, Cowra, Dubbo, Forbes, Gilgandra, Lachlan, Mid-Western Regional, Narromine, Oberon, Orange, Parkes, Walgett, Warren, Weddin, Wellington, Wentworth; and the Unincorporated Area).
Dr David N DURREHEIM	Hunter and New England Area Health Service (Comprising the local government areas or cities of: Armidale Dumaresq, Cessnock, Dungog,

Glen Innes Severn, Gloucester, Great Lakes, Greater Taree, Gunnedah, Guyra, Gwydir, Inverell, Lake Macquarie, Liverpool Plains, Maitland, Moree Plains, Muswellbrook, Narrabri, Newcastle, Port Stephens, Singleton, Tamworth Regional, Tenterfield, Upper Hunter, Uralla, Walcha).

Dr Paul Philip
LAIRD

North Coast Area Health Service
(Comprising the local government areas or cities of:
Ballina, Bellingen, Byron, Clarence Valley, Coffs Harbour, Hastings, Kempsey, Kyogle, Lismore, Nambucca, Richmond Valley, Tweed).

Dr Peter Ritchie
LEWIS

Northern Sydney and Central Coast Area Health Service
(Comprising the local government areas or cities of:
Gosford, Hornsby, Hunters Hill, Ku-ring-gai, Lane Cove, Manly, Mosman, North Sydney, Pittwater, Ryde, Warringah, Willoughby, Wyong).

Assoc. Prof. Mark
FERSON

South Eastern Sydney and Illawarra Area Health Service
(Comprising the local government areas or cities of:
Botany Bay, Hurstville, Kiama, Kogarah, Randwick, Rockdale, Shellharbour, Shoalhaven, Sutherland, Sydney (being that part of the City of Sydney described by clause 39A(2) of the Health Services Regulation 2003, or any subsequent regulation made for that purpose pursuant to section 18(2) of the Health Services Act 1997), Waverley, Woollahra, Wollongong; and Lord Howe Island).

Dr Leena GUPTA

Sydney South West Area Health Service
(Comprising the local government areas or cities of:
Ashfield, Bankstown, Burwood, Camden, Campbelltown, Canada Bay, Canterbury, Fairfield, Leichhardt, Liverpool, Marrickville, Strathfield, Sydney (being that part of the City of Sydney described by clause 39A(1) of the Health Services Regulation 2003, or any subsequent regulation made for that purpose pursuant to section 18(2) of the Health Services Act 1997), Wingecarribee, Wollondilly).

Dr Conrad Joseph
MOREIRA

Sydney West Area Health Service
(Comprising the local government areas or cities of:
Auburn, Baulkham Hills, Blacktown, Blue Mountains, Hawkesbury, Holroyd, Lithgow, Parramatta, Penrith).

The Local Bush Fire Danger period has been extended for the period 1 September until 30 September 2006.

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

SHANE FITZSIMMONS, AFSM,
Assistant Commissioner,
Executive Director,
Operations and Regional Management

RURAL FIRES ACT 1997

Local Bush Fire Danger Period Variation

Pursuant to section 82 of the Rural Fires Act 1997, as amended, the Commissioner of the NSW Rural Fire Service, following consultation with the local stakeholders, declares the following Local Bush Fire Danger Period Variation:

Area of Variation:

Oberon FCC Incorporating:

Oberon Council.

The Local Bush Fire Danger period has been extended for the period 1 September until 30 September 2006.

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

SHANE FITZSIMMONS, AFSM,
Assistant Commissioner,
Executive Director,
Operations and Regional Management

RURAL FIRES ACT 1997

Local Bush Fire Danger Period Variation

PURSUANT to section 82 of the Rural Fires Act 1997, as amended, the Commissioner of the NSW Rural Fire Service, following consultation with the local stakeholders, declares the following Local Bush Fire Danger Period Variation:

Area of Variation:

Cumberland Zone Incorporating:

Blacktown City Council,

Fairfield City Council,

Penrith City Council.

The Local Bush Fire Danger period has been extended for the period 1 September until 30 September 2006.

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

SHANE FITZSIMMONS, AFSM,
Assistant Commissioner,
Executive Director,
Operations and Regional Management

RURAL FIRES ACT 1997

Local Bush Fire Danger Period Variation

PURSUANT to section 82 of the Rural Fires Act 1997, as amended, the Commissioner of the NSW Rural Fire Service, following consultation with the local stakeholders, declares the following Local Bush Fire Danger Period Variation:

Area of Variation:

Lithgow FCC Incorporating:

City of Lithgow Council.

RURAL FIRES ACT 1997

Local Bush Fire Danger Period Variation

PURSUANT to section 82 of the Rural Fires Act 1997, as amended, the Commissioner of the NSW Rural Fire Service, following consultation with the local stakeholders, declares the following Local Bush Fire Danger Period Variation:

Area of Variation:

Hunter Valley Team Incorporating:

Muswellbrook Shire Council,

Singleton Shire Council.

The Local Bush Fire Danger period has been extended for the period 15 September until 30 September 2006.

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

PHIL KOPERBERG, AO, AFSM, BEM,
Commissioner

RURAL FIRES ACT 1997

Local Bush Fire Danger Period Variation

PURSUANT to section 82 of the Rural Fires Act 1997, as amended, the Commissioner of the NSW Rural Fire Service, following consultation with the local stakeholders, declares the following Local Bush Fire Danger Period Variation:

Area of Variation:

Wollondilly FCC Incorporating:

Wollondilly Shire Council.

The Local Bush Fire Danger period has been extended for the period 1 September until 30 September 2006.

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

PHIL KOPERBERG, AO, AFSM, BEM,
Commissioner

RURAL FIRES ACT 1997

Local Bush Fire Danger Period Variation

PURSUANT to section 82 of the Rural Fires Act 1997, as amended, the Commissioner of the NSW Rural Fire Service, following consultation with the local stakeholders, declares the following Local Bush Fire Danger Period Variation:

Area of Variation:

Hawkesbury FCC Incorporating:

Hawkesbury City Council.

The Local Bush Fire Danger period has been extended for the period 1 September until 30 September 2006.

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

PHIL KOPERBERG, AO, AFSM, BEM,
Commissioner

Electricity (Consumer Safety) Act 2004

Order under Section 5

I, Lyn Baker, Commissioner for Fair Trading, Department of Commerce:

- (1) revoke, on and from 14 August 2006, the Order dated 20 April 2004 published in the *New South Wales Government Gazette* of 30 April 2004, No. 77 at page 2290; and
- (2) pursuant to sections 5(2) and 5(3) of the *Electricity (Consumer Safety) Act 2004* by this Order, declare the electrical articles of a class described in Schedule 1 to be, on and from 14 August 2006, declared electrical articles for the purposes of Part 2 of the *Electricity (Consumer Safety) Act 2004* and the specifications, including modifications, specified in Schedule 1 to be those applicable to electrical articles of that class.

Signed this 22 day of August 2006

LYN BAKER
COMMISSIONER FOR FAIR TRADING
DEPARTMENT OF COMMERCE

SCHEDULE 1**DECLARED ELECTRICAL ARTICLES****Interpretation:**

In this schedule a reference to-

AS/NZS 3350.1 means AS/NZS 3350.1:2002 with amendments 1 to 3;
AS/NZS 60335.1 means AS/NZS 60335.1:2002 with amendment 1;
AS/NZS 3100 means AS/NZS 3100:2002 with amendments 1 to 3;
AS/NZS 60745.1 means AS/NZS 60745.1:2003 with amendments 1 and 2;
AS/NZS 60598.1 means AS/NZS 60598.1:2003; and
AS/NZS 61558.1 means AS/NZS 61558.1:2000 with amendments 1 to 4.

1. APPLIANCE CONNECTOR - an electrical device which -

- (a) is for attachment to a flexible cord; and
- (b) makes a detachable connection between the conductors of the cord and the pins or contacts of any low voltage appliance or equipment of a type intended or generally used for household applications;

but does not include -

- (c) a connector within the scope of AS/NZS 3123; or
- (d) a plug or socket-outlet within the scope of AS/NZS 3131.

Class specification:

Appliance plug –
AS/NZS 60320.1:2004.

Plug connector –

AS/NZS 60320.1:2004 and AS/NZS 60320.2.2:2004.

2. ARC WELDING MACHINE - an electrical appliance which -

- (a) is for use in the electric arc welding process;
- (b) is for connection to single phase low voltage supply;
- (c) is fitted with a flexible cord and plug rated at not more than 16 A;
- (d) can easily be moved from one place to another while it is connected to supply; and
- (e) has, for GMAW (gas metal arc welding), GTAW (gas tungsten arc welding), and FCAW (flux cored arc welding) machines, a 100% output rating not exceeding 65 A. The 100% rating is calculated from the square root of the marked duty cycle expressed in decimal form multiplied by the marked output current associated with the duty cycle in amperes;

but does not include -

- (f) an arc welding machine promoted exclusively to industry.

Class specification:

AS/NZS 3100 and AS/NZS 3195:2002.

3. BAYONET LAMPHOLDER - an electrical device which -

- (a) accommodates a lamp with a bayonet cap of 15 mm or 22 mm nominal diameter;

but does not include -

- (b) a lampholder which by design is restricted to specific appliances; or
- (c) a lampholder which is for incorporation in industrial equipment only.

Class specification:
AS/NZS 3100 and AS 3117:1994.

4. **BAYONET LAMPHOLDER ADAPTOR** - an electrical device which -
- (a) is for insertion into a B22 bayonet lampholder; and
 - (b) is for connection to a flexible cord; or
 - (c) has one or more lampholders.

Class specification:
AS/NZS 3100 and AS 3119:1994.

5. **BLANKET** - an electrical appliance which -
- (a) is for the application of heat to a bed;
 - (b) is flexible;
 - (c) has a fabric enclosure; and
 - (d) has a projected surface area exceeding 0.6 square metres;
- and includes -
- (e) any associated power supply or controller.

Class specification:
AS/NZS 3350.1 and AS/NZS 3350.2.17:2000 with amendments 1 and 2 (until 31 May 2011)
or AS/NZS 60335.1 and AS/NZS 60335.2.17:2004.

6. **BREAD TOASTER** - an electrical appliance which -
- (a) is a household type; and
 - (b) is for toasting bread or similar foods.

Class specification:
AS/NZS 3350.1 and AS/NZS 3350.2.9:1999 with amendments 1 to 3 (until 22 November 2009)
or AS/NZS 60335.1 and AS/NZS 60335.2.9:2002 with amendments 1 to 3.

7. **CLOTHES DRYER** - an electrical appliance which -
- (a) is a household type; and
 - (b) is for drying textile material.

Class specification:
Rotary type –
AS/NZS 3350.1 and AS/NZS 3350.2.11:2001 (until 22 November 2009) or AS/NZS 60335.1
and AS/NZS 60335.2.11:2002 with amendment 1.

Cabinet type-
AS/NZS 3350.1 and AS/NZS 3350.2.43:2001 (until 17 June 2012) or AS/NZS 60335.1 and
AS/NZS 60335.2.45:2005.

8. **CONTROL OR CONDITIONING DEVICE** - an electrical device which -
- (a) is a household type;
 - (b) is for controlling or conditioning the electrical input to electrical apparatus;
 - (c) is self contained; and
 - (d) connects to supply by means of a flexible cord and plug, appliance inlet or pins for engagement with a socket-outlet.

Class specification:
AS/NZS 3100 and AS/NZS 3197:2005.

9. COOKING APPLIANCE - PORTABLE TYPE - an electrical appliance which -

- (a) is a household type;
- (b) is for cooking or warming food by electrical energy; and
- (c) is portable.

Class specification:

Griller, roaster, or oven (including breadmaker)-
AS/NZS 3350.1 and AS/NZS 3350.2.9:1999 with amendments 1 to 3 (until 22 November 2009) or AS/NZS 60335.1 and AS/NZS 60335.2.9:2002 with amendments 1 to 3.

Warming plate and similar-

AS/NZS 3350.1 and AS/NZS 3350.2.12:1997 with amendments 1 and 2 (until 31 May 2011) or AS/NZS 60335.1 and AS/NZS 60335.2.12:2004.

Frying pan, deep fryer or wok-

AS/NZS 3350.1 and AS/NZS 3350.2.13:2001 (until 31 May 2011) or AS/NZS 60335.1 and AS/NZS 60335.2.13:2004 with amendment 1.

Outdoor barbecue-

AS/NZS 3350.1 and AS/NZS 3350.2.78:1996 with amendments 1 and 2 (until 17 June 2012) or AS/NZS 60335.1 and AS/NZS 60335.2.78:2005.

10. CORD EXTENSION SOCKET - an electrical device which -

- (a) is for attachment to a flexible cord;
- (b) has a maximum rating of 20 A at low voltage; and
- (c) has contacts whereby a detachable connection may be made with the corresponding pins of a plug or an inlet;

but does not include -

- (d) a connector or appliance connector designated in AS/NZS 3123; or
- (e) a socket outlet designated in AS/NZS 3131.

Class specification:

AS/NZS 3100 and AS/NZS 3120:1999.

11. CORD-LINE SWITCH - an electrical device which -

- (a) is for attachment in a flexible cord;
- (b) manually opens and closes an electrical circuit; and
- (c) has a rating not exceeding 16 A at low voltage;

but does not include -

- (d) bell push and pendant switches.

Class specification:

AS/NZS 3100 and AS/NZS 3127:2005.

12. DECORATIVE LIGHTING OUTFIT - an electrical appliance which -

- (a) is for decorative, display or illumination purposes;
- (b) is portable;
- (c) consists of -

- (i) lamps or lampholders interconnected by flexible cord of less than 2.5 square millimetres cross-sectional area; or
 - (ii) lamps within a flexible enclosure; and
- (d) may be integral with a frame or similar support;
and includes -
- (e) any integral power supply or control device.

Class specification:

AS/NZS 60598.1 and AS/NZS 60598.2.20:2002.

13. DISHWASHING MACHINE - an electrical appliance which -

- (a) is a household type; and
- (b) is for washing of eating or cooking utensils.

Class specification:

AS/NZS 3350.1 and AS/NZS 3350.2.5:1995 with amendments 1 and 2 (until 22 November 2009) or AS/NZS 60335.1 and AS/NZS 60335.2.5:2002 with amendment 1.

14. EDISON SCREW LAMPHOLDER - an electrical device which -

- (a) accommodates a lamp with an Edison screw cap of 14 mm or 27 mm nominal outside diameter;

but does not include -

- (b) a lampholder which by design is restricted to specific appliances; or
- (c) a lampholder which is for incorporation in industrial equipment only.

Class specification:

AS/NZS 3100 and AS 3140:1994.

15. FAN - an electrical appliance which -

- (a) is a household type;
- (b) has a primary function of moving air in its vicinity; and
- (c) is self-contained;

and includes -

- (d) any associated ancillary equipment.

Class specification:

AS/NZS 3350.1 and AS/NZS 3350.2.80:1998 with amendments 1 to 3 (until 3 September 2011) or AS/NZS 60335.1 and AS/NZS 60335.2.80:2004.

16. FENCE ENERGISER – an electrical appliance which regulates and controls the supply of electrical energy to an electric fence.

Class specification:

AS/NZS 3350.1 and AS/NZS 3350.2.76:1998 with amendments 1 and 2 (until 30 May 2010) or AS/NZS 60335.1 and AS/NZS 60335.2.76:2003.

17. FLEXIBLE HEATING PAD - an electrical appliance which -

- (a) is for application of heat to parts of the human body;

- (b) is in the form of a flexible pad; and
- (c) has a projected area not exceeding 0.6 square metres.

Class specification:

Foot warmer and foot mat-

AS/NZS 3350.1 and AS/NZS 3350.2.81 with amendment 1.

Other-

AS/NZS 3350.1 and AS/NZS 3350.2.17:2000 with

amendments 1 and 2 (until 31 May 2011) or AS/NZS 60335.1 and AS/NZS 60335.2.17:2004.

18. FLOOR POLISHER/SCRUBBER – an electrical appliance which -

- (a) is a household type; and
- (b) is used to polish or scrub floors.

Class specification:

AS/NZS 3350.1 and AS/NZS 3350.2.10:1996 with amendments 1 and 2.

19. FLUORESCENT LAMP BALLAST - an electrical device which -

- (a) is for controlling the magnitude of current flowing through the discharge path of a fluorescent lamp;
- (b) is of the independent or built-in type intended for use with luminaires (portable or fixed); or
- (c) is of the integral type, rated at 60 watts or less, such that it forms a non-replaceable part of a fluorescent lamp/ballast combination; or
- (d) is of the adaptor type such that it allows the insertion of a fluorescent lamp into the ballast by the user;

and includes -

- (e) any capacitor incorporated in or supplied with the ballast;

but does not include -

- (f) a ballast which is incorporated in luminaires certified for compliance with the requirements for electrical equipment with increased safety type protection (Ex e) for use in hazardous locations.

Class specification:

Integral (self ballasted lamp) magnetic and electronic types

AS/NZS 60968:2001.

Other magnetic type-

AS/NZS 61347.1:2002 and AS/NZS 61347.2.8:2003.

Other electronic type-

AS/NZS 60928:2000 (until 30 December 2006) or AS/NZS 61347.2.3:2004.

20. FLUORESCENT LAMP STARTER - an electrical device which -

- (a) is for starting preheat type fluorescent lamps;
- (b) is a glow-start type; and
- (c) has an enclosure of insulating material.

Class specification:

AS/NZS 60155:2000 (Section 1) with amendments 1 and 2.

21. HAIR CARE APPLIANCE - an electrical appliance which -

- (a) is a household type or a commercial hand-held type; and
- (b) is for drying, styling or the caring of human hair.

Class specification:

AS/NZS 3350.1 and AS/NZS 3350.2.23:2001 with amendments 1 and 2 (until 31 May 2011) or AS/NZS 60335.1 and AS/NZS 60335.2.23:2004.

22. HEDGE CLIPPER – an electrical appliance which –

- (a) is for trimming hedges; and
- (b) is hand held.

Class specification:

AS/NZS 3100 and AS/NZS 3160:2001.

23. IMMERSION HEATER - an electrical appliance which -

- (a) is a household type;
- (b) is for heating liquid in which it may be immersed; and
- (c) is self contained;

and includes -

- (d) aquarium type immersion heaters.

Class specification:

Aquarium type-

AS/NZS 3350.1 and AS/NZS 3350.2.55:1998 with amendments 1 and 2 (until 3 September 2011) or AS/NZS 60335.1 and AS/NZS 60335.2.55:2004.

Portable (other than aquarium) type-

AS/NZS 3350.1 and AS/NZS 3350.2.74:2001 (until 17 June 2012) or AS/NZS 60335.1 and AS/NZS 60335.2.74:2005.

Fixed type-

AS/NZS 3350.1 and AS/NZS 3350.2.73:1996 with amendments 1 and 2 (until 17 June 2012) or AS/NZS 60335.1 and AS/NZS 60335.2.73:2005.

24. INSECT ELECTROCUTOR - an electrical appliance which -

- (a) is a household type; and
- (b) kills insects by the application of electrical energy.

Class specification:

AS/NZS 3350.1 and AS/NZS 3350.2.59:1999 with amendments 1 and 2 (until 17 June 2012) or AS/NZS 60335.1 and AS/NZS 60335.2.59:2005 with amendment 1.

25. INSPECTION HANDLAMP - an electrical appliance which -

- (a) is for inspection purposes using illumination;
- (b) holds an incandescent or discharge lamp; and
- (c) is hand held;

but does not include -

- (d) handlamps with a magnification facility.

Class specification:

AS/NZS 60598.1 and AS/NZS 60598.2.8:2002.

26. IRON - an electrical appliance which -

- (a) is a household type;
- (b) is for smoothing or pressing fabric by the application of heat or steam; and
- (c) is hand held except for any separate steam generator;

and includes -

- (d) any associated equipment.

Class specification:

Fabric steamer -

AS/NZS 3350.1 and AS/NZS 3350.2.85:1998

with amendment 1 (until 17 June 2012) or AS/NZS 60335.1 and AS/NZS 60335.2.85.

Other -

AS/NZS 3350.1 and AS/NZS 3350.2.3:1995

with amendments 1 and 2 (until 22 November 2009) or

AS/NZS 60335.1 and AS/NZS 60335.2.3:2002 with amendment 1.

27. KITCHEN MACHINE - an electrical appliance which -

- (a) is a household type;
- (b) is for the preparation of food by mechanical means; or
- (c) is for opening cans; or
- (d) is for sharpening of knives.

Class specification:

AS/NZS 3350.1 and AS/NZS 3350.2.14:1995 with amendments 1 to 3 (until 31 May 2011) or

AS/NZS 60335.1 and AS/NZS 60335.2.14:2004.

28. LAWN CARE APPLIANCE - an electrical appliance which -

- (a) is a household type; and
- (b) is for cutting grass or lawn.

Class specification:

Mower-

AS/NZS 60335.1 and AS/NZS 60335.2.77:2002 with amendment 1.

Trimmer (with non-metallic filament line or cutter/s)-

AS/NZS 60335.1 and AS/NZS 60335.2.91:2002 with amendment 1.

Trimmer (other)-

AS/NZS 3100 and AS/NZS 3156: 1995 with amendments 1 and 2 (Withdrawn from

publication).

29. LIQUID HEATING APPLIANCE – an electrical appliance which –

- (a) is a household type;
- (b) is portable;
- (c) has a capacity not exceeding 10L; and
- (d) heats liquid for:
 - (i) humidifying room air; or
 - (ii) use in, or as, a hot beverage; or
 - (iii) cooking.

Class specification:

Humidifier-

AS/NZS 3350.1 and AS/NZS 3350.2.98:1998 with amendment 1 (until 17 June 2012) or AS/NZS 60335.1 and AS/NZS 60335.2.98:2005.

Other-

AS/NZS 3350.1 and AS/NZS 3350.2.15:2002 with amendments 1 and 2 (until 22 November 2009) or AS/NZS 60335.1 and AS/NZS 60335.2.15:2002 with amendments 1 and 2.

30. LUMINAIRE - PORTABLE TYPE - an electrical appliance which -

- (a) is a household type;
- (b) provides illumination or for decorative purposes, produces light;
- (c) is fitted with a supply flexible cord, an appliance inlet socket or a power supply unit with integral pins for insertion into a socket outlet;
- (d) is for standing on a table or floor, or is fitted with a clamp or similar for attachment to vertical or horizontal surfaces;
- (e) is for use with tungsten filament, tubular fluorescent or other discharge lamps; and
- (f) is constructed to represent a model, person or animal and by its design and materials is likely to be treated by a child as a toy; or
- (g) has metal parts which are required to be earthed or double insulated from live parts (excluding live parts of an all insulated lampholder).

Class specification:

Child appealing type (refer to clause (f))-

AS/NZS 60598.1 and AS/NZS 60598.2.10:1998.

AS/NZS 60598.2.10:1998 is modified to deem luminaires to be of class III construction where they are permanently connected to an approved safety extra-low voltage source and that source is separated from the child appealing part by at least 2m.

Type fitted with a built-in transformer or convertor-

AS/NZS 60598.1 and AS/NZS 60598.2.6:1998.

Floodlight-

AS/NZS 60598.1 and AS/NZS 60598.2.5:2002.

Other-

AS/NZS 3100 and AS/NZS 3128:1998 with amendments 1 and 2 or AS/NZS 60598.1 and AS/NZS 60598.2.4:1998.

31. MESSAGE APPLIANCE - an electrical appliance which -

- (a) is a household type;
- (b) is for massaging the human body;
- (c) is portable; and
- (d) is self-contained.

Class specification:

AS/NZS 3350.1 and AS/NZS 3350.2.32:2001 (until 3 September 2011) or AS/NZS 60335.1 and AS/NZS 60335.2.32.

32. MICROWAVE OVEN - an electrical appliance which -

- (a) is a household type; and
- (b) applies heat to food, liquid or other substances in a chamber by means of high-frequency electromagnetic radiation.

Class specification:

AS/NZS 3350.1 and AS/NZS 3350.2.25:2001 (until 13 May 2009) or AS/NZS 60335.1 and AS/NZS 60335.2.25:2002 with amendment 1.

33. MINIATURE OVERCURRENT CIRCUIT-BREAKER - an electrical device which -

- (a) is an enclosed air-break switch;
- (b) opens a low voltage circuit automatically under pre-determined conditions of over-current;
- (c) has a nominal rating not exceeding 125 A; and has -
 - (i) a current breaking capacity up to but not including 10 kA; and/or
 - (ii) a projected panel mounting area not exceeding 4000 square millimetres per pole;

but does not include -

- (d) miniature overcurrent circuit-breakers as defined but which are intended and marked as being only for use in industrial application.

Class specification:

AS 3111:1994 with amendment 1 or AS/NZS 60898.1:2004 and 60898.2:2004.

34. OUTLET DEVICE - an electrical device which -

- (a) is a household type;
- (b) as its primary function, extends supply from a socket-outlet;
- (c) is portable;
- (d) incorporates facilities for the insertion of a plug or plugs; and
- (e) has a rating not exceeding 20 A;

but does not include -

- (f) a cord extension set.

Class specification:

Integral pin type (including travel adaptor) -
AS/NZS 3100 and AS/NZS 3122:2005.

AS/NZS 3122:2005 is modified to preclude types that can be rewired by the user.

Other -

AS/NZS 3100 and AS/NZS 3105:2002 with amendments 1 and 2.

35. PLUG - an electrical device which -

- (a) makes a detachable connection between the contacts of a socket-outlet and the conductors of a flexible cord;
- (b) has two, three or four pins for insertion into a socket-outlet; and
- (c) has a maximum rating of 20 A;

but does not include -

- (d) a plug which is within the scope of AS/NZS 3123:1994 with amendment 1 and is intended for industrial use; or
- (e) a plug which is within the scope of AS/NZS 3131:1995.

Class specification:

AS/NZS 3100 and AS/NZS 3112:2004.

36. POWER SUPPLY OR CHARGER - an electrical appliance which-

- (a) provides an output not exceeding 50 volts a.c. or 120 volts ripple free d.c.;
- (b) is a type to provide supply to separate luminaires; or
- (c) is a household type for either charging batteries or to provide a supply to separate equipment.

Class specification:

Power supply for general use-
AS/NZS 61558.1 and AS/NZS 61558.2.6:2001.

Power supply (electronic or transformer types) designated for use with specific electronic equipment-
AS/NZS 60065:2000 with amendment 1;
AS/NZS 60950:2000 (until 1 July 2006); or
AS/NZS 60950:2003.

Power supply for toys-
AS/NZS 61558.1 and AS/NZS 61558.2.7:2001.

Power supply for bells or chimes-
AS/NZS 61558.1 and AS/NZS 61558.2.8:2001.

Power supply (electronic type) for lighting purposes-
AS/NZS 61046:2001 (until 30 December 2006) or AS/NZS 61347.2.2:2004.

Power supply for Handlamps-
AS/NZS 61558.1 and AS/NZS 61558.2.9:2003.

Battery charger-
AS/NZS 3350.1 and AS/NZS 3350.2.29:2001 (until 31 May 2011) or AS/NZS 60335.1 and AS/NZS 60335.2.29:2004 with amendment 1.

- 37. PROJECTOR** – an electrical appliance which –
- (a) is a household type; and
 - (b) is for projecting an image from a photographic slide or moving film.

Class specification:

AS/NZS 3350.1 and AS/NZS 3350.2.56:1998 with amendments 1 and 2.

- 38. RANGE** - an electrical appliance which -
- (a) is a household type;
 - (b) is for cooking food using heat produced by electrical energy; and
 - (c) is stationary.

Class specification:

AS/NZS 3350.1 and AS/NZS 3350.2.6:2001 with amendments 1 to 4 (until 22 November 2009) or AS/NZS 60335.1 and AS/NZS 60335.2.6:2002 with amendments 1 and 2.

- 39. RANGE HOOD** - an electrical appliance which -
- (a) is a household type;
 - (b) collects and/or filters air; and
 - (c) is for installation above a cooking appliance.

Class specification:

AS/NZS 3350.1 and AS/NZS 3350.2.31:2001 with amendment 1 (until 3 September 2011) or AS/NZS 60335.1 and 60335.2.31:2004.

40. RAZOR/HAIR CLIPPER - an electrical appliance which -

- (a) is a household type; and
- (b) shaves, cuts or trims human hair.

Class specification:

AS/NZS 3350.1 and AS/NZS 3350.2.8:1995 with amendments 1 and 2 (until 31 May 2011) or AS/NZS 60335.1 and AS/NZS 60335.2.8:2004.

41. REFRIGERATOR/FREEZER - an electrical appliance which -

- (a) is a household type; and
- (b) cools and stores food.

Class specification:

AS/NZS 3350.1 and AS/NZS 3350.2.24:2001 (until 14 November 2010) or AS/NZS 60335.1 and AS/NZS 60335.2.24:2003 with amendment 1.

42. RESIDUAL CURRENT DEVICE - an electrical device which -

- (a) isolates or initiates a tripping signal to isolate a low-voltage supply to protected circuits, sockets-outlets or equipment in the event of a current flow to earth which exceeds a pre-determined level;
- (b) has a rated residual current not exceeding 300 mA for devices intended for connection to fixed wiring or 30 mA for other devices; and
- (c) has a rated load current not exceeding 125 A for devices intended for connection to fixed wiring or 20 A for other devices;

but does not include -

- (d) a device intended to be used with a particular circuit-breaker other than a miniature overcurrent circuit-breaker; or
- (e) a device intended to protect an electricity supply authority distribution system; or
- (f) a device covered by AS 2081 and intended for mines use.

Class specification:

AS/NZS 61008.1:2004 or AS/NZS 61009.1:2004 or AS 3190:2002 and AS 3111:1994.

43. ROOM HEATER - an electrical appliance which -

- (a) is a household type; and
- (b) is for heating, by electrical energy, the atmosphere for comfort purposes;

but does not include -

- (c) an airconditioning appliance;
- (d) a heating system that is intended to heat the atmosphere of a room primarily by raising the temperature of any floor, wall, or ceiling area; or
- (e) an under-carpet heating system.

Class specification:

Thermal storage type-

AS/NZS 3350.1 and AS/NZS 3350.2.61:2001 (until 17 June 2012) or AS/NZS 60335.1 and AS/NZS 60335.2.61:2005.

Other-

AS/NZS 3350.1 and
AS/NZS 3350.2.30:1997 with amendments 1 to 5 (until 31 May 2011) or AS/NZS 60335.1
and AS/NZS 60335.2.30:2004 with amendments 1 and 2.

44. SEWING MACHINE – an electrical appliance which –

- (a) is a household type; and
- (b) is for stitching fabric or other material.

Class specification:

AS/NZS 3350.1 and AS/NZS 3350.2.28:1996 with amendments 1 and 2.

45. SOCKET-OUTLET - an electrical device which -

- (a) is for fixing at a point at which fixed wiring terminates;
- (b) provides a detachable connection with the pins of a plug;
- (c) has two, three or four contacts; and
- (d) has a maximum rating of 20 A;

but does not include -

- (e) an outlet within the scope of AS/NZS 3123 or AS/NZS 3131.

Class specification:

AS/NZS 3100 and AS/NZS 3112:2004.

46. SOLDERING IRON - an electrical appliance which -

- (a) is for the application or removal of solder; and
- (b) is hand held;

and includes -

- (c) any integral or associated power supply or controller;

but does not include -

- (d) a soldering iron promoted exclusively to industry.

Class specification:

AS/NZS 3350.1 and AS/NZS 3350.2.45:1997 with amendments 1 and 2 (until 3 September 2011) or AS/NZS 60335.1 and AS/NZS 60335.2.45:2004.

47. SUPPLY FLEXIBLE CORD - an electrical cord which -

- (a) is unscreened and flexible;
- (b) is designed for use at low voltage;
- (c) consists of two or three elastomer or PVC insulated cores of multistrand construction;
- (d) has a cross-sectional area of each conductor not exceeding 2.5 square millimetres; and
- (e) has for other than tinsel cords, individual wire strandings not exceeding -
 - (i) 0.21 mm for conductor sizes up to 1 square millimetre; or
 - (ii) 0.26 mm for conductor sizes exceeding 1 square millimetre;

but does not include -

- (f) a flexible cord directly connected to equipment or approved non-rewirable accessories which is marked in accordance with the CENELEC HAR marking scheme for flexible cords.

Class specification:

AS 3191:2003; or

AS/NZS 60227.5:2003 (PVC); or
AS/NZS 60245.4:2003 with amendment 1 (Rubber).

48. SWIMMING POOL OR SPA EQUIPMENT - an electrical appliance, device or assembly which -

- (a) is for use in the operation or cleaning of a swimming pool, spa pool or spa bath; or
- (b) is a combination of devices or appliances used in the operation of a swimming pool, spa pool or spa bath and which may or may not be integral or incorporated with a spa pool or spa bath;

but does not include -

- (c) such an appliance, device or assembly exclusively promoted for commercial use; or
- (d) a heat pump.

Class specification:

Pump-

AS/NZS 3350.1 and AS/NZS 3350.2.41:1997 with amendments 1 and 2 (until 3 September 2011) or AS/NZS 60335.1 and AS/NZS 60335.2.41:2004.

Spa bath including appliances intended to circulate air or water in a conventional bath-
AS/NZS 3350.1 and AS/NZS 3350.2.60:2000 with amendments 1 to 3.

Other-

AS/NZS 3100 and AS/NZS 3136:2001 with amendments 1 and 2.

49. TELEVISION RECEIVER - an electrical appliance which -

- (a) is for household use;
- (b) is for the display of public or subscription television broadcasts; and
- (c) incorporates a single cathode ray picture tube.

Class specification:

AS/NZS 60065:2003.

50. THERAPEUTIC LAMP – an electrical appliance which –

- (a) is a household type;
- (b) produces ultraviolet or infra-red radiation for personal, therapeutic or cosmetic purposes; and
- (c) is portable.

Class specification:

AS/NZS 3350.1 and AS/NZS 3350.2.27:1996 with amendments 1 and 2 (until 31 May 2011) or AS/NZS 60335.1 and AS/NZS 60335.2.27:2004 with amendment 1.

51. TOOL - PORTABLE TYPE - an electrical appliance which -

- (a) is for machining, drilling, sawing, or surface preparation; and
- (b) may be entirely supported by hand during operation;

but does not include -

- (c) a tool, portable type, promoted exclusively to industry.

Class specification:

Drill-

AS/NZS 3100 and AS/NZS 3160:2001 with amendment 1 (until 14 November 2006) or
AS/NZS 60745.1 and AS/NZS 60745.2.1:2003.

Sander or polisher (other than disk types)-
AS/NZS 3100 and AS/NZS 3160:2001 with amendment 1 (until 14 November 2006) or
AS/NZS 60745.1 and AS/NZS 60745.2.4:2003.

Circular saw-
AS/NZS 3100 and AS/NZS 3160:2001 with amendment 1 (until 14 November 2006) or
AS/NZS 60745.1 and AS/NZS 60745.2.5:2003.

Jig or sabre saw-
AS/NZS 3100 and AS/NZS 3160:2001 with amendment 1 (until 14 November 2006) or
AS/NZS 60745.1 and AS/NZS 60745.2.11:2003.

Planer-
AS/NZS 3100 and AS/NZS 3160:2001 with amendment 1 (until 14 November 2006) or
AS/NZS 60745.1 and AS/NZS 60745.2.14:2003.

Router-
AS/NZS 3100 and AS/NZS 3160:2001 with amendment 1 (until 14 November 2006) or
AS/NZS 60745.1 and AS/NZS 60745.2.17:2003.

Other-
AS/NZS 3100 and AS/NZS 3160:2001 with amendment 1.

52. VACUUM CLEANER - an electrical appliance which -

- (a) is a household type;
- (b) is portable; and
- (c) removes dust, dirt or moisture and the like from floor coverings by suction; or
- (d) removes garden refuse from lawns or paths and the like by suction.

Class specification:

Garden type-

AS/NZS 3350.1 and AS/NZS 3350.2.2:2001 (until 14 November 2010) or AS/NZS 60335.1
and AS/NZS 60335.2.100:2003

Other-

AS/NZS 3350.1 and AS/NZS 3350.2.2:2001 (until 22 November 2009) or AS/NZS 60335.1
and AS/NZS 60335.2.2:2002 with amendment 1.

53. WALL SWITCH - an electrical device which -

- (a) is an air-break switch;
- (b) is for connection to the wiring of an electrical installation;
- (c) is primarily for mounting on a vertical surface;
- (d) is manually opened and manually closed; and
- (e) has a rating not exceeding 20 A.

Class specification:

AS/NZS 3100 and AS/NZS 3133:2003 with amendment 1.

54. WASHING MACHINE - an electrical appliance which -

- (a) is a household type; and
- (b) is used for washing clothes.

Class specification:

AS/NZS 3350.1 and AS/NZS 3350.2.7:2001 (until 22 November 2009) or AS/NZS 60335.1
and AS/NZS 60335.2.7:2002 with amendment 1.

55. **WATER BED HEATER** - an electrical appliance which -
- (a) is for installation under a water bed envelope; and
 - (b) heats water contained in that envelope;
- and includes -
- (c) any associated control device.

Class specification:

AS/NZS 3350.1 and AS/NZS 3350.2.66:1997 with amendments 1 and 2 (until 3 September 2011) or AS/NZS 60335.1 and AS/NZS 60335.2.66:2004.

56. **WATER HEATER** - an electrical appliance which -
- (a) is for heating and storage of water for bathing, washing or similar purposes;
 - (b) incorporates a heating element;
 - (c) is unvented; and
 - (d) has a storage capacity not less than 4.5 L nor more than 680 L.

* Or

- * (e) is for heating water
- * (f) is of the instantaneous type; and
- * (g) incorporates live parts in contact with water.

* applicable 12 months from 14 August 2006

Class specification:

Pressure storage -

AS/NZS 3350.1 and AS/NZS 3350.2.21:1999 with amendments 1 to 3 (until 22 November 2009) or AS/NZS 60335.1 and AS/NZS 60335.2.21:2002 with amendments 1 and 2.

Instantaneous -

AS/NZS 3350.1 and AS/NZS 3350.2.35:1999 with amendment 1 (until 15 October 2011) or AS/NZS 60335.1 and AS/NZS 60335.2.35:2004.

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ELECTRICITY SUPPLY ACT 1995**Notice of Approval of Amendment of Greenhouse Gas Benchmark Rule****Greenhouse Gas Benchmark Rule (Demand Side Abatement)
No. 3 of 2003**

Notice of Amendment of Greenhouse Gas Benchmark Rule by the Minister for Utilities under section 97K(4) of the Electricity Supply Act 1995

I, Joseph Tripodi, Minister for Energy, pursuant to section 97K(4) and (5) of the Electricity Supply Act 1995, hereby give notice of approval of amendment to Greenhouse Gas Benchmark Rule (Demand Side Abatement) No. 3 of 2003, the amendments of which are described in Schedule 1 of the notice hereto, and the amended Rule is set out in Schedule 2 of the notice hereto.

The amendment of the Rule takes effect from the date of gazettal.

A copy of the amended Greenhouse Gas Benchmark Rule (Demand Side Abatement) No. 3 of 2003 may also be obtained through the Department of Energy, Utilities and Sustainability's website at www.deus.nsw.gov.au.

Dated at Sydney, this 18th day of August 2006.

JOSEPH TRIPODI, M.P.,
Minister for Energy

SCHEDULE 1**[1] Minister's Name and title**

- 1.1 Omit "Patrick Carl Scully, MP"
- 1.2 Insert "Joseph Tripodi, MP"
- 1.3 Omit "Utilities" after "Minister for" and insert "Energy"

[2] Clause 1 Name and Commencement

- 2.1 In clause 1.1 omit “9 December 2005” after “commences on” and insert “25 August 2006 (subject to clause 11.6)”
- 2.2 In clause 1.2 omit “11 June 2004 (June Rule)” after “commenced on” and insert “9 December 2005 (December Rule)”
- 2.3 In clause 1.2 omit “June” after “Rule differs from the” and insert “December”
- 2.4 In clause 1.3(b) omit “1.5” after “subject to clauses 1.4 and” and insert “11.7”
- 2.5 Omit clauses 1.4, 1.5 and 1.6 and insert as clause 1.4
“A person who, on or before 31 December 2004, is accredited as an Abatement Certificate Provider (in respect of demand side abatement activities) may calculate its entitlement to create NGACs in respect of demand side abatement activities occurring on or before 31 December 2007 using the 30% default factor under Equations 13 and 16 of the *Gas Benchmark Rule (Generation) No. 2 of 2003* which commenced on 3 October 2003, rather than the default factor under those Equations (and associated clauses and Methods) of that Rule as amended since that date, if the person would otherwise have been entitled to use that 30% default factor under the October 2003 Rule.”

[3] Clause 6 Persons eligible to create NGACs under this Rule

In clause 6.2 omit “, the June, the October Rule” after “whether under this Rule” and insert “(including previous versions of it)”

[4] Clause 7 Activities that constitute Demand Side Abatement

Omit clause 7.8 and insert

“7.8 Transitional arrangements for the Australian Capital Territory

- 7.8.1 An Accredited Abatement Certificate Provider is not entitled to create NGACs for demand side abatement activities that took place in the Australian Capital Territory before 1 January 2006 (subject to clause 7.8.2).
- 7.8.2 An Accredited Abatement Certificate Provider is only entitled to create NGACs for demand side abatement activities that took place in the Australian Capital Territory between 1 January 2005 and 31 December 2005 if the Accredited Abatement Certificate Provider was accredited, or lodged its application with the Scheme Administrator (completed to the satisfaction of, and in a form acceptable to, the Scheme Administrator), on or before 31

December 2005.

Note: This includes amendments to existing accreditations or a new accreditation.”

[5] Clause 8 Creation of NGACs from Demand Side Abatement

5.1 Omit clause 8.1.1(a)(ii) and insert

“8.1.1(a)(ii) in respect of a Demand Side Abatement Project that is a Generating System (other than those with an Implementation Date prior to 1 July 2002 for which a retail supplier previously claimed Electricity Sales Foregone), the Generator; or”

5.2 In clause 8.1.1(a)(iii) omit “Implementation Date of the Demand Side Abatement Project ; or” after “subject of the Demand Side Abatement Project at the” and insert “relevant Site Implementation Date;”

5.3 In clause 8.1.1(b)(v) after “the nominee consents to the nomination;” insert “or”

5.4 Omit clauses 8.1.1(c) and 8.1.1(d) and insert as clause 8.1.1(c)

“(c) a person whom the Scheme Administrator is satisfied will be a person in (a) or (b), provided that the person will not be entitled to create NGACs unless that person satisfies the criteria in clause 8.1(a) or (b) at the time of the electricity generation (in the case of (a)(ii)), at the relevant Site Implementation Date (in the case of (a)(iii), or at the time of NGAC creation (in the case of (b)).”

5.5 In clause 8.1.2(b) omit “, and the right to create NGACs in relation to them, only comes into effect upon each respective nomination being made.” after “each Installation, activity or Site” and insert “does not come into effect until each respective nomination has been made.”

5.6 In clause 8.3.3 omit “latter” after “occur under clause 8.3.1 is the” and insert “later”

5.7 In clause 8.3.3(a) omit “or” after “1 January 2003;”

[6] Clause 10 Metered Baseline Method

6.1 In clause 10.3 omit “implementation” after “must include 1 or more periods preceding the” and insert “Implementation Date”

- 6.2 In clause 10.3 after “must be acceptable to the Scheme Administrator.” insert “In this clause 10, a reference to Implementation Date includes a reference to Site Implementation Date, where a single Demand Side Abatement Project is comprised of more than one Site.”
- 6.3 In clause 10.5, Method 1, Step (2) omit “..” after “Steps (2E) to (3) for each such period” and insert “.”

[7] Clause 11 Default Abatement Factors Method

- 7.1 In clause 11.3 omit “:.” after “for any other purpose) on the later of” and insert “:”
- 7.2 Omit clause 11.3(b) and insert as clause 11.3(b)
- “(b) the relevant Installation Implementation Date”
- 7.3 In Equation 3 in the 4th dot point titled “*Installation Discount Factor*” omit
- “- 0.9, if the Scheme Administrator is satisfied that the Installation or Installations have been sold for the purposes of being installed, but does not have sufficient evidence to be satisfied that the Installations have been installed; or
 - 0.8, if the Scheme Administrator is satisfied that a person has taken possession of the Installation or Installations for the purposes of being installed, but does not have sufficient evidence to be satisfied that the Installations have been sold or installed; or
 - another value determined using a methodology approved by the Scheme Administrator.”

And insert

- “- if the Scheme Administrator is satisfied that a person has taken possession of the Installation or Installations for the purposes of being installed, but does not have sufficient evidence to be satisfied that the Installations have been installed:
 - 0.4; or
 - another value approved by the Scheme Administrator.”
- 7.4 In Equation 3 after the 4th dot point titled “*Installation Discount Factor*” insert as a new dot point (the 5th dot point)
- “• A value approved by the Scheme Administrator for the above purpose:
 - applies (instead of the default value of 0.4) in the circumstances specified by the Scheme Administrator; and

- may be submitted by an applicant or Accredited Abatement Certificate Provider, or determined and imposed by the Scheme Administrator of its own volition.”

7.5 Omit clauses 11.4 and 11.5 and insert

- “11.4 Where an Installation Discount Factor of 1.0 is applied in Equation 3, the energy source is considered to be known in respect of a:
- (a) showerhead that has a AAA or a 3 Star WELS Rating (that is consuming less than 9 L water / minute at a water pressure of 250 kPa); or
 - (b) flow restrictor that achieves the same effect as a AAA or a 3 Star WELS Rated showerhead (that is consuming less than 9 L water / minute at a water pressure of 250 kPa).
- 11.5 Where the demand side abatement activity involves the removal and disposal of a refrigerator, an Installation Discount Factor of 1.0 applies in **Equation 3**.
- 11.6 Despite clause 1.1, the following amendments to **Equation 3** do not commence until 1 October 2006:
- (a) the deletion of the paragraph commencing "- 0.9,";
 - (b) in the paragraph below that, the deletion of "0.8, ", the deletion of the words "sold or", the insertion of ":" and a paragraph break after the word "installed";
 - (c) the insertion of "- 0.4" as a subparagraph below that; and
 - (d) the words commencing "another value .." becoming a subparagraph below that (but not, for the avoidance of doubt, the deletion of the words "determined using a methodology", which commence on 25 August 2006).
- 11.7 Despite clause 1.3, an Accredited Abatement Certificate Provider who is an Abator in respect of an Installation:
- (a) by virtue of a nomination that was signed before 1 October 2006; or
 - (b) otherwise than as a nominated Abator, where the Installation was sold or its receipt acknowledged before 1 October 2006,
- may create NGACs using the Installation Discount Factor that applied at the time the nomination was signed (in the case of (a)) or at the time the Installation was sold or its receipt acknowledged (in the case of (b)).
- 11.8 From 1 October 2006:
- (a) an Installation Discount Factor expressed in an

Accreditation Notice before 25 August 2006 will be taken to be "another value approved by the Scheme Administrator" for the purposes of **Equation 3** of this Rule if (and only if) the Scheme Administrator gives the Accredited Abatement Certificate Provider express notice of that intention before 1 October 2006; and

- (b) other than as provided in (a), no value expressed in an Accreditation Notice before 25 August 2006 will be taken to be "another value approved by the Scheme Administrator" for the purposes of **Equation 3** of this Rule."

[8] Clause 13 Definitions and Interpretation

- 8.1 After the definition "**ABGR**" insert a new definition
"“**Accreditation Notice**” means a notice of that name, or to the same effect, issued by the Scheme Administrator.”
- 8.2 In the definition "**Distribution System**", in both instances where it occurs, omit "Code" after "the National Electricity" and insert "Rules"
- 8.3 After the definition "**Distribution System**" insert a new definition
"“**E₃ Scheme**” means the National Appliance and Equipment Energy Efficiency Program, effected through the *Energy and Utilities Administration Regulation 1999* (NSW) and corresponding laws in other Australian jurisdictions.”
- 8.4 After the definition "**End-User Equipment**" insert a new definition
"“**Energy Rating**” means the star rating assigned under the E₃ Scheme, in respect of a product that complies with all registration, labelling and other legal requirements under that Scheme.”
- 8.5 In the definition "Generator" omit "the Generation Rule" after "that term is defined in" and insert "clause 6.2.1(a) and (b) of the Generation Rule, as if references to "electricity generation activity" were references to "demand side abatement activity"."
- 8.6 In the definition "**Implementation Date**" omit "project" after "emissions resulting from a" and insert "Demand Side Abatement Project".
- 8.7 In the definition "**Implementation Date**" omit "In the case of an Installation or activity where NGACs are calculated using the Default Abatement Factors method with an Installation Discount Factor of 1.0, it means the date on which the Installation was commissioned or reached practical completion or the date on which the activity took place, or, if a lesser Installation Discount Factor

applies, the date on which the Installations are sold or receipt acknowledged.” after “occurring at the first Site commences.”

8.8 After the definition “**Installation**” insert a new definition

“**Installation Implementation Date**” means, in relation to any particular Installation forming part of a Demand Side Abatement Project where *Number of NGACs* is calculated using the Default Abatement Factors Method in clause 11, the following date (as relevant):

- (a) in the case of an Installation Discount Factor of 1.0, the date on which the Installation was installed;
- (b) in the case of an Installation Discount Factor of less than 1.0, the date on which the Installation is sold to or otherwise received by an end-user who intends to install it or ensure that it is installed.”

8.9 Omit the definition “**June Rule**” before the definition “**New Installation**”

8.10 In the definition “**NSW Electricity Network**” omit “..” after “located in New South Wales” and insert “.”

8.11 In the definition “**October Rule**” omit the title “**October Rule**” and insert as the new title “**October 2003 Rule**”

8.12 In the definition “**Site**” omit “Code” after “the National Electricity” and insert “Rules”

8.13 In the definition “**Site**” omit “..” after “with the utility meter)” and insert “.”

8.14 After the Note following the definition “**Site**” insert a new definition

“**Site Implementation Date**” means, in relation to any particular Site constituting or forming part of a Demand Side Abatement Project, the date on which the reduction in greenhouse gas emissions at that Site commences (or is deemed to commence).”

8.15 In the definition “**Transmission System**” in both instances that it occurs omit “Code” after “the National Electricity” and insert “Rules”

8.16 After the definition “**Tribunal**” insert the following new definitions

“**Waste Coal Mine Gas**” has the meaning given to that term under the Generation Rule.

“**WELS Rating**” means the star rating assigned under the WELS Scheme, in respect of a product that complies with all registration, labelling and other legal requirements under that Scheme, and “**WELS Rated**” has a corresponding meaning.

“**WELS Scheme**” means the Water Efficiency Labelling and Standards Scheme established under the *Water Efficiency Labelling and Standards Act 2005* (Cth) and corresponding State-Territory laws.”

8.17 After clause 13.5 insert as clause 13.6

“13.6 A reference in clause 1.3 to the commencement of this Rule includes a reference to the commencement of any particular provision of this Rule that commences at a different time from the rest of the Rule.”

[9] Schedule A – Default factors and supporting information

- 9.1 In Table 1, in the tenth row (not including the title row), omit “a AAA rating” after “Showerhead that has” and insert “at least a AAA or a 3 Star WELS Rating”
- 9.2 In Table 1, in the eleventh row (not including the title row), omit “a AAA rating” after “Showerhead that has” and insert “at least a AAA or a 3 Star WELS Rating”
- 9.3 In Table 1, in the twelfth row (not including the title row), omit “a AAA rating” after “Showerhead that has” and insert “at least a AAA or a 3 Star WELS Rating”
- 9.4 In Table 1, in the thirteenth row (not including the title row), omit “a AAA rated” after “Flow restrictor that achieves the same effect as” and insert “(or greater effect than) a AAA or a 3 Star WELS Rated”
- 9.5 In Table 1, after the thirteenth row (not including the title row), insert a new fourteenth row with the entry in the column titled “Installation or Activity” being “Flow restrictor that achieves the same effect as (or greater effect than) a AAA or a 3 Star WELS Rated showerhead (that is consuming less than 9 L water / minute at a water pressure of 250 kPa), connected to an electric-boosted solar hot water system” and the entry in the column titled “Default Emissions Abatement Factors” being “1.6”
- 9.6 In Table 1, in the fifteenth row (not including the title row), which was formerly the fourteenth row, omit “a AAA rated” after “Flow restrictor that achieves the same effect as” and insert “(or greater effect than) a AAA or a 3 Star WELS Rated”
- 9.7 In the remainder of Table 1, in all instances where it occurs, omit “Star Rating” and insert “Star Energy Rating”
- 9.8 Following Table 1, omit ““**Star Rating**” means the star rating under assigned under the National Appliance and Equipment Energy Efficiency Program” and insert “A flow restrictor is only eligible to the extent that it operates in respect of a shower.”

SCHEDULE 2

Greenhouse Gas Benchmark Rule (Demand Side Abatement) No. 3 of 2003

Joseph Tripodi, MP
Minister for Energy

1 Name and commencement

- 1.1 This Rule is the *Greenhouse Gas Benchmark Rule (Demand Side Abatement) No. 3 of 2003* and commences on 25 August 2006 (subject to clause 11.6).
- 1.2 At its commencement, this Rule amends the *Greenhouse Gas Benchmark Rule (Demand Side Abatement) No. 3 of 2003* that commenced on 9 December 2005 (December Rule), to the extent that this Rule differs from the December Rule.
- 1.3 Without limiting the circumstances in which this Rule applies, this Rule applies to:
- (a) the accreditation of Abatement Certificate Providers (in respect of demand side abatement activities) after the commencement of this Rule (regardless of the date of application for accreditation);
 - (b) the calculation and creation of NGACs (in respect of demand side abatement activities) registered after the commencement of this Rule (regardless of the date of accreditation of the Abatement Certificate Provider), subject to clauses 1.4 and 11.7; and
 - (c) the ongoing eligibility of a person to remain accredited as an Abatement Certificate Provider for the purpose of the Scheme Administrator exercising its powers under the Act and Regulations, after the commencement of this Rule, to vary, suspend or cancel a person's accreditation as an Abatement Certificate Provider (in respect of demand side abatement activities).
- 1.4 A person who, on or before 31 December 2004, is accredited as an Abatement Certificate Provider (in respect of demand side abatement activities) may calculate its entitlement to create NGACs in respect of demand side abatement activities occurring on or before 31 December 2007 using the 30% default factor under Equations 13 and 16 of the *Gas Benchmark Rule (Generation) No. 2 of 2003* which commenced on 3 October 2003, rather than the default factor under those Equations (and associated clauses and Methods) of that Rule as amended since that date, if the person would otherwise have been entitled to use that 30% default factor under the October 2003 Rule.

2 Objects of the Rule

The object of this Rule is to provide specific arrangements for the creation and calculation of NGACs where greenhouse gas emissions are reduced through increased efficiency of electricity consumption, eligible on-site electricity generation, reduction in electricity consumption where there is no negative effect on production or service levels, and substitution of sources of energy for electricity or substitution of electricity for other sources of energy. The Rule aims to reduce greenhouse gas emissions through measures associated with the demand for electricity.

3 Application of the Rule

Without limiting the persons to whom this Rule applies, this Rule applies to Abatement Certificate Providers accredited to create NGACs in respect of Demand Side Abatement in accordance with Part 8A Division 4 of the Act, the Regulations and this Rule.

4 Status and Operation of the Rule

This Rule is a Greenhouse Gas Benchmark Rule made under Part 8A of the Act.

5 Eligibility to be an Accredited Abatement Certificate Provider in respect of Demand Side Abatement

A person is eligible to be an Accredited Abatement Certificate Provider under this Rule if:

- (a) the person is an *Abator*, as that term is defined in clause 8.1; and
- (b) the accreditation is in respect of *Demand Side Abatement*, as that term is defined in clause 7.

Note: Under the Regulations, a person must also have record keeping arrangements with respect to the activity approved by the Scheme Administrator. Further matters must also be satisfied under the Regulations if the accreditation is in respect of a proposed (rather than existing) Demand Side Abatement Project.

6 Persons eligible to create NGACs under this Rule

- 6.1 Despite any other provision in this Rule only Accredited Abatement Certificate Providers accredited for the purpose set out in clause 5 may create NGACs under this Rule.
- 6.2 A person may not create NGACs in respect of greenhouse gas abatement if that person or another person has previously validly created NGACs or LUACs in respect of the same abatement, whether under this Rule (including previous versions of it) or any other Benchmark Rule.

7 Activities that constitute Demand Side Abatement

7.1 *Demand Side Abatement* as defined in this Rule is:

- (a) an "activity" for the purposes of the Act;
- (b) an "existing demand side abatement activity" for the purposes of the Regulations if a person is accredited as an Abatement Certificate Provider in respect of that *Demand Side Abatement* after the Implementation Date of the *Demand Side Abatement Project* giving rise to it; and
- (c) a "proposed demand side abatement activity" for the purposes of the Regulations if a person is accredited as an Abatement Certificate Provider in respect of that *Demand Side Abatement* before the Implementation Date of the *Demand Side Abatement Project* giving rise to it.

7.2 *Demand Side Abatement* is the ongoing operation of the changes implemented by a Demand Side Abatement Project that promotes a reduction in greenhouse gas emissions.

- 7.3 *Demand Side Abatement* does not include any reduction in greenhouse gas emissions prior to 1 January 2003, regardless of the Implementation Date of the *Demand Side Abatement Project*.
- 7.4 *Demand Side Abatement Project* is a project:
- (a) implemented or to be implemented in:
 - (i) New South Wales; or
 - (ii) another jurisdiction in which a mandatory scheme intended to promote the reduction of greenhouse gas emissions, approved by the Minister for this purpose, is in operation,
 - (b) which, subject to clause 7.8, if implemented in the Australian Capital Territory has or will have an Implementation Date on or after 1 January 2004, or if implemented in New South Wales has or will have an Implementation Date on or after:
 - (i) 1 January 2002;
 - (ii) 1 January 1997 in respect of an activity that was validly claimed as Electricity Sales Foregone under the Emissions Workbook;
 - (iii) 1 January 1997 in respect of a Generating System that generates electricity using Renewable Energy Sources; or
 - (iv) 1 July 1997 in respect of a Generating System having a nameplate rating of 30MW or less that generates electricity using Fossil Fuels; and
 - (c) that results or will result in reduced greenhouse gas emissions compared with the greenhouse gas emissions without that project by:
 - (i) modifying Installations or usage of Installations (including installing additional components) resulting in a reduction in the consumption of electricity compared to what would have otherwise been consumed;
 - (ii) replacing an Installations with another Installation or Installations that consume less electricity;
 - (iii) installing New Installation that consumes less electricity than other Installations of the same type, function, output or service;
 - (iv) substituting an Installation using other sources of energy for an Installation using electricity, or substituting an Installation using electricity for an Installation using other sources of energy;
 - (v) reducing electricity consumption where there is no negative effect on production or service levels; or
 - (d) substituting electricity from a Generating System for electricity from another source, to supply End-User Equipment within the same End-User Complex as the Generating System.

- 7.5 For the purposes of clause 7.4, the Scheme Administrator may in its discretion determine whether a project that involves multiple Installations or activities, or occurs across multiple Sites constitutes one or more Demand Side Abatement Projects.
- 7.6 The Scheme Administrator may determine whether a Demand Side Abatement Project which was previously claimed as Electricity Sales Foregone, but which has in some manner changed since it was so claimed:
- (a) constitutes the same Demand Side Abatement Project as was previously claimed; or
 - (b) also includes a new Demand Side Abatement Project to the extent of the change,

having regard to whether the classification as one or more Demand Side Abatement Projects produces outcomes consistent with the objects of the Scheme.

- 7.7 Demand Side Abatement Projects do not include activities:
- (a) of electricity supply by a retail supplier, or electricity purchase from a retail supplier by a customer, from the NSW Electricity Network, under a representation by the retail supplier that there is a reduction in greenhouse gas emissions because the electricity supplied is connected with, or represents an amount equal to, the generation of electricity from a particular energy source;

Note: This is intended to exclude from this Rule the creation of NGACs because of the purchase of electricity under “Green Power” accredited or similar schemes that is eligible to create NGACs or RECs at the point of generation.

- (b) within the NSW Electricity Network to reduce losses in the distribution or transmission of electricity;

Note: No Rules covering reduced losses in the NSW Electricity Network from activities within the NSW Electricity Network are being developed at this stage. Reduced losses from Demand Side Abatement by improving the power factor of a Site can be claimed using the Project Impact Assessment Method in clause 9.

- (c) to install solar hot water heating systems that are eligible to create RECs; or
- (d) that reduce electricity consumption by reducing the scope or quantity of production or service derived from the use of that electricity.

Note: Reduced energy consumption not due to specific actions to improve efficiency or other eligible activities does not qualify as a Demand Side Abatement Project. Mild weather, lower production, closing down part of a site, or reducing the quality or quantity of service derived from the use of that electricity do not qualify as Demand Side Abatement Projects.

Reducing electricity consumption where there is no negative effect on production or service levels (eg reduction of excessive lighting, removal of redundant installed capacity or the installation of more energy efficient equipment) is Demand Side Abatement and is not excluded by this clause.

7.8 Transitional arrangements for the Australian Capital Territory

- 7.8.1 An Accredited Abatement Certificate Provider is not entitled to create NGACs for demand side abatement activities that took place in the Australian Capital Territory before 1 January 2006 (subject to clause 7.8.2).
- 7.8.2 An Accredited Abatement Certificate Provider is only entitled to create NGACs for demand side abatement activities that took place in the Australian Capital Territory between 1 January 2005 and 31 December 2005 if the Accredited Abatement Certificate Provider was accredited, or lodged its application with the Scheme Administrator (completed to the satisfaction of, and in a form acceptable to, the Scheme Administrator), on or before 31 December 2005.

Note: This includes amendments to existing accreditations or a new accreditation.

8 Creation of NGACs from Demand Side Abatement

8.1 The Abator

- 8.1.1 The *Abator* is:
- (a) the person who is:
 - (i) in respect of a Demand Side Abatement Project whose Implementation Date is prior to 1 July 2002 for which a retail supplier previously claimed Electricity Sales Foregone, that retail supplier;
 - (ii) in respect of a Demand Side Abatement Project that is a Generating System (other than those with an Implementation Date prior to 1 July 2002 for which a retail supplier previously claimed Electricity Sales Foregone), the Generator; or
 - (iii) in respect of any other Demand Side Abatement Project, contractually liable (or otherwise liable if there is no contract) to pay for the energy consumed by End-User Equipment in the Installation or Site that is the subject of the Demand Side Abatement Project at the relevant Site Implementation Date;

Note: Where confusion exists, the Abator in (iii) above is the retail or wholesale customer that is named in the contract, or if no contract exists is liable (by statute, convention or otherwise) to pay the electricity charges derived from a meter with a National Meter Identifier (NMI) in the National Electricity Market.

- (b) a person nominated, to the satisfaction of the Scheme Administrator, to be the Abator in respect of the Demand Side Abatement (nominee) by one of the following persons (nominator):
 - (i) the person in (a); or
 - (ii) a person previously nominated to be the Abator,
 provided that:

- (iii) the nominator has not previously nominated another person to be the Abator, or if the nominator has done so, that previous nomination is not still effective;
 - (iv) the nomination is in writing and signed by the nominator; and
 - (v) the nominee consents to the nomination; or
- (c) a person whom the Scheme Administrator is satisfied will be a person in (a) or (b), provided that the person will not be entitled to create NGACs unless that person satisfies the criteria in clause 8.1(a) or (b) at the time of the electricity generation (in the case of (a)(ii)), at the relevant Site Implementation Date (in the case of (a)(iii)), or at the time of NGAC creation (in the case of (b)).
- 8.1.2 Without limiting clause 8.1.1(c), in relation to a Demand Side Abatement Project in which the person seeking accreditation proposes to be nominated by multiple persons to be the Abator in relation to multiple Installations and/or Sites, the person is eligible to be accredited in respect of that project even if not all of the nominations have been made as at the date of accreditation, provided that:
- (a) the Scheme Administrator approves the form of the nomination and the process by which nomination forms are signed; and
 - (b) the accreditation in relation to each Installation, activity or Site does not come into effect until each respective nomination has been made.

Note: Section 97ED(1) of the Act provides that the creation of an NGAC must be registered with the Scheme Administrator for the NGAC to have effect. Section 97ED(4) provides that NGACs are registered with the Accredited Abatement Certificate Provider creating them (that is, the Abator) as the owner.

8.2 Number of NGACs that may be created from Demand Side Abatement

In respect of any Demand Side Abatement, the Abator may create the *Number of NGACs* calculated using:

- (a) the Project Impact Assessment Method in clause 9;
- (b) the Metered Baseline Method in clause 10;
- (c) the Default Abatement Factors Method in clause 11; or
- (d) the Generation Emissions Method in clause 12,

provided that:

- (e) the Scheme Administrator approves the method used (being one of the methods in (a) to (d)) before any NGACs are created using that method (which approval may be conditional upon applying the method in a particular manner that is permitted under this Rule);
- (f) the method used must produce a result reasonably reflecting the extent to which emissions are abated for the Demand Side Abatement undertaken;

- (g) assumptions used in that calculation are reasonable and follow common engineering practice;
- (h) those NGACs are reasonably attributable to the Demand Side Abatement in respect of which the calculation is made;
- (i) in the case of the Project Impact Assessment Method (other than in the case of NGACs brought forward under clause 8.3), the Metered Baseline Method or the Generation Emissions Method, the time period over which those NGACs are calculated must reasonably reflect to the satisfaction of the Scheme Administrator the time period over which greenhouse gas emissions are abated by the Demand Side Abatement in respect of which the calculation is made;
- (j) in the case of NGACs brought forward under clause 8.3, the Scheme Administrator considers that the Demand Side Abatement in respect of which those NGACs are created is reasonably likely to occur during the time period by reference to which those NGACs were calculated;
- (k) the calculation includes only greenhouse gas emissions attributable to the consumption or combustion of energy sources classified as stationary energy sources in the National Greenhouse Gas Inventory Methodology; and
- (l) emissions or emission reductions due to energy sources other than electricity are only included in the calculations in respect of Demand Side Abatement Projects that substitute other energy sources for electricity, or electricity for other energy sources, or are consumed in Generating Systems that supply End-User Equipment within the same End-User Complex as the Generating System.

8.3 Creation of up to 2000 NGACs able to be brought forward using the Project Impact Assessment Method

Note: Section 97EC(1) of the Act provides that any NGACs may be created immediately after the activity in respect of which it was created takes place. Under this Rule, the relevant "activity" is the Demand Side Abatement; that is, the ongoing effects of a Demand Side Abatement Project. Therefore each NGAC may be created immediately after the reduction in greenhouse gas emissions represented by that NGAC occurs.

However, section 97EC(3) and (4) provides that in certain circumstances the date Demand Side Abatement is deemed to have occurred (for the purpose of NGAC creation) can be brought forward. To reduce transaction costs associated with creating NGACs for smaller projects the Abator may elect to bring forward the creation of up to 2000 NGACs.

When all of any Demand Side Abatement previously brought forward to create NGACs in respect of a Demand Side Abatement Project has actually occurred, another tranche of up to 2000 NGACs can be created, up to the lifetime Demand Side Abatement of the project.

This section does not prevent claims for more than 2000 NGACs in respect of abatement that has already occurred. That is, larger projects abating more than 2000 tonnes of CO₂-e per annum may still claim the entire amount each year, after the abatement has occurred.

- 8.3.1 For the purposes of section 97EC of the Act, if the number of NGACs entitled to be created and calculated using the Project Impact Assessment Method in respect of any single Demand Side Abatement Project is equal to or less than 2000 per annum, then the Abator may elect for

the Demand Side Abatement that gives rise to the entitlement to create the number of NGACs determined in accordance with clause 8.3.2 to be deemed to have occurred (for the purpose of the entitlement to create NGACs but not for any other purpose) on a date determined in accordance with clause 8.3.3.

- 8.3.2 The maximum number of NGACs that can be created per annum as a result of Demand Side Abatement being deemed to have occurred on a date determined under clause 8.3.3 is the lesser of :
- (a) 2000; or
 - (b) the remaining lifetime number of NGACs entitled to be created in respect of the Demand Side Abatement Project, where such number is determined, to the satisfaction of the Scheme Administrator, with reference to:
 - (i) the number of NGACs that are otherwise eligible to be created over a given period, determined in accordance with this Rule and to the satisfaction of the Scheme Administrator; and
 - (ii) any likely performance degradation of the Installation that will tend to result in greenhouse gas emissions abated in one period being lower than greenhouse gas emissions abated in preceding periods of equal duration; and
 - (iii) the expected lifetime of the Installation, taking into account the characteristics of the equipment, its usage, typical frequency of replacement, and the use of the Site and Installation remaining the same.
- 8.3.3 The date on which the Demand Side Abatement is deemed to occur under clause 8.3.1 is the later of:
- (a) 1 January 2003;
 - (b) the Implementation Date of the Demand Side Abatement Project; and
 - (c) the first date by which all of any Demand Side Abatement previously brought forward under clause 8.3.1 to create NGACs in respect of the same Demand Side Abatement Project has actually occurred.

Note: The NSW Pool Coefficient for the year in which the abatement is deemed to occur (i.e. the year in which the certificates will be registered) should be used in calculating the number of NGACs to be brought forward.

8.4 Adjustment of number of NGACs that may be created for GGAP funded projects

Despite any other provision in this Rule, if on or after 1 January 2003 approval for GGAP funding has been granted for a project, the maximum number of NGACs that an Accredited Abatement Certificate Provider can create under this Rule from the number of tonnes of carbon dioxide equivalent of greenhouse gas emissions abated by the project equals the percentage of the total number of NGACs that it is otherwise entitled to create under this Rule from that project corresponding to the percentage of project funding that is not provided by GGAP.

Note: For example, if GGAP funding represents 20% of total project funding, then the Accredited Abatement Certificate Provider can only create NGACs for 80% of the eligible abatement achieved.

9 Project Impact Assessment Method

Note: The Project Impact Assessment Method determines the number of NGACs an Accredited Abatement Certificate Provider is entitled to create on the basis of an engineering assessment of only the equipment, process, or system that is the subject of Demand Side Abatement.

The Project Impact Assessment Method is most appropriate when abatement is small compared to site electricity consumption, unexplained variation in baseline energy consumption is high, or baseline energy consumption data for the site is unavailable.

Reduced energy consumption from energy sources other than electricity is only to be used in these calculations where it is a result of a fuel substitution or on-site generation project that is part of the Demand Side Abatement Project.

9.1 Number of NGACs under the Project Impact Assessment Method

Using the Project Impact Assessment Method, *Number of NGACs* is calculated using **Equation 1**.

Equation 1

Number of NGACs = Emissions Abated x Confidence Factor

Where:

- *Number of NGACs* is in t CO₂-e abated
- *Emissions Abated* (in t CO₂-e) is calculated in **Equation 2**
- *Confidence Factor* depends on the type of engineering assessment performed under clause 9.2 and is assigned to the calculation according to clause 9.3

Equation 2

Emissions Abated = Reduced Energy Consumption x Emissions Coefficient

If the consumption of more than one energy source is affected by Demand Side Abatement, Emissions Abated must be calculated for each energy source and totalled, according to the formula:

$$\text{Emissions Abated} = \sum_s \text{Reduced Energy Consumption}_s \times \text{Emissions Coefficient}_s$$

Where:

- *Emissions Abated* is in t CO₂-e
- *Reduced Energy Consumption* is the extent to which the energy consumption of the equipment, process, or system is as a consequence of Demand Side Abatement different to what it otherwise would have been and is to be calculated in accordance with the engineering assessment in clause 9.2

- *Emissions Coefficient* is:
 - for electricity supplied from a Transmission System or Distribution System, the NSW Pool Coefficient determined by the Tribunal in accordance with the Compliance Rule. For electricity supplied from a Distribution System rather than from a Transmission System, this is to be multiplied by Average Distribution Loss Factor set out in Table 4 of Schedule A to this Rule; or
 - for other energy sources, the Carbon Dioxide Emissions Factor for that Energy Source and its Application/Usage set out in **Table 2** of Schedule A to this Rule or another value acceptable to the Scheme Administrator.
- *S* is each source of energy affected by the Demand Side Abatement
- Units used for each energy source, and the emissions coefficient applicable to each energy source, should be appropriate for that energy source. The units should be MWh for electricity, or GJ for most other energy sources.

9.2 Engineering assessment of Reduced Energy Consumption

Accredited Abatement Certificate Providers choosing to use the Project Impact Assessment Method in respect of any Demand Side Abatement are for the purposes of **Equation 2** to calculate the Reduced Energy Consumption of only the equipment, process, or system the subject of Demand Side Abatement using an engineering assessment or model:

- (a) that uses reasonable assumptions and generally accepted engineering methods, models, and formulae;
- (b) in which the methods, models and formulae used to assess the Demand Side Abatement are chosen by the Accredited Abatement Certificate Provider, but the assessment is assigned a Confidence Factor under clause 9.3 reflecting the accuracy of the engineering assessment conducted;
- (c) that takes account of:
 - (i) the consumption of the existing equipment, systems or processes, or for the purposes of clause 9.4 a typical New Installation thereof that represents the best existing Installation of that type as described in that section, compared with its replacement;
 - (ii) the performance of the equipment, systems or processes, including degradation over time;
 - (iii) the operating characteristics of the equipment, systems or processes, including hours of use, degree of loading, usage, operating patterns and behaviour, ambient conditions and any other relevant factors; and
 - (iv) any of the default factors set out in Tables 3a, 3b or 3c of Schedule A to this Rule if the variable that the value represents is relevant to the assessment or, if the Accredited Abatement Certificate Provider proposes to use a different value for the same purpose, other values acceptable to the Scheme Administrator.

9.3 Confidence Factor

The *Confidence Factor* is:

- (a) 1.0, if the engineering assessment determines energy consumption to a high level of accuracy based on logged or equivalent data from the Installation such as:
 - (i) hours of operation for the Installation determined from measurements taken over time or other logged data, or a simpler method where this yields an equivalent level of accuracy;
 - (ii) allowances for any variance in input characteristics and usage, degree of loading, or output characteristics for the Installation over time determined from measurements or other logged data, or a simpler method where this yields an equivalent level of accuracy;
 - (iii) operating environment and ambient conditions over time for the Installation determined from measurements or other logged data, or a simpler method where this yields an equivalent level of accuracy;
 - (iv) Installation characteristics using a full performance curve from manufacturers' or measured data, or a simpler method where this yields an equivalent level of accuracy; and
 - (v) performance degradation of the Installation over time using detailed calculations and manufacturers' or measured degradation characteristics, or a simpler method where this yields an equivalent level of accuracy,

(including where the engineering assessment relies upon default factors from Tables 3a, 3b or 3c of Schedule A to this Rule),

or, if the engineering assessment does not meet the level of accuracy corresponding with those criteria:

- (b) 0.9, if the engineering assessment determines energy consumption to a lesser level of accuracy from that described in (a), based on estimations from logged data, records or equivalent data such as:
 - (i) hours of operation for the Installation estimated from records, or a simpler method where this yields an equivalent level of accuracy;
 - (ii) allowances for any variance in input characteristics and usage, degree of loading, or output characteristics for the Installation over time estimated from records, or a simpler method where this yields an equivalent level of accuracy;
 - (iii) operating environment and ambient conditions over time estimated for the Installation from records or average measurements, or a simpler method where this yields an equivalent level of accuracy;
 - (iv) Installation characteristics taking account of performance at full and part load or discrete operating modes, or a simpler method where this yields an equivalent level of accuracy; and

- (v) estimates of performance degradation of the Installation over time using manufacturers' or other representative degradation characteristics, or a simpler method where this yields an equivalent level of accuracy,

or, if the engineering assessment does not meet the level of accuracy corresponding with those criteria:

- (c) 0.8.

9.4 New Installations other than New Office Buildings to be better than best existing installation

For New Installations other than New Office Buildings, before being entitled to create NGACs under clause 8.2(a) an Accredited Abatement Certificate Provider must demonstrate to the Scheme Administrator by reference to:

- (a) any benchmarking or performance indicators established and published by a body recognised by the Scheme Administrator, including industry associations;
- (b) the type of equipment, process, or system and level of consumption considered typical for new installations, taking into account recent installations of this type of equipment, process, or system and Australian and global developments in technology; and
- (c) the type of improved equipment, process, or system proposed to be installed and the level of energy consumption,

that the Number of NGACs calculated are only in respect of greenhouse gas emissions per unit of output or service below the greenhouse gas emissions per unit of output or service from a comparable Installation having:

- (d) the lowest greenhouse gas emissions per unit of output or service from energy consumption of all existing Installations having the same function, output or service:
 - (i) in New South Wales or another jurisdiction approved by the Minister for the purposes of clause 7.4(a)(ii); or
 - (ii) if there is no such Installation in New South Wales or another jurisdiction approved by the Minister for the purposes of clause 7.4(a)(ii), in Australia; or
- (e) if there is no value that can be determined under (d), a level of greenhouse gas emissions per unit of output or service determined by the Scheme Administrator.

10 Metered Baseline Method

Note: The Metered Baseline Method uses measurements of energy consumption "before" the Demand Side Abatement Project takes place to establish a "baseline" energy consumption standard for the Site being considered. The same measurements performed "after" Demand Side Abatement measures have commenced will establish new levels of energy consumption, with the difference representing the impact of the abatement measures.

Emissions Abated are adjusted by a Confidence Factor that is calculated based on the size of the abatement relative to the unexplained variance in the baseline.

The Metered Baseline Method relies on the remainder of the Site operating as it did before the Demand Side Abatement Project was implemented. Where changes other than the Demand Side Abatement Project will affect metered consumption, the results will not reasonably reflect the abatement due to the Demand Side Abatement Project, and NGACs cannot be created using the Metered Baseline Method. Consequently, the Metered Baseline Method should not be used where changes other than the Demand Side Abatement Project have taken place during the baseline period, or are anticipated during the life of the Demand Side Abatement Project for which NGACs will be claimed. This does not prevent additional Demand Side Abatement Projects at the same Site from being implemented and assessed against the original baseline.

10.1 The Metered Baseline Method in this clause 10 may only be used to calculate *Number of NGACs* if measurements made pursuant to this clause 10 are of a standard and duration enabling the *Number of NGACs* to be determined to a level of accuracy satisfactory to the Scheme Administrator.

10.2 Using the Metered Baseline Method, *Number of NGACs* is calculated under:

- (a) clause 10.5, using a baseline per unit of output;
- (b) clause 10.6, using a baseline unaffected by output;
- (c) clause 10.7, using a normalised baseline; or
- (d) clause 10.8, using a baseline normalised by means of a methodology adapted from the Australian Building Greenhouse Rating Scheme,

provided that all of the NGACs that the Accredited Abatement Certificate Provider seeks to create in respect of Demand Side Abatement can reasonably be attributed to the corresponding abatement.

10.3 The period over which any baseline is determined under this clause 10, using energy measurements before the Implementation Date of the Demand Side Abatement Project, must include 1 or more periods preceding the Implementation Date of the Demand Side Abatement Project, but after 1 January 1997, excluding any time periods that are not representative of normal operating Site consumption due to factors including plant shutdown or major maintenance. The time periods used to determine the baseline must be acceptable to the Scheme Administrator. In this clause 10, a reference to Implementation Date includes a reference to Site Implementation Date, where a single Demand Side Abatement Project is comprised of more than one Site.

10.4 The Abatement Certificate Provider must use utility meters or other metering equipment acceptable to the Scheme Administrator.

Note: Sub-metering may be used to effectively reduce the size of the Site considered for baseline calculations, thereby increasing abatement relative to the baseline and hence the confidence factor.

10.5 **Baseline per unit of output**

Note: This Metered Baseline Method is most appropriate where consumption is strongly linked to output (for example, in aluminium smelting). Where the relationship is non-linear, or

there are multiple products or changes in raw materials affecting consumption, another method of normalising the baseline should be used.

Increased or decreased consumption of energy sources other than electricity should only be included where the change in the consumption of that energy source is directly related to the Demand Side Abatement Project (that is for fuel substitution and generation projects). Reductions in consumption of other sources of energy that are not related to projects that primarily reduce emissions from electricity consumption are not included.

Number of NGACs may be calculated using **Method 1**, provided that:

- (a) the consumption of all energy sources for the Site are linear functions of output;
- (b) Fixed Energy Consumption, which is the energy consumption of the Site that does not vary with variations in output, can be measured or estimated;
- (c) output has not changed by more than 50% from the average output over the period during which the *Variable Energy Baseline* was measured, and
- (d) the *Variable Energy Baseline* is calculated using data from periods immediately preceding the Implementation Date of the Demand Side Abatement Project, up to a maximum of 5 years, but after 1 January 1997, and excluding any periods after the Implementation Date of the Demand Side Abatement Project that are not representative of long term Site consumption due to factors including plant shutdown or major maintenance. Where this is not possible, due to data unavailability or other reasons, a baseline may be set using other periods acceptable to the Scheme Administrator.

Method 1

Step (1)

Select a *Measurement Period* acceptable to the Scheme Administrator, that will be the duration of time over which all measurements in this Method will be taken and that is:

- (a) a minimum of one day and a maximum of one year; and
- (b) if there is a regular cycle to the consumption of energy sources on the Site, an integer multiple of the period of that cycle.

Step (2) Determine *Emissions Abated*, for each energy source, S, affected by the Demand Side Abatement Project by repeating Steps (2A) to (2G) for each energy source, and for each time period T_a by reference to which the Abator seeks to create NGACs by repeating Steps (2E) to (3) for each such period.

Step (2A)

The *Fixed Energy Consumption* (in MWh or GJ) is the consumption of energy source, S, for the Site that does not vary with variations in output, and is:

- determined by estimating or extrapolating from measurements taken during plant downtime or estimated or determined mathematically from multiple periods;
- a reasonable reflection of the consumption unaffected by output, and will lead to emissions abated calculations that are reasonable, and

- over a period before Demand Side Abatement commences and the duration of which is equal to the Measurement Period.

Step (2B)

Calculate *Variable Consumption*_{Tb} (in MWh / unit of output or GJ / unit of output) for *n* time periods *Tb*:

$$(\text{Total Consumption}_{Tb} - \text{Fixed Energy Consumption}) / \text{Output}_{Tb}$$

Where:

- *Tb* denotes a time period, before the Implementation Date of the Demand Side Abatement Project, the duration of which is equal to the Measurement Period, and where each time period is mutually exclusive with each other such time period
- *Total Consumption*_{Tb} (in MWh or GJ) is the consumption of energy source, S, for the Site measured by metering that consumption over each time period *Tb*
- *Output*_{Tb} is the number of units of output during each time period *Tb*
- *n* is the number of time periods, *Tb*, where *n* must be at least 1

Step (2C) Calculate *Variable Energy Baseline* (in MWh / unit of output or GJ / unit of output):

$$\left\{ \sum_{T=1}^n \text{Variable Consumption}_{Tb} \right\} / n$$

Step (2D) Calculate *Baseline Variability* (in MWh / unit of output or GJ / unit of output), which is the unexplained variance in the baseline, as:

- where $n > 2$:

$$\text{Baseline Variability} = (\text{Maximum Variable Consumption}_{Tb} - \text{Minimum Variable Consumption}_{Tb}) / 2$$

- where $n \leq 2$:

$$\text{Baseline Variability} = 10\% \text{ of Variable Energy Baseline}$$

Where:

- *Maximum Variable Consumption*_{Tb} is the value for Variable Consumption_{Tb} that is the greatest of all *n* time periods *Tb*
- *Minimum Variable Consumption*_{Tb} is the value for Variable Consumption_{Tb} that is the lowest of all *n* time periods *Tb*

Step (2E) Calculate *Reduced Energy Consumption* (in MWh or GJ) for each time period *T_a* by reference to which the Abator seeks to create NGACs:

$$(\text{Output}_{Ta} \times \text{Variable Energy Baseline} + \text{Fixed Energy Consumption}) - \text{Total Consumption}_{Ta}$$

Where:

- T_a denotes a time period, after the Implementation Date of the Demand Side Abatement Project, the duration of which is equal to the Measurement Period
- $Total\ Consumption_{T_a}$ (in MWh or GJ) is the consumption of energy source, S_s , for the Site measured by metering that consumption over a time period T_a
- $Output_{T_a}$ is the number of units of output during the time period T_a .

Step (2F) Calculate *Confidence Factor*:

$$\text{Confidence Factor} = 1 - (\text{Baseline Variability} / \text{Variable Energy Baseline})$$

Step (2G) Calculate *Emissions Abated_s* (in t CO₂-e) for each time period T_a by reference to which the Abator seeks to create NGACs:

$$\text{Emissions Abated}_s = \text{Reduced Energy Consumption} \times \text{Confidence Factor} \times \text{Emissions Coefficient}_s$$

Where:

- *Emissions Coefficient_s* is:
 - for electricity supplied from a Transmission System or Distribution System, the NSW Pool Coefficient determined by the Tribunal in accordance with the Compliance Rule. For electricity supplied from a Distribution System rather than from a Transmission System, this is to be multiplied by Average Distribution Loss Factor set out in Table 4 of Schedule A to this Rule; or
 - for other energy sources, the Carbon Dioxide Emissions Factor for that Energy Source and its Application/Usage set out in **Table 2** of Schedule A to this Rule or another value acceptable to the Scheme Administrator.

Step (3) Calculate *Number of NGACs* (in t CO₂-e) for each time period T_a by reference to which the Abator seeks to create NGACs:

If $\sum_s \text{Emissions Abated}_s \geq 0$:

$$\text{Number of NGACs} = \sum_s \text{Emissions Abated}_s$$

or

If $\sum_s \text{Emissions Abated}_s < 0$:

$$\text{Number of NGACs} = 0$$

10.6 Baseline unaffected by output

Note: This Metered Baseline Method is most appropriate where consumption is not linked to output. For example, schools and swimming pools.

Number of NGACs may be calculated using **Method 2**, provided that

- (a) the consumption of all energy sources for the Site is independent of output; and
- (b) the *Energy Baseline* is calculated using data from periods immediately preceding the Implementation Date of the Demand Side Abatement Project, to a maximum duration of 5 years, but after 1 January 1997, and excluding any periods that are not representative of long term Site consumption due to factors including plant shutdown or major maintenance. Where this is not possible, due to data unavailability or other reasons, a baseline may be set using other periods acceptable to the Scheme Administrator.

Method 2Step (1)

Select a *Measurement Period* acceptable to the Scheme Administrator, that will be the duration of time over which all measurements in this Method will be taken and that is:

- (a) a minimum of one day and a maximum of one year; and
- (b) if there is a regular cycle to the consumption of energy sources on the Site, an integer multiple of the period of that cycle.

Step (2) Determine *Emissions Abated_s*, for each energy source, S, affected by the Demand Side Abatement Project by repeating Steps (2A) to (2E) for each energy source, and for each time period T_a by reference to which the Abator seeks to create NGACs by repeating Steps (2C) to (3) for each such period.

Step (2A) Calculate *Energy Baseline* (in MWh or GJ):

$$\left\{ \sum_{T=1}^n \text{Total Consumption}_{Tb} \right\} / n$$

Where:

- *Tb* denotes a time period, before the Implementation Date of the Demand Side Abatement Project, the duration of which is equal to the Measurement Period, and where each time period is mutually exclusive with each other such time period
- *Total Consumption_{Tb}* (in MWh or GJ) is the consumption of energy source, S, for the Site measured by metering that consumption over each time periods *Tb*
- *n* is the number of time periods, *Tb*, where *n* must be at least 1

Step (2B) Calculate *Baseline Variability*(in MWh or GJ), which is the variance in the baseline, as:

where $n > 1$:

$$\text{Baseline Variability} = (\text{Maximum Total Consumption}_{Tb} - \text{Minimum Total Consumption}_{Tb}) / 2$$

where $n = 1$:

$$\text{Baseline Variability} = 10\% \text{ of Energy Baseline}$$

Where:

- *Maximum Total Consumption_{Tb}* is the value for Total Consumption_{Tb} that is the greatest of all *n* time periods *Tb*
- *Minimum Total Consumption_{Tb}* is the value for Total Consumption_{Tb} that is the lowest of all *n* time periods *Tb*

-

Step (2C) Calculate *Reduced Energy Consumption* (in MWh or GJ) for each time period T_a by reference to which the Abator seeks to create NGACs:

$$\text{Energy Baseline} - \text{Total Consumption}_{T_a}$$

Where:

- T_a denotes a time period, after the Implementation Date of the Demand Side Abatement Project, the duration of which is equal to the Measurement Period
- *Total Consumption* $_{T_a}$ (in MWh or GJ) is the consumption of energy source, S, for the Site measured by metering that consumption over a time period T_a

Step (2D) Calculate *Confidence Factor*:

$$\text{Confidence Factor} = 1 - (\text{Baseline Variability} / \text{Energy Baseline})$$

Step (2E) Calculate *Emissions Abated* $_s$ (in t CO₂-e) for each time period T_a by reference to which the Abator seeks to create NGACs:

$$\text{Reduced Energy Consumption} \times \text{Confidence Factor} \times \text{Emissions Coefficient}_s$$

Where:

- *Emissions Coefficient* $_s$ is:
 - for electricity supplied from a Transmission System or Distribution System, the NSW Pool Coefficient determined by the Tribunal in accordance with the Compliance Rule. For electricity supplied from a Distribution System rather than from a Transmission System, this is to be multiplied by Average Distribution Loss Factor set out in Table 4 of Schedule A to this Rule; or
 - for other energy sources, the Carbon Dioxide Emissions Factor for that Energy Source and its Application/Usage set out in **Table 2** of Schedule A to this Rule or another value acceptable to the Scheme Administrator.

Step (3) Calculate *Number of NGACs* (in t CO₂-e) for each time period T_a by reference to which the Abator seeks to create NGACs:

$$\text{If } \sum_s \text{Emissions Abated}_s \geq 0:$$

$$\text{Number of NGACs} = \sum_s \text{Emissions Abated}_s$$

or

If $\sum_s \text{Emissions Abated}_s < 0$:

Number of NGACs = 0

10.7 Normalised baselines

Note: This Metered Baseline Method normalises energy consumption for a Site to remove explainable variation from the baseline. For example, adjusting for variations in ambient conditions or variations in input characteristics. The factors chosen for the normalisation must cause the variability that is removed and not be the result of spurious correlations.

Option C of the International Performance Measurement and Verification Protocol can be used for guidance as to the normalisation of baselines, particularly for complex cases.

Number of NGACs may be calculated using **Method 3**, provided that

- (a) the *Normalisation Variables* in respect of which the *Total Consumption* is normalised are variables corresponding to factors that are a reason for change in *Total Consumption*; and
- (b) the *Normalised Energy Baseline* is calculated using data from periods immediately preceding the Implementation Date of the Demand Side Abatement Project, to a maximum duration of 5 years, but after 1 January 1997, and excluding any periods that are not representative of long term Site consumption due to factors including plant shutdown or major maintenance. Where this is not possible, due to data unavailability or other reasons, a baseline may be set using other periods acceptable to the Scheme Administrator.

Method 3

Step (1)

Select a *Measurement Period* acceptable to the Scheme Administrator, that will be the duration of time over which all measurements in this Method will be taken and that is:

- (a) a minimum of one day and a maximum of one year; and
- (b) if there is a regular cycle to the consumption of energy sources on the Site, an integer multiple of the period of that cycle.

Step (2) Determine *Emissions Abated_s* for each energy source, S, affected by the Demand Side Abatement Project by repeating Steps (2A) to (2F) for each energy source, and for each time period T_a by reference to which the Abator seeks to create NGACs by repeating Steps (2D) to (3) for each such period. .

Step (2A) Calculate *Normalised Consumption_{Tb}* (in MWh or GJ) for *n* time periods T_b by normalising the Total Consumption_{Tb} to determine the consumption that would have occurred for period T_b had the conditions at time T_a existed, using:

- (a) a set of normalisation coefficients, which are one or more coefficients calculated to account for the variation in Total Consumption_{T_b} per unit of change for each corresponding Normalisation Variable used in (b); and
- (b) a set of values, which are the difference between the values of the Normalisation Variables for each time period T_b, and the values of the Normalisation Variables for one time period T_a, determined by measurements or other data sources.

Where:

- T_b denotes a time period, before the Implementation Date of the Demand Side Abatement Project, the duration of which is equal to the Measurement Period, and where each time period is mutually exclusive with each other such time period
- T_a denotes a time period, after the Implementation Date of the Demand Side Abatement Project, the duration of which is equal to the Measurement Period
- Total Consumption_{T_b} (in MWh or GJ) is the consumption of energy source, S, for the Site measured by metering that consumption over each time period T_b
- n is the number of time periods, T_b, where n must be at least 1
- Normalisation Variables are the variables in respect of which the Total Consumption_{T_b} is normalised and must correspond to factors that are a reason for change in Total Consumption_{T_b}

Step (2B) Calculate *Normalised Energy Baseline*(in MWh or GJ):

$$\left\{ \sum_{T=1}^n \text{Normalised Consumption}_{T_b} \right\} / n$$

Step (2C) Calculate *Baseline Variability* (in MWh or GJ), which is the unexplained variance in the baseline, as:

where n > 1:

$$\text{Baseline Variability} = (\text{Maximum Normalised Consumption}_{T_b} - \text{minimum Normalised Consumption}_{T_b}) / 2$$

where n = 1:

$$\text{Baseline Variability} = 10\% \text{ of Normalised Energy Baseline}$$

Where:

- Maximum *Normalised Consumption*_{T_b} is the value for Normalised Consumption_{T_b} that is the greatest of all n time periods T_b
- Minimum *Normalised Consumption*_{T_b} is the value for Normalised Consumption_{T_b} that is the lowest of all n time periods T_b
- Step (2D) Calculate *Reduced Energy Consumption* (in MWh or GJ) for each time period T_a by reference to which the Abator seeks to create

NGACs:

Normalised Energy Baseline - Total Consumption T_a

Where:

- T_a denotes a time period, after the Implementation Date of the Demand Side Abatement Project, the duration of which is equal to the Measurement Period
- $Total\ Consumption_{T_a}$ (in MWh or GJ) is the consumption of energy source, S, for the Site measured by metering that consumption over a time period T_a

Step (2E) Calculate *Confidence Factor*:

Confidence Factor = 1 - (Baseline Variability / Normalised Energy Baseline)

Step (2F) Calculate *Emissions Abated_s* (in t CO₂-e) for each time period T_a by reference to which the Abator seeks to create NGACs:

Reduced Energy Consumption x Confidence Factor x Emissions Coefficient_s

Where:

- *Emissions Coefficient_s* is:
 - for electricity supplied from a Transmission System or Distribution System, the NSW Pool Coefficient determined by the Tribunal in accordance with the Compliance Rule. For electricity supplied from a Distribution System rather than from a Transmission System, this is to be multiplied by Average Distribution Loss Factor set out in Table 4 of Schedule A to this Rule; or
 - for other energy sources, the Carbon Dioxide Emissions Factor for that Energy Source and its Application/Usage set out in **Table 2** of Schedule A to this Rule or another value acceptable to the Scheme Administrator.

Step (3) Calculate *Number of NGACs* (in t CO₂-e) for each time period T_a by reference to which the Abator seeks to create NGACs:

If $\sum_s Emissions\ Abated_s \geq 0$:

$Number\ of\ NGACs = \sum_s Emissions\ Abated_s$

or

If $\sum_s \text{Emissions Abated}_s < 0$:

Number of NGACs = 0

10.8 Office Building Australian Building Greenhouse Rating Scheme baseline

Note: This Metered Baseline Method is one acceptable method for normalising baselines for New or Existing Office Buildings.

Number of NGACs may be calculated using **Method 4** only for New or Existing Office Buildings.

Method 4

Step (1)

The *Measurement Period* is the duration of time over which all measurements in this Method will be taken and is twelve months.

Step (2) Normalised Emissions Baseline (in kg CO₂-e / m²) is:

- (a) for a New Office Building, the normalised emissions per unit of area that is the lesser of:
- (i) the threshold for achieving an ABGR 4 star rating; or
 - (ii) the minimum ABGR rating required for the Office Building by a consent authority, as that term is defined in the *Environmental Planning and Assessment Act 1979*,

corrected to use instead of the ABGR default emission factor, the NSW Pool Coefficient determined by the Tribunal in accordance with the Compliance Rule. For electricity supplied from a Distribution System rather than from a Transmission System, this is to be multiplied by Average Distribution Loss Factor set out in Table 4 of Schedule A to this Rule; or

- (b) for an Existing Office Building, calculated as

$$\left\{ \sum_{T=1}^n \text{Normalised Emissions}_{Tb} \right\} / n$$

Where:

- *Tb* denotes a time period, before the Implementation Date of a Demand Side Abatement Project, the duration of which is equal to the Measurement Period, and where each time period is mutually exclusive with each other such time period
- *Normalised Emissions_{Tb}* (in kg CO₂-e / m²) is for the Site the normalised emissions per unit of area, over mutually exclusive time periods, *Tb*, before the Implementation Date of the Demand Side Abatement Project,

determined under the ABGR modified to use:

- for all electricity supplied from a Transmission System or Distribution System including Green Power as that term is used in the National Green Power Accreditation Program, the NSW Pool Coefficient determined by the Tribunal in accordance with the Compliance Rule. For electricity supplied from a Distribution System rather than from a Transmission System, this is to be multiplied by Average Distribution Loss Factor set out in Table 4 of Schedule A to this Rule; or
 - for other energy sources, the Carbon Dioxide Emissions Factor for that Energy Source and its Application/Usage set out in **Table 2** of Schedule A to this Rule or another value acceptable to the Scheme Administrator.
- n is the number of time periods, T_b , before Demand Side Abatement, and n must be at least 1.

Step (3) Baseline Variability, which is the unexplained variance in the baseline, is:

- (a) for a New Office Building, 0; or
- (b) for an Existing Office Building, calculated as:

where $n > 1$:

Baseline Variability = (Maximum Normalised Emissions _{T_b} – Minimum Normalised Emissions _{T_b}) / 2

where $n = 1$:

Baseline Variability = 5% of Normalised Emissions Baseline

Where:

- *Maximum Normalised Emissions _{T_b}* is the value for Normalised Emissions _{T_b} that is the greatest of all n time periods T_b
- *Minimum Normalised Emissions _{T_b}* is the value for Normalised Emissions _{T_b} that is the lowest of all n time periods T_b

Step (4) Calculate the Emissions Abated as:

Normalised Emissions Baseline - Normalised Emissions _{T_a}

Where:

- *Emissions Abated* is in kg CO₂-e / m²
- *Normalised Emissions _{T_a}* (in kg CO₂-e / m²) is for the Site the normalised emissions per unit of area, for a time period T_a after Demand Side Abatement and the duration of which is equal to the Measurement Period, determined under the ABGR modified to use:
 - for all electricity supplied from a Transmission System or Distribution System including Green Power as that term is used

in the National Green Power Accreditation Program, the NSW Pool Coefficient determined by the Tribunal in accordance with the Compliance Rule. For electricity supplied from a Distribution System rather than from a Transmission System, this is to be multiplied by Average Distribution Loss Factor set out in Table 4 of Schedule A to this Rule; or

- for other energy sources, the Carbon Dioxide Emissions Factor for that Energy Source and its Application/Usage set out in **Table 2** of Schedule A to this Rule or another value acceptable to the Scheme Administrator.

Step (5) Calculate *Confidence Factor*:

$$\text{Confidence Factor} = 1 - (\text{Baseline Variability} / \text{Normalised Emissions Baseline})$$

Step (6) Calculate *Number of NGACs* (in t CO₂-e):

If Emissions Abated ≥ 0 :

$$\text{Number of NGACs} = \text{Emissions Abated} \times \text{Net Lettable Area}_{Ta} \times (\text{Gross Emissions}_{Ta} / \text{Normalised Emissions}_{Ta}) \times \text{Confidence Factor} / 1000$$

or

If Emissions Abated \times Net Lettable Area_{Ta} \times (Gross Emissions_{Ta} / Normalised Emissions_{Ta}) \times Confidence Factor < 0 :

$$\text{Number of NGACs} = 0$$

Where:

- *Net Lettable Area_{Ta}* (in m²) is the occupied net lettable area of the building determined in accordance with the ABGR for the period Ta
- *Gross Emissions_{Ta}* (in kg CO₂-e / m²) is the uncorrected Greenhouse Gas emissions for the period Ta

11 Default Abatement Factors Method

Note: The Default Abatement Factors Method can be used for the installation of common equipment such as refrigerators and certain electric motors. A program of multiple installations of the same type is considered a single Demand Side Abatement Project.

- 11.1 The Default Abatement Factors Method in this clause 11 may only be used to calculate *Number of NGACs* if the Installation or activity is listed in **Table 1**.

Note: The Default Abatement Factors in Table 1 take account of failures or removal of an item after the Implementation Date and before the end of its normal service life.

- 11.2 Using the Default Abatement Factors Method, *Number of NGACs* is calculated using **Equation 3**.
- 11.3 Where *Number of NGACs* is calculated using the Default Abatement Factors Method in this clause 11, the Demand Side Abatement that is the subject of that calculation is deemed to have taken place (for the purpose of the entitlement to create NGACs but not for any other purpose) on the later of:
- (a) 1 January 2003; and
 - (b) the relevant Installation Implementation Date

Equation 3

Number of NGACs = Number of Installations or Activities x Abatement Factor x
Installation Discount Factor

Where:

- *Number of NGACs* is in t CO₂-e
- *Number of Installations or Activities* is the quantity of a certain type of Installation that has been installed or activities that have been undertaken
- *Abatement Factor* is the Default Emissions Abatement Factor corresponding to that type of Installation or activity in **Table 1** of Schedule A to this Rule
- *Installation Discount Factor* is a factor to be applied to take account of the risk that under a particular program design some items may not be installed, and is:
 - 1.0, if the Scheme Administrator is satisfied that the Installation or Installations have been installed, which may be on the basis of a written statement from an appropriately trained person who performed the installation or contractor invoices; or
 - if the Scheme Administrator is satisfied that a person has taken possession of the Installation or Installations for the purposes of being installed, but does not have sufficient evidence to be satisfied that the Installations have been installed:
 - 0.4; or
 - another value approved by the Scheme Administrator.
- A value approved by the Scheme Administrator for the above purpose:
 - applies (instead of the default value of 0.4) in the circumstances specified by the Scheme Administrator; and
 - may be submitted by an applicant or Accredited Abatement Certificate Provider, or determined and imposed by the Scheme Administrator of its own volition.
- In this Equation, a reference to the risk of an item not being installed means the risk of the item not being installed either at all or in New South Wales or another jurisdiction approved by the Minister for the purposes of clause 7.4(a)(ii).

- 11.4 Where an Installation Discount Factor of 1.0 is applied in Equation 3, the energy source is considered to be known in respect of a:

- (a) showerhead that has a AAA or a 3 Star WELS Rating (that is consuming less than 9 L water / minute at a water pressure of 250 kPa); or
 - (b) flow restrictor that achieves the same effect as a AAA or a 3 Star WELS Rated showerhead (that is consuming less than 9 L water / minute at a water pressure of 250 kPa).
- 11.5 Where the demand side abatement activity involves the removal and disposal of a refrigerator, an Installation Discount Factor of 1.0 applies in **Equation 3**.
- 11.6 Despite clause 1.1, the following amendments to **Equation 3** do not commence until 1 October 2006:
- (a) the deletion of the paragraph commencing "- 0.9,";
 - (b) in the paragraph below that, the deletion of "0.8, ", the deletion of the words "sold or", the insertion of ":" and a paragraph break after the word "installed";
 - (c) the insertion of "- 0.4" as a subparagraph below that; and
 - (d) the words commencing "another value .." becoming a subparagraph below that (but not, for the avoidance of doubt, the deletion of the words "determined using a methodology", which commence on 25 August 2006).
- 11.7 Despite clause 1.3, an Accredited Abatement Certificate Provider who is an Abator in respect of an Installation:
- (a) by virtue of a nomination that was signed before 1 October 2006; or
 - (b) otherwise than as a nominated Abator, where the Installation was sold or its receipt acknowledged before 1 October 2006,
- may create NGACs using the Installation Discount Factor that applied at the time the nomination was signed (in the case of (a)) or at the time the Installation was sold or its receipt acknowledged (in the case of (b)).
- 11.8 From 1 October 2006:
- (a) an Installation Discount Factor expressed in an Accreditation Notice before 25 August 2006 will be taken to be "another value approved by the Scheme Administrator" for the purposes of **Equation 3** of this Rule if (and only if) the Scheme Administrator gives the Accredited Abatement Certificate Provider express notice of that intention before 1 October 2006; and
 - (b) other than as provided in (a), no value expressed in an Accreditation Notice before 25 August 2006 will be taken to be "another value approved by the Scheme Administrator" for the purposes of **Equation 3** of this Rule.

12 Generation Emissions

Note: Where part of the electricity generated is exported into the NSW Electricity Network or an interconnected Transmission or Distribution System, and part is consumed by End-User Equipment within the same End-User Complex as the Generating System, only that part that is so consumed is eligible to create NGACs under this Rule. The remainder is separately eligible to create NGACs under the Generation Rule.

- 12.1 The Generation Emissions Method in this clause 12 may only be used to calculate *Number of NGACs* to the extent that the electricity generated by a Generating System is supplied to End-User Equipment within the same End-User Complex as the Generating System.
- 12.1A For the purposes of clause 12.1, electricity generated by a Generating System will be taken to be supplied within the same End-User Complex as the Generating System to the extent that the electricity is not exported into the NSW Electricity Network or a Transmission or Distribution System interconnected with the NSW Electricity Network, regardless of whether or not the owner of the Generating System also owns the relevant End-User Equipment.
- 12.2 Using the Generation Emissions Method, *Number of NGACs* is calculated using **Equation 4**.

Equation 4

$$\text{Number of NGACs} = \text{Eligible Generation} \times (\text{NSW Pool Coefficient} \times \text{Emissions Intensity Adjustment Factor} - \text{Emissions Intensity})$$

Where:

- *Number of NGACs* is in t CO₂-e and is in respect of the time period over which the Eligible Generation occurs
- *Eligible Generation* (in MWh) is calculated in **Equation 5**
- *NSW Pool Coefficient* is the NSW Pool Coefficient determined by the Tribunal using clause 9.1 of the Compliance Rule for the year in which the electricity was generated
- *Emissions Intensity* (in t/MWh) is calculated using **Equation 6**
- *Emissions Intensity Adjustment Factor* is the value in Table 9 of Schedule A to the Generation Rule appropriate to the Generating System being connected at an End-User Complex

Equation 5

$$\text{Eligible Generation} = \text{Self Generated Site Use} - \text{RECs Created/MLF} \times (\text{Self Generated Site Use} / \text{Sent Out Generation})$$

Where:

- *Eligible Generation* is in MWh and is in respect of a calendar year or part thereof
- *Self Generated Site Use* (in MWh) is the portion of the electricity generated by the Generating System that is consumed End-User Equipment within the same End-User Complex as the Generating System, determined by:

- metered electricity generated by the Generating System where this is available; or
- calculating the reduction in electricity supplied by the NSW Electricity Network by either the Project Impact Assessment Method in clause 9 or the Metered Baseline Method in clause 10.
- *RECs Created* (in MWh) are the number of RECs created and registered with ORER in accordance with the RE(E) Act in respect of the same electricity generation by the Generating System that constituted the *Sent Out Generation*
- *Sent Out Generation* (in MWh), in respect of the Generating System, is Gross Generation less Auxiliary Electricity Use, both measured over the same time period as the Total Greenhouse Gas Emissions. If this metered information is not available it may be determined by calculating the reduction in electricity supplied by the NSW Electricity Network by either the Project Impact Assessment Method in clause 9 or the Metered Baseline Method in clause 10
- *Gross Generation* means total electricity generated by a Generating System
- *Auxiliary Electricity Use* means electricity consumed by the Generating System
- *MLF* is the marginal loss factor for the Generating System, as defined in the RE(E) Regulation

Equation 6

Emissions Intensity = Total Greenhouse Gas Emissions / Sent Out Generation

Where:

- *Emissions Intensity* is in t CO₂-e/MWh
- *Total Greenhouse Gas Emissions* (in t CO₂-e) is determined using clause 10 of the Generation Rule, in respect of the time period over which the Eligible Generation occurs
- *Sent Out Generation* (in MWh) is, in respect of the Generating System, Gross Generation less Auxiliary Electricity Use, both measured over the same time period as the Total Greenhouse Gas Emissions. If this metered information is not available, it may be determined by calculating the reduction in electricity supplied by the NSW Electricity Network by either the Project Impact Assessment Method in clause 9 or the Metered Baseline Method in clause 10
- *Gross Generation* means total electricity generated by a Generating System
- *Auxiliary Electricity Use* means electricity consumed by the Generating System

12.3 Using the Generation Emissions Method, in addition to the number of NGACs in clause 12.2, the Abator may create NGACs from that portion of electricity which is used within the same End-User Complex which is:

- (a) generated using landfill gas or sewage gas or manufactured methane or Qualifying Putrescible Waste or cogeneration from renewable sources according to, and as if it were the Generator referred to in clause 9.5 of the Generation Rule; or
- (b) from cogeneration according to clause 10.2 of the Generation Rule, or if the benefit from the heat is in the form of electricity avoided, from

cogeneration according to the Project Impact Assessment Method under this Rule.

13 Definitions and Interpretation

13.1 In this Rule:

“**ABGR**” means the Australian Building Greenhouse Rating Scheme Methodology.

“**Accreditation Notice**” means a notice of that name, or to the same effect, issued by the Scheme Administrator.

“**Act**” means the *Electricity Supply Act 1995*.

“**Benchmark Rules**” means the rules under Part 8A, Division 11 of the Act.

“**Compliance Rule**” means *Greenhouse Gas Benchmark Rule (Compliance) No. 1 of 2003*.

“**Demand Side Abatement**” has the meaning given to it in clause 7.

“**Demand Side Abatement Project**” has the meaning given to it in clause 7.

“**Distribution System**” is a “distribution system” (as that term is defined in the National Electricity Rules) in respect of which a person is registered as a “Network Service Provider” under the National Electricity Rules.

“**E₃ Scheme**” means the National Appliance and Equipment Energy Efficiency Program, effected through the *Energy and Utilities Administration Regulation 1999* (NSW) and corresponding laws in other Australian jurisdictions.

“**Electricity Sales Foregone**” has the meaning given to it under the Electricity Sales Foregone Framework.

“**Electricity Sales Foregone Framework**” means the methodology described in the document entitled *Greenhouse Gas Emissions from Electricity Supplied in NSW: Framework for Calculation of Electricity Sales Foregone*, published by the Ministry of Energy and Utilities in February 1999.

“**Emissions Workbook**” means the methodology described in the document entitled *Greenhouse Gas Emissions from Electricity Supplied in NSW: Emissions Workbook* published by the Ministry of Energy and Utilities in October 2000.

“**End-User Complex**” is as described in clause 12.1A.

“**End-User Equipment**” means electricity consuming equipment that is not associated with the generation of electricity or generated ancillary loads.

“**Energy Rating**” means the star rating assigned under the E₃ Scheme, in respect of a product that complies with all registration, labelling and other legal requirements under that Scheme.

“**Existing Office Building**” means an Office Building which was first occupied prior to 1 January 2002.

“**Fossil Fuel**” means coal seam gas drained from mines as an integrated part of coal mining operations, black coal, brown coal, natural gas, fuels derived from petroleum, or coal seam methane.

“**Generation Rule**” means *Greenhouse Gas Benchmark Rule (Generation) No. 2 of 2003*.

“**Generator**” means a Generator as that term is defined in clause 6.2.1(a) and (b) of the Generation Rule, as if references to "electricity generation activity" were references to "demand side abatement activity".

“**Generating System**” means a system comprising one or more of the physical generators of electricity and all the related equipment capable of functioning as a single entity.

“**GGAP**” means the Greenhouse Gas Abatement Program administered by the Australian Greenhouse Office of the Commonwealth.

“**Implementation Date**” means the date on which the reduction in greenhouse gas emissions resulting from a Demand Side Abatement Project commences. In the case of a single Demand Side Abatement Project that involves multiple Installations or occurs across multiple Sites, it means the date on which the reduction in greenhouse gas emissions resulting from the first Installation or occurring at the first Site commences.

“**Installation**” means energy consuming equipment, processes, or systems, including the equipment directly consuming energy, and other equipment that causes, controls or influences the consumption of energy, and includes (in the context of clause 10.8) a New Office Building.

“**Installation Implementation Date**” means, in relation to any particular Installation forming part of a Demand Side Abatement Project where *Number of NGACs* is calculated using the Default Abatement Factors Method in clause 11, the following date (as relevant):

- (a) in the case of an Installation Discount Factor of 1.0, the date on which the Installation was installed;
- (b) in the case of an Installation Discount Factor of less than 1.0, the date on which the Installation is sold to or otherwise received by an end-user who intends to install it or ensure that it is installed.

“**New Installation**” means an Installations where no Installations of the same type, function, output or service was previously in its place (but does not include additional components installed in the course of modifying an Installation), and includes (in the context of clause 10.8) a New Office Building.

“**New Office Building**” means an Office Building which was first occupied on or after 1 January 2002.

“**NGAC**” (New South Wales Greenhouse Abatement Certificate) is a transferable abatement certificate under section 97F of the Act, which is created in accordance with the Generation Rule, Sequestration Rule, or this Rule.

“**NSW Electricity Network**” means all electricity Transmission Systems and Distribution Systems located in New South Wales.

“**NSW Pool Coefficient**” is defined in section 97AB of the Act and determined by the Tribunal under section 97BF of the Act, in accordance with clause 9.1 of the Compliance Rule. The

relevant NSW Pool Coefficient for the purposes of this Rule is that for the year in which the abatement occurred.

“**October 2003 Rule**” means the *Greenhouse Gas Benchmark Rule (Demand Side Abatement) No. 3 of 2003* as in force on 3 October 2003.

“**Office Building**” means a Site that can be rated under the ABGR.

“**ORER**” means the Commonwealth Office of the Renewable Energy Regulator established under the RE(E) Act.

“**Qualifying Putrescible Waste**” means Qualifying Putrescible Waste as that term is defined in the Generation Rule.

“**REC**” means a renewable energy certificate as defined in s 97AB of the Act.

“**RECs Created**” is defined in Equation 5.

“**RE(E) Act**” means the *Renewable Energy (Electricity) Act 2000* (Cth).

“**RE(E) Regulation**” means the *Renewable Energy (Electricity) Regulations 2001* (Cth).

“**Regulations**” means regulations made pursuant to Part 8A of the Act.

“**Renewable Energy Source**” means an eligible renewable energy source under the RE(E) Act.”

“**Scheme Administrator**” is defined in section 97AB of the Act.

“**Sequestration Rule**” means *Greenhouse Gas Benchmark Rule (Carbon Sequestration) No.5 of 2003*.

“**Site**” means all End-User Equipment and Generating Systems for which the electricity consumed or supplied is measured by the same utility meter allocated a National Meter Identifier (NMI) under the National Electricity Rules, or by other meters or logging devices measuring a part of this site, and approved by the Scheme Administrator (whether alone or in combination with the utility meter).

Note: Meters other than utility meters that measure part of the consumption of a Site can be used to “sub-meter” consumption related to Demand Side Abatement. In this case, the Site would become only that part of the Installation that has its consumption recorded by that meter, provided it meets the requirement of the Scheme Administrator.

Meters other than “utility” meters (those allocated a NMI) can only be used to sub-meter loads within an individual Site, not aggregate several Sites.

“**Site Implementation Date**” means, in relation to any particular Site constituting or forming part of a Demand Side Abatement Project, the date on which the reduction in greenhouse gas emissions at that Site commences (or is deemed to commence).

“**Total Greenhouse Gas Emissions**” is defined in Equation 6.

“**Transmission System**” is a “transmission system” (as that term is defined in the National Electricity Rules) in respect of which a person is registered as a “Network Service Provider” under the National Electricity Rules.

“**Tribunal**” has the meaning given to it under the Act.

“**Waste Coal Mine Gas**” has the meaning given to that term under the Generation Rule.

“**WELS Rating**” means the star rating assigned under the WELS Scheme, in respect of a product that complies with all registration, labelling and other legal requirements under that Scheme, and “**WELS Rated**” has a corresponding meaning.

“**WELS Scheme**” means the Water Efficiency Labelling and Standards Scheme established under the *Water Efficiency Labelling and Standards Act 2005* (Cth) and corresponding State-Territory laws.

- 13.2 Notes in this Rule do not form part of the Rule.
- 13.3 A reference in this Rule to an entitlement to create a number of NGACs is to be taken as an entitlement to create a lesser number of NGACs.
- 13.4 For the purpose of this Rule the terms and expressions used in this Rule have the same meaning as in the Act or as defined in Part 8A of the Act, except the terms that are expressly defined in this Rule.
- 13.5 A reference to accreditation in respect of a Demand Side Abatement Project means accreditation in respect of Demand Side Abatement from the Demand Side Abatement Project.
- 13.6 A reference in clause 1.3 to the commencement of this Rule includes a reference to the commencement of any particular provision of this Rule that commences at a different time from the rest of the Rule.

Schedule A – Default factors and supporting information**Table 1: Default Emissions Abatement Factors**

Installation or Activity	Default Emissions Abatement Factors
Natural gas (or LPG) storage or instantaneous hot water system (not solar) replacing an existing electric hot water system (not solar)	20
Natural gas (or LPG) boosted solar hot water system replacing an electric hot water system (not solar). Additional NGACs for non-solar water heating (solar contribution is claimable as RECs)	6
Compact fluorescent lamp that has a manufacturer's rating of 15,000 hours or more	0.9
Compact fluorescent lamp that has a manufacturer's rating of 12,000 hours or more	0.7
Compact fluorescent lamp that has a manufacturer's rating of 10,000 hours or more	0.6
Compact fluorescent lamp that has a manufacturer's rating of 8,000 hours or more	0.5
Compact fluorescent lamp that has a manufacturer's rating of 5,000 hours or more	0.3
35 Watt Infrared Coated Halogen lamp	0.05
45 Watt (or greater) Infrared Coated Halogen lamp	0.07
Showerhead that has at least a AAA or a 3 Star WELS Rating (that is consuming less than 9 L water / minute at a water pressure of 250 kPa), connected to a hot water system using electricity as its energy source	4.0
Showerhead that has at least a AAA or a 3 Star WELS Rating (that is consuming less than 9 L water / minute at a water pressure of 250 kPa), connected to an electric-boosted solar hot water system	1.6
Showerhead that has at least a AAA or a 3 Star WELS Rating (that is consuming less than 9 L water / minute at a water pressure of 250 kPa), connected to a hot water system for which the energy source is not known	3.1

Flow restrictor that achieves the same effect as (or greater effect than) a AAA or a 3 Star WELS Rated showerhead (that is consuming less than 9 L water / minute at a water pressure of 250 kPa), connected to a hot water system using electricity as its energy source		4.0
Flow restrictor that achieves the same effect as (or greater effect than) a AAA or a 3 Star WELS Rated showerhead (that is consuming less than 9 L water / minute at a water pressure of 250 kPa), connected to an electric-boosted solar hot water system		1.6
Flow restrictor that achieves the same effect as (or greater effect than) a AAA or a 3 Star WELS Rated showerhead (that is consuming less than 9 L water / minute at a water pressure of 250 kPa), connected to a hot water system for which the energy source is not known		3.1
Refrigerator that is 10 or more years old, 250 litres or greater in gross volume and in working order but not providing the primary refrigeration service of a household, on removal, for disposal and destruction, with appropriate disposal of the refrigerant.		8.0
Refrigerator / freezer	2.5 Star Energy Rating	-
	3 Star Energy Rating	-
	3.5 Star Energy Rating	0.1
	4 Star Energy Rating	0.6
	4.5 Star Energy Rating	1.0
	5 Star Energy Rating	1.4
	5.5 Star Energy Rating	1.8
Freezer	6 Star Energy Rating	2.5
	2.5 Star Energy Rating	-
	3 Star Energy Rating	0.7
	3.5 Star Energy Rating	0.8

	4 Star Energy Rating	0.9
	4.5 Star Energy Rating	1.0
	5 Star Energy Rating	1.1
	5.5 Star Energy Rating	1.2
	6 Star Energy Rating	1.3
Clothes washer	2.5 Star Energy Rating	1.3
	3 Star Energy Rating	1.6
	3.5 Star Energy Rating	1.9
	4 Star Energy Rating	2.2
	4.5 Star Energy Rating	2.5
	5 Star Energy Rating	2.9
	5.5 Star Energy Rating	3.2
	6 Star Energy Rating	3.5
Clothes drier	2.5 Star Energy Rating	-
	3 Star Energy Rating	0.3
	3.5 Star Energy Rating	0.4
	4 Star Energy Rating	0.6
	4.5 Star Energy Rating	0.7
	5 Star Energy Rating	0.9
	5.5 Star Energy Rating	1.0
	6 Star Energy Rating	1.2
Dishwasher	2.5 Star Energy Rating	-
	3 Star Energy Rating	-

	3.5 Star Energy Rating	-
	4 Star Energy Rating	0.1
	4.5 Star Energy Rating	0.2
	5 Star Energy Rating	0.3
	5.5 Star Energy Rating	0.4
	6 Star Energy Rating	0.5

In this Table:

A flow restrictor is only eligible to the extent that it operates in respect of a shower.

Table 2: Carbon Dioxide Emission Factors

Energy Source	Application / Usage	kt CO₂/PJ
Coal	Coal used in public electricity generation (ASIC 3611)	92.0
	Coals used in steel industry	93.0
	Black coal used by other industry	90.0
	Brown coal used by industry	88.3
	Coke	119.5
	Coal by-products (gaseous)	37.0
	Coal by-products (coal tar and BTX)	81.0
	Brown coal briquettes	105.0
Petroleum	Liquefied petroleum gas (LPG)	59.4
	Naphtha	66.0
	Lighting kerosene	69.7
	Power kerosene	69.7
	Aviation gasoline	68.0
	Aviation turbine fuel	69.7
	Heating oil	69.7
	Fuel oil	73.6
	Automotive diesel oil (ADO)	69.7
	Industrial diesel fuel (IDF)	69.7
	Refinery fuel	68.1
	Other petroleum products	68.6
	Solvents	66.0
	Lubricants and greases	73.7
Bitumen	80.7	
Gaseous*	Natural gas - NSW	50.8
	Natural gas - Victoria	51.0
	Natural gas - SA	50.8
	Natural gas - Queensland	51.1
	Natural gas - ACT	50.8
	Town gas (tempered LPG)	59.0
Biomass	Wood and wood waste (dry)	94.0
	Bagasse	96.8

*Note: Where the Fossil Fuel is Waste Mine Coal Gas, the applicable factor under Table 3 is the Applicable State factor for natural gas.

Table 3a: Default Efficiencies

Application	Device type	Default Efficiency
Electric Water heating	Off peak	85%
	Continuous	90%
Electric Space heating	Resistance	100%
	Reverse cycle	280%
Electric Cooking	Hotplate	60%
	Oven	50%
Electric Industrial heat	Boiler	90%
Natural gas and LPG Water heating	Instantaneous	75%
	Storage	60%
Natural gas and LPG Space heating	Flued heater	70%
Wood space heating	Closed combustion	50%
	Open fire	20%
Natural gas and LPG Cooking	Burners	50%
	Oven	45%
Natural gas and LPG Industrial heat	Boiler	80%
Bagasse Industrial heat	Boiler	60%

Table 3b: Default Efficiency Improvements for High Efficiency Motors

Rating of HEM	Default lifetime (years)	Default efficiency improvement
High Efficiency Motor of less than 3 kW	7	8% of the annual electricity consumption of the motor
High Efficiency Motor of 3-7.5 kW	7	5% of the annual electricity consumption of the motor
High Efficiency Motor of 11-37 kW	7	2.5% of the annual electricity consumption of the motor
High Efficiency Motor of 45-90 kW	7	1.5% of the annual electricity consumption of the motor
High Efficiency Motor of 110-185 kW	7	1% of the annual electricity consumption of the motor

In this table:

“**High Efficiency Motor**” means a motor meeting the High Efficiency levels specified in Australian Standard / New Zealand Standard 1359.5

Table 3c: Default loss savings from Power Factor Correction at end-user’s premises

Size of PFC installation covered by this default formula	Default lifetime (years)	Annual energy saving
Power Factor Correction of less than 1000 kVAr installed at an End-User Complex	7	0.06 MWh pa per kVAr installed

Table 4: Average Distribution Loss Factor

Average Distribution Loss Factor
1.058

Note: This is the weighted average of distribution losses for the NSW Distribution System. Transmission losses are already included in the NSW Pool Coefficient determined by the Tribunal in accordance with the Compliance Rule, and no further adjustment is required for Installations connected to the Transmission System.



New South Wales

Passenger Transport (Bus Security Camera Systems) Order 2006 (No 1)

under the

Passenger Transport (Bus Services) Regulation 2000

I, the Director-General of the Ministry of Transport, in pursuance of clause 12D of the *Passenger Transport (Bus Services) Regulation 2000*, make the following Order:

Dated, this 9th day of August 2006.

J. GLASSON

Director-General of the Ministry of Transport

Explanatory Note

The object of this Order is to establish the requirements with which approved security camera systems for buses must comply. The principal benefits of the use of security camera systems on buses are an enhanced feeling of safety on the part of drivers and passengers, an improvement in passenger and driver behaviour, a record of evidence to assist in investigating incidents and to support prosecutions, and as a deterrent against specific crimes.

This Order is made under clause 12D of the *Passenger Transport (Bus Services) Regulation 2000*.

Passenger Transport (Bus Security Camera Systems) Order 2006 (No 1)

Passenger Transport (Bus Security Camera Systems) Order 2006 (No 1)

under the

Passenger Transport (Bus Services) Regulation 2000

Part 1 Preliminary

1. Name of Order

This Order is the Passenger Transport (Bus Security Camera Systems) Order 2006 (No 1).

2. Commencement

This Order commences on publication in the Government Gazette.

3. Definitions

3.1 Any term used in this Order has the same meaning as it has in the Act or the Regulation, unless the term is defined further or separately in this Order.

3.2 In this Order:

the **Act** means the *Passenger Transport Act 1990*;

bus means the bus in which the system is installed, being any bus used on a regular passenger service in an **urban area**;

clear in relation to an image means that the image is of sufficient resolution or clarity to enable any person who is the subject of the image to be readily identifiable in either video play-back or printed format;

camera means any camera that forms part of the system, and is to be construed in the plural if the use of more than one camera is necessary for the system to meet the requirements set out in this Order;

urban area means the area comprising:

- (a) the Metropolitan transport district;
- (b) the Newcastle transport district;
- (c) the Wollongong transport district;
- (d) the City of Gosford; or
- (e) the Wyong local government area.

image means any video frame or sequence of video frames derived from a video recording;

the **Regulation** means the *Passenger Transport (Bus Services) Regulation 2000*;

storage medium means any video tape or electronic device on which video recordings or images are stored, whether permanently or otherwise;

system means an approved security camera system for buses as defined in the Regulation;

video recorder means any digital or analogue device which is used to make video recordings and which forms part of the system.

4. Introduction

- 4.1 The purpose of this Order is to set out, for the purpose of clause 12D of the Regulation, the requirements for approved security camera systems for buses.
- 4.2 Any security camera system installed on a bus is to comply with the requirements set out in this Order.

Part 2 Functional Requirements

5. Functionality

- 5.1 The system is to be reliable and provide full functionality in all operational and environmental conditions likely to be encountered in the operation of the bus.
- 5.2 The resolution and clarity of any image is to be maintained under a range of lighting conditions from darkness (no light in the visible spectrum) through to bright sunlight.
- 5.3 The system functionality is to be such that any storage medium:
- (a) does not require changing during any operational journey;
 - (b) is capable of being removed and exchanged easily; and
 - (c) cannot be removed or exchanged by unauthorised persons.
- 5.4 All system components are to be resistant to vandalism and/or degradation of the recorded image by intentional or accidental damage.
- 5.5 System functionality is not to be degraded or compromised by liquids spilled on the floor of the bus or by sprays of liquids which may be encountered in operation, such as from agitating carbonated beverages.
- 5.6 The system is to be capable of enabling the bus driver, positioned in the driver's seat to:
- (a) determine whether the system is functioning correctly, and
 - (b) receive warnings of system malfunctions that might cause the loss of images.
- 5.7 The field of view, focus and functionality of the camera are to be determinable by means of the temporary connection of a portable monitor to enable the system to be serviced and maintained, and its functionality assessed.
- 5.8 The system is to be configured to facilitate modular exchange of functional elements for service.
- 5.9 The system is not to be capable of:
- (a) interfering with any other systems on board the bus; or

- (b) being affected by any sources of interference likely to be encountered on the bus.

5.10 The presence of the system is to be clearly advertised to passengers while boarding and whilst seated.

5.11 The equipment is to maintain operational functionality for five years where standard maintenance requirements (as defined by the supplier) are followed.

6. General

Notwithstanding the specific requirements set out in this Order, work relating to the installation of the system is to generally include the supply, installation and commissioning of:

- (a) all cameras and camera lenses, video recorders or other storage systems, indicator lights and sounders, control equipment, interfaces, portable monitors, housings, enclosures, power supplies and all other equipment necessary for the correct function of the system;
- (b) all cabling, cable support, tamper resistant fixings, hardware, conduits, and interconnection between devices and equipment;
- (c) extensions to existing cabling and interconnection between the system and other bus systems as may be required; and
- (d) any electrical wiring as may be required to provide power to equipment.

7. System Configuration and Operation

7.1 The system is to be capable of making video recordings of persons boarding the bus and incidents of violence or dispute which may involve passengers or bus drivers in the vicinity of the driver's cabin.

7.2 The system is to comprise at least the following:

- (a) a camera enclosed in a suitable camera housing;
- (b) a video recorder; and
- (c) any storage media necessary for the effective functioning of the system.

7.3 The system is to commence recording **clear images** of the bus driver's cabin and front entry stairs whenever the bus's ignition is activated and is to continue recording for at least five minutes after the ignition has been deactivated.

7.4 The system is to have a flashing red Light Emitting Diode to indicate to the driver that the camera is operating.

7.5 The system is to be capable of being easily tested by a suitably trained person to ensure that:

- (a) the field of view is correctly adjusted;
- (b) the scene is in focus;
- (c) all features are operating correctly; and
- (d) video recordings are being properly made.

8. Camera System

8.1 A camera is to be installed and mounted in a suitable camera housing at a location and height to meet the requirements set out in this Order.

8.2 The camera and its housing are to be mounted such that they are:

- (a) visible and identifiable to any passengers on the bus, and
 - (b) capable of preventing any misalignment of the field of view, other than in the event of a serious accident, or other impact or exceptional circumstance.
- 8.3 The camera housing is to not have any sharp edges and is to be positioned in accordance with subclause 11.5 such that passengers of any height cannot come into contact with the housing during normal boarding procedures.
- 8.4 The camera is to use an interline transfer CCD image sensor with a minimum resolution of 330 TVL (H), and to provide at least a monochrome composite video signal (although a colour signal is recommended).
- 8.5 The camera is to have a fixed field of view lens of appropriate focal length to be able to record clear images of the following:
- (a) all passengers boarding the bus;
 - (b) the bus driver;
 - (c) the area between the driver's cabin and the front door of the bus; and
 - (d) as much of the interior of the bus as is possible.
- 8.6 The camera lens is to have the following features:
- (a) a depth of field such that images are maintained in focus within a range of 50 centimetres to seven metres from the camera lens; and
 - (b) the capability of being interchanged for the purpose of enabling changes in the required area of coverage to be readily made.
- 8.7 The camera is to have an Electronic Light Level Control or Electronic Sensitivity Control to automatically adjust the shutter speed of the CCD imager as scene illumination changes, or is to be fitted with a suitably responsive auto iris lens such that it is to adjust through the full range of light conditions likely to be encountered, including high and low light transients, and image clarity is not adversely affected by such fluctuations.
- 8.8 Infra-red illumination may be required to illuminate the faces of persons in the field of view, without causing shadows that might prevent the recording of clear images.
- 8.9 Filters may be required to ensure that the reflection of infra-red light into the camera lens does not cause the degradation of images.
- 8.10 The positioning, use and deployment of any sun-visor, mirrors or other equipment on the bus is not to be capable of:
- (a) affecting the field of view of the camera; or
 - (b) being affected by the positioning of the camera.

9. Recording System

- 9.1 The video recorder is to be a time-lapse video recorder having a storage medium that has the capacity to store not less than 24 hours of video recordings.
- 9.2 Any analogue video recorder is to be a commercial quality VHS time-lapse recorder that is capable of reliable operation within the full range of conditions likely to be encountered in the operation of the bus, in particular, vibration.
- 9.3 If the video recorder is not an analogue video recorder, the resolution of the

recorded images in playback is to be at least equivalent to 240 TVL (H).

- 9.4 The video recorder is to be housed in a secure and protected location within the bus, in a vandal resistant, key-lockable enclosure, and is not to be capable of being removed other than by means of the correct key for the enclosure.
- 9.5 The recorder enclosure is to provide for:
- (a) sufficient shock absorption, ventilation and dust filtering so as to ensure the reliable operation of the equipment, and
 - (b) the prevention of the accidental or intentional introduction of any foreign matter into the enclosure while it is sealed.
- 9.6 All images are to bear the time and date on which the image was recorded.
- 9.7 The system is to be configured such that, at commissioning:
- (a) any analogue video recorder is set to automatically rewind the tape after the tape reaches the end and to then recommence recording immediately the tape is rewound; and
 - (b) any video recorder that is not an analogue video recorder is set to automatically commence re-recording once the storage medium has reached its recording capacity.

10. Power

- 10.1 All system elements are to have fuses or other approved circuit interruption devices to protect cabling from fault currents. All such devices are to be readily accessible for service.
- 10.2 The power supply to all system components is to be capable of being readily disconnected during bus maintenance and welding operations, without the risk of accidental disconnection during the normal operation of the bus.
- 10.3 All cabling, equipment and system components are to be installed in such a manner, or utilising such ancillary devices as may be required, to ensure that the system is protected against reverse voltage, short circuit and high voltage transients likely to be encountered in vehicle electrical systems.
- 10.4 The system is to have battery backup to maintain the time and date for a minimum of seven days after the power source is removed.
- 10.5 The system is to be protected against short circuits on the power supply and other input cables, such that no damage to the system, or (where video tape is not being used as the storage medium) no loss of images is possible through accidental or intentional destruction of wiring.

11. Installation

- 11.1 All system components are to be installed in such a manner that the entire system is resistant to vandalism and/or degradation of the recorded images by intentional or accidental damage.
- 11.2 All cabling and equipment is to comply with, and be installed in a professional manner in accordance with, the relevant Australian Standards and manufacturers' instructions.

- 11.3 All internal electrical connections are to be soldered and insulated using heat-shrink tubing, or made by means of reliable connectors.
- 11.4 The installation of the system is to not obstruct access to any existing component or compartment of the bus, nor restrict or obstruct any seating, standing and access spaces, including those of the bus driver.
- 11.5 The position of each camera and its camera housing is to comply with:
- (a) the requirements of ADR 42/03, which makes provision in respect of external and internal protrusions and the bus driver's field of view of traffic; and
 - (b) all relevant requirements of the *Road Transport (Vehicle Registration) Regulation 1998*.
- 11.6 All cabling is to be concealed so as to be tamper and vandal resistant.

12. Equipment Location

The connection for the portable monitor, for the purpose of clause 5.7, is to be in an accessible location.

13. Interference

The system, including, all cabling, equipment and system components, is to be installed in such a manner, or utilising such ancillary devices as may be necessary, to ensure that any other systems or equipment installed or likely to be operated on the bus (eg radios, cellular telephones, lap-top computers):

- (a) do not cause any interference to the system, and
- (b) are not subject to any interference caused by the system.

14. Serviceability

- 14.1 The system is to be designed and installed in a modular fashion such that all critical elements may be quickly and easily removed for repair and a service-exchange element installed to restore system functionality.
- 14.2 Notwithstanding the requirements of clause 14.1, all system components are to be installed in a manner which prevents their adjustment or removal without the use of specialised tools or keys.

15. Environmental Conditions

- 15.1 Buses are often parked for lengthy periods in extreme temperatures. All system components are to be capable of withstanding ambient temperatures from -15°C to 80°C for not less than 12 hours and be fully operational thereafter.
- 15.2 The camera and camera housing are not to be capable of being adversely affected by condensation arising from temperature changes and humidity.
- 15.3 The system is to be resistant to vibration, dust and moisture, so as to provide full functionality within the range of operating, cleaning and stabling conditions likely to be encountered.

Part 3 Recommended system options

16. Recording indicator

- 16.1 The system may incorporate an indicator showing separately when the system is recording and when there is either a cessation of recording or a loss of video signal from the camera to the video recorder.
- 16.2 Any recording indicator is to be interfaced with an audible enunciator to alert the bus driver to any malfunction, without causing the driver to be unduly distracted from the normal operation of the vehicle.

17. Real-time recording switch

- 17.1 The system may incorporate a readily accessible switch which can be activated to place the system into real-time recording mode, should the driver be concerned about any situation which may be occurring or be likely to occur.
- 17.2 The real-time recording switch is to be used to restore the system to time-lapse recording mode.

18. Duress alarm interface

The system may be interfaced with the bus's duress alarm system, if fitted, such that upon activation of the alarm, the system commences recording in real-time until it is reset.

19. Audio recording

- 19.1 The system may be capable of making audio recordings and video recordings simultaneously, whilst recording in real-time mode, by means of a microphone associated with the bus's duress alarm system.
- 19.2 It is to be noted that the making of any audio recording is subject to:
- (a) the *Listening Devices Act 1984*;
 - (b) the *Workplace Surveillance Act 2005*;
 - (c) any Regulations made under the above-mentioned Acts; and
 - (d) the display of appropriate notices (using words and symbols) both inside and outside the bus to the effect that passengers' conversations may be recorded at any time.

TENDERS

Department of Commerce

SUPPLIES AND SERVICES FOR THE PUBLIC SERVICE

Information in relation to the Department of Commerce proposed, current and awarded tenders is available on:

<http://www.tenders.nsw.gov.au>

PRIVATE ADVERTISEMENTS

COUNCIL NOTICES

BLACKTOWN CITY COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

BLACKTOWN CITY COUNCIL declares, with the approval of Her Excellency the Governor, that the land described in Schedule 1 below, excluding the easement described in Schedule 2 below and excluding any mines or deposits of minerals in the land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purpose of open space. Dated at Blacktown this 21st day of August 2006. RON MOORE, General Manager, Blacktown City Council, PO Box 63, Blacktown NSW 2148.

SCHEDULE 1

Lot 283, DP 1075889.

SCHEDULE 2

G419540 Easement for Transmission Line 30.48 wide.
[2317]

GREAT LAKES COUNCIL

Roads Act 1993, Section 162

Roads (General) Regulation 2000

Naming of Roads

NOTICE is hereby given that Great Lakes Council, pursuant to the aforementioned Act and Regulation, has named the roads described hereunder:

Great Lakes Council has approved the renaming of Nugra Lane, between The Branch Lane and the eastern boundary of Lot 1, DP 1063881. This section of Nugra Lane is now named 'Nugra Lane South'.

KEITH O'LEARY, General Manager, Great Lakes Council, Breese Parade, Forster NSW 2428. [2318]

KYOGLE COUNCIL

Roads Act 1993, Section 10

NOTICE is given pursuant to section 10 of the Roads Act 1993, that the land in the Schedule below is hereby dedicated as Public Road. A. PIGGOTT, Acting General Manager, Kyogle Council, PO Box 11, Kyogle NSW 2474.

SCHEDULE

Lots 4 and 5 in DP 874145, Summerland Way, Kyogle.
[2319]

TENTERFIELD SHIRE COUNCIL

Road Naming

NOTICE is hereby given that Tenterfield Shire Council, as a roads authority under Part 10, Division 4 of the Roads Act 1993 and Division 2 of the Roads (General) Regulation 2000, has named the roads described in the following table:

Proposed Road Name

Location

Saddlers Road.	From New England Highway to outer circulating road in new subdivision.
Parkes Drive.	Outer circulating road in new subdivision.
Thomas Parade.	Inner north-south road in new subdivision.
Walker Court.	Cul-de-sac in south-western corner of new subdivision.
Mackenzie Court.	Cul-de-sac in north-western corner of new subdivision.

MARK ARNOLD, General Manager, Tenterfield Shire Council, PO Box 214, Tenterfield NSW 2372. [2320]

TENTERFIELD SHIRE COUNCIL

Road Re-Naming

NOTICE is hereby given that Tenterfield Shire Council, as a roads authority under Part 10, Division 4 of the Roads Act 1993 and Division 2 of the Roads (General) Regulation 2000, has renamed the roads described in the following table:

Current Road Name	New Road Name	Location
Quarry Road.	Dairy Mountain Road.	From Scrub Road junction northwards.
Frames Road.	Jenny Lind Lane.	Left fork of existing road approx 1.2 km from Paddys Flat Road junction.

MARK ARNOLD, General Manager, Tenterfield Shire Council, PO Box 214, Tenterfield NSW 2372. [2321]

WALCHA COUNCIL

Roads (General) Regulation 2000

Naming of Roads

NOTICE is hereby given that, pursuant to section 162 of the Roads Act 1993, Walcha Council has renamed the road described hereunder:

The road currently known as Middle Street, running north of Oxley Highway, Walcha Road, to be renamed MacKay Avenue.

The above road name has been advertised and no objections to the proposed name have been received during the prescribed 28 day period. JACK O'HARA, General Manager, Walcha Council, PO Box 2, Walcha NSW 2354.

[2322]

ESTATE NOTICES

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of JUDTITH ANNE BENNETT LITTLE, late of St Ives, in the State of New South Wales, widow, who died on 21st April 2006, must send particulars of their claim to the administrators, Stuart Henry Bennett Little and Anne Caroline Bennett Little, c.o. Truman Hoyle Lawyers, Level 11, 68 Pitt Street, Sydney NSW 2000, within one (1) calendar month from the publication of this notice. After that time the assets of the estate and the property may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executor had notice. Letters of administration with the will annexed was granted in New South Wales on 4th August 2006. TRUMAN HOYLE LAWYERS, Level 11, 68 Pitt Street, Sydney NSW 2000 (DX 263, Sydney), tel.: (02) 9226 9888. Reference: SR 5160. [2323]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of MARIE-JOSE BOWDEN, late of Marsfield, in the State of New South Wales, paymistress who died on 10th May 2006, must send particulars of their claim to the executor, Warren James Bowden, c.o. CKB Partners Lawyers & Consultants, Level 8, 50 Park Street, Sydney NSW 2000, within one (1) calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution he has notice. Probate was granted in NSW on 4th August 2006. CKB PARTNERS LAWYERS & CONSULTANTS, Level 8, 50 Park Street, Sydney NSW 2000 (DX 604, Sydney), tel.: (02) 9262 7811. [2324]

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of IRENE MABEL REEVE, late 6/114 Grafton Street, Coffs Harbour, in the State of New South Wales, widow, who died on 1st August 2005, must send particulars of the claim to the executrices, Caroline Adrienne Shapley and Vivien Madeleine Mackenzie, c.o. Licardy, Harris & Company, Lawyers, Suite 507, Ground Floor, Eastpoint Tower, 180 Ocean Street, Edgecliff NSW 2027, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executrices have notice. Probate was granted in New South Wales on 27th February 2006. LICARDY, HARRIS & COMPANY, Lawyers, Suite 507, Ground Floor, Eastpoint Tower, 180 Ocean Street, Edgecliff NSW 2027. Reference: R.A. Licardy [2325]

COMPANY NOTICES

NOTICE of voluntary winding up.—OVERSEAS UNION HOLDINGS (AUST) PTY LTD, ACN 002 357 333 (in voluntary liquidation).—At a general meeting of the abovementioned company duly convened and held at Level 9, 32 Martin Place, Sydney, at 11:00 a.m., on Thursday, 29th June 2006, the following resolutions were passed: 1. Special resolution - “that the company be wound up voluntarily” and 2. “that Mr Stephen Humphrys, who has consented to act, be appointed Liquidator of the Company”. Moore Stephens Sydney Pty Limited, Chartered Accountants, Level 7, 20 Hunter Street, Sydney NSW 2000, tel.: (02) 8236 7700. [2326]