



# Government Gazette

OF THE STATE OF  
NEW SOUTH WALES

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## LEGISLATION

### Assents to Acts

#### ACTS OF PARLIAMENT ASSENTED TO

Legislative Assembly Office, Sydney 3 December 2008

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

Act No. 95 2008 – An Act to make provision for safety in the transport of dangerous goods by road and rail as part of the system of nationally consistent road and rail transport laws; and for other purposes. [**Dangerous Goods (Road and Rail Transport) Bill**]

Act No. 96 2008 – An Act to amend the Racing Administration Act 1998 and the Racing Administration Regulation 2005 with respect to the publication of betting information, the advertising of betting information and betting services and the use of race field information; and for other purposes. [**Racing Administration Amendment Bill**]

Act No. 97 2008 – An Act to make provision with respect to rail safety; to repeal the Rail Safety Act 2002; and for other purposes. [**Rail Safety Bill**]

Act No. 98 2008 – An Act to amend the Transport Administration Act 1988, the Passenger Transport Act 1990 and other Acts with respect to the corporate structure of Rail Corporation New South Wales and Sydney Ferries and the provision and regulation of rail passenger services and ferry services. [**Transport Administration Amendment (Rail and Ferry Transport Authorities) Bill**]

Act No. 99 2008 – An Act to amend the Gaming Machines Act 2001 to make further provision with respect to the regulation, control and management of gaming machines in hotels and registered clubs; and for other purposes. [**Gaming Machines Amendment Bill**]

Act No. 100 2008 – An Act with respect to the minimisation and control of graffiti; to amend the Summary Offences Act 1988 and certain other legislation; and for other purposes. [**Graffiti Control) Bill**]

Act No. 101 2008 – An Act to amend the Liquor Act 2007 to restrict the trading hours of licensed premises; to amend the Local Government Act 1993 in relation to alcohol-free zones; and for other purposes. [**Liquor Legislation Amendment Bill**]

Act No. 102 2008 – An Act to amend the Liquor Act 2007 to impose additional licence conditions in respect of certain licensed premises. [**Liquor Amendment (Special Licence Conditions) Bill**]

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

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# Proclamation

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New South Wales

## Commencement Proclamation

under the

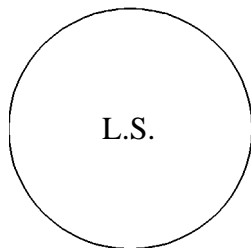
Criminal Legislation Amendment Act 2007 No 57

JAMES JACOB SPIGELMAN, Lieutenant-Governor

I, the Honourable James Jacob Spigelman AC, Lieutenant-Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 (2) of the *Criminal Legislation Amendment Act 2007*, do, by this my Proclamation, appoint 12 December 2008 as the day on which the uncommenced provisions of that Act commence.

Signed and sealed at Sydney, this 3rd day of December 2008.

By His Excellency's Command,



JOHN HATZISTERGOS, M.L.C.,  
Attorney General

GOD SAVE THE QUEEN!

### Explanatory note

The object of this Proclamation is to commence provisions of the *Criminal Legislation Amendment Act 2007* that amend the *Drug Misuse and Trafficking Act 1985* to prohibit the possession of apparatus intended to be used in the making of prohibited drugs and certain substances capable of being used to make prohibited drugs.

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## Regulations

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New South Wales

# Agricultural Industry Services (Interstate Arrangements) Further Amendment Regulation 2008

under the

Agricultural Industry Services Act 1998

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Agricultural Industry Services Act 1998*.

IAN MACDONALD, M.L.C.,  
Minister for Primary Industries

### Explanatory note

The object of this Regulation is to declare that the *Murray Valley Wine Grape Industry Development (Extra-territorial) Order 2008* made under section 8 of the *Agricultural Industry Development Act 1990* of Victoria is a recognised foundation instrument for the purposes of the *Agricultural Industry Services Act 1998*.

This Regulation is made under the *Agricultural Industry Services Act 1998*, including sections 32D and 51 (the general regulation-making power).

Clause 1      Agricultural Industry Services (Interstate Arrangements) Further  
Amendment Regulation 2008

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## **Agricultural Industry Services (Interstate Arrangements) Further Amendment Regulation 2008**

under the

Agricultural Industry Services Act 1998

### **1 Name of Regulation**

This Regulation is the *Agricultural Industry Services (Interstate Arrangements) Further Amendment Regulation 2008*.

### **2 Commencement**

This Regulation commences on 10 December 2008.

### **3 Amendment of Agricultural Industry Services (Interstate Arrangements) Regulation 2004**

The *Agricultural Industry Services (Interstate Arrangements) Regulation 2004* is amended by omitting “2004” wherever occurring in clause 5 and by inserting instead “2008”.



New South Wales

# Drug Misuse and Trafficking Amendment Regulation 2008

under the

Drug Misuse and Trafficking Act 1985

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Drug Misuse and Trafficking Act 1985*.

JOHN HATZISTERGOS, M.L.C.,  
Attorney General

## Explanatory note

Schedule 4 to the *Criminal Legislation Amendment Act 2007* (which is to commence on the same day as this Regulation), among other things, makes the following amendments to the *Drug Misuse and Trafficking Act 1985*:

- (a) section 24A of that Act is amended to provide that a person who has possession of a **precursor** (being a substance specified or described in the regulations as a precursor for the purposes of the section), or a **drug manufacture apparatus** (being an apparatus specified or described in the regulations as a drug manufacture apparatus for the purposes of the section), intended by the person for use in the manufacture or production, by that person or another person, of a prohibited drug is guilty of an offence,
- (b) section 24B is inserted into that Act to provide that a person who has in his or her possession a precursor (being a substance that is capable of being used to manufacture or produce a prohibited drug and that is specified or described in the regulations as a precursor for the purposes of the section) of a quantity not less than the quantity prescribed by the regulations in relation to that precursor is guilty of an offence.

The object of this Regulation is to amend the *Drug Misuse and Trafficking Regulation 2006* so as:

- (a) to specify a list of substances as precursors, and a list of apparatus as drug manufacture apparatus, for the purpose of the amended section 24A, and
- (b) to specify a list of substances as precursors, and prescribe quantities for those precursors, for the purposes of new section 24B.

This Regulation is made under the *Drug Misuse and Trafficking Act 1985*, including sections 24A, 24B and 45 (the general regulation-making power).

Clause 1 Drug Misuse and Trafficking Amendment Regulation 2008

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## **Drug Misuse and Trafficking Amendment Regulation 2008**

under the

Drug Misuse and Trafficking Act 1985

### **1 Name of Regulation**

This Regulation is the *Drug Misuse and Trafficking Amendment Regulation 2008*.

### **2 Commencement**

This Regulation commences on 12 December 2008.

### **3 Amendment of Drug Misuse and Trafficking Regulation 2006**

The *Drug Misuse and Trafficking Regulation 2006* is amended as set out in Schedule 1.

Drug Misuse and Trafficking Amendment Regulation 2008

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 3)

- [1] **Clause 9 Precursors and drug manufacture or production apparatus**  
Omit “Schedule 1” from clause 9 (1). Insert instead “Schedules 1 and 2”.
- [2] **Clause 9 (1A)–(1C)**  
Insert after clause 9 (1):
- (1A) The types of apparatus listed in Schedule 3 are specified as drug manufacture apparatus for the purposes of section 24A of the Act.
  - (1B) The substances listed in Column 1 of Schedule 4 are specified as precursors for the purposes of section 24B of the Act.
  - (1C) The quantities specified in Column 2 of Schedule 4 in relation to the substances specified in Column 1 of the Schedule are prescribed for the purposes of section 24B of the Act
- [3] **Clause 10 Sales and storage of Schedule 1 precursors**  
Omit “paragraph (b) or (c)” from paragraph (a) of the definition of *Schedule 1 precursor* in clause 10 (9).  
Insert instead “paragraph (b), (c) or (d)”.
- [4] **Clause 10 (9), definition of “Schedule 1 precursor”**  
Insert after paragraph (c):
- (d) Anethole.
- [5] **Schedule 1, heading**  
Omit the heading. Insert instead:
- Schedule 1 Precursors—section 24A and clause 10**
- [6] **Schedule 1**  
Insert in alphabetical order in the Schedule:
- Anethole

## Drug Misuse and Trafficking Amendment Regulation 2008

## Schedule 1 Amendments

**[7] Schedule 2, heading**

Omit the heading. Insert instead:

**Schedule 2 Precursors—section 24A and clause 11****[8] Schedule 3, heading**

Omit the heading. Insert instead:

**Schedule 3 Drug manufacture or production apparatus—section 24A and clause 11A****[9] Schedule 4**

Insert after Schedule 3:

**Schedule 4 Precursors—section 24B**

(Clause 9)

<b>Column 1</b>	<b>Column 2</b>
<b>Substance</b>	<b>Quantity</b>
Acetic anhydride	1.0L
4-Amino butanoic acid (also known as Piperidinic acid)	1.5kg
Anethole	0.1L
Boron tribromide	0.25L
Bromobenzene	0.5L
Bromo safrole	0.05L
1-Chloro-1-phenyl-2-aminopropane	0.25kg
Ethyl phenyl acetate	0.5kg
Gamma hydroxybutanoic acid (including salts) (also known as Gamma hydroxybutyric acid)	1.5L
Hydriodic acid	1.0L
4-Hydroxybutanal (also known as 4-Hydroxybutyraldehyde)	1.5L



## Drug Misuse and Trafficking Amendment Regulation 2008

## Amendments

## Schedule 1

<b>Column 1</b>	<b>Column 2</b>
<b>Substance</b>	<b>Quantity</b>
4-Hydroxy-butanoic acid nitrile (also known as 4-Hydroxybutyronitrile)	1.5L
4-Hydroxy-pentanoic acid (also known as Gamma valerolactone)	1.5L
2-Hydroxytetrahydrofuran (also known as Tetrahydro-2-furanol)	1.5L
Hypophosphite salts	0.25kg
Hypophosphorous acid	0.25L
3,4-Methylenedioxyphenylpropan-2-one (also known as 3,4-Methylenedioxy-phenyl-2-propanone)	0.05kg
N-Methylephedrine	0.25kg
Methyl phenylacetate	0.5kg
N-Methylpseudoephedrine	0.25kg
Norpseudoephedrine	0.25kg
Phenylacetamide	0.5kg
Phenylacetic acid	0.5kg
Phenylacetonitrile	0.5L
Phenylacetyl chloride	0.5L
1-Phenyl-1-propanone (also known as Phenylethylketone, Propiophenone)	0.25L
Phosphorus (red or white)	0.1kg
Phosphorous acid (also known as Phosphonic acid)	0.25L
Piperonal (also known as 3,4-Methylenedioxy-benzaldehyde or Heliotopine)	0.1kg
Pyridine	1.0L
2-Pyrrolidone (also known as Gamma butyrolactam)	1.5L
Safrole (also known as 5-(2-Propenyl)-1,3-Benzodioxide)	0.1L
Sassafras oil	0.1L



New South Wales

# Institute of Teachers Amendment (Accreditation Fees) Regulation 2008

under the

Institute of Teachers Act 2004

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Institute of Teachers Act 2004*.

VERITY FIRTH, M.P.,  
Minister for Education and Training

## Explanatory note

The object of this Regulation is to amend the *Institute of Teachers Regulation 2005* as follows:

- (a) to extend the annual fee (\$92) for teachers who are accredited to all teachers who apply for accreditation at professional competence level, professional accomplishment level or professional leadership level,
- (b) to prescribe the application fees for:
  - (i) a preliminary assessment of a teacher's level of professional accomplishment or professional leadership (\$60), and
  - (ii) accreditation of a teacher at professional accomplishment level or professional leadership level (\$550 and \$650, respectively).

This Regulation is made under the *Institute of Teachers Act 2004*, including sections 25 (Annual fee), 41 (Application fee) and 52 (the general regulation-making power).

Clause 1 Institute of Teachers Amendment (Accreditation Fees) Regulation 2008

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## **Institute of Teachers Amendment (Accreditation Fees) Regulation 2008**

under the

Institute of Teachers Act 2004

### **1 Name of Regulation**

This Regulation is the *Institute of Teachers Amendment (Accreditation Fees) Regulation 2008*.

### **2 Amendment of Institute of Teachers Regulation 2005**

The *Institute of Teachers Regulation 2005* is amended as set out in Schedule 1.

Institute of Teachers Amendment (Accreditation Fees) Regulation 2008

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 2)

### [1] Clause 6 Annual accreditation fee

Omit clause 6 (1). Insert instead:

- (1) For the purposes of section 25 (2) of the Act, the annual fee for teachers who are accredited (other than transition scheme teachers who are conditionally accredited) is \$92.

### [2] Clause 6A

Insert after clause 6:

#### **6A Application fees in relation to accreditation of teachers at higher levels**

For the purposes of section 41 of the Act, the following application fees are prescribed:

- (a) an application for preliminary assessment of an applicant's level of professional accomplishment or professional leadership:
  - (i) at professional accomplishment level—\$60, or
  - (ii) at professional leadership level—\$60,
- (b) an application for accreditation:
  - (i) at professional accomplishment level—\$550, less \$60 if the applicant has been preliminarily assessed in relation to that level within the last 3 years, or
  - (ii) at professional leadership level—\$650, less \$60 if the applicant has been preliminarily assessed in relation to that level within the last 3 years.



New South Wales

# Motor Vehicle Repairs Amendment (Evidentiary Certificates) Regulation 2008

under the

Motor Vehicle Repairs Act 1980

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Motor Vehicle Repairs Act 1980*.

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

## Explanatory note

The object of this Regulation is to prescribe certain additional officers of the Office of Fair Trading, Department of Commerce as officers who can certify that a person is, or is not, a holder of a licence or a tradesperson's certificate under the *Motor Vehicle Repairs Act 1980* in respect of any class of motor vehicle repair work. Such a certificate is admissible in evidence in any proceedings and is prima facie evidence of the matters stated in it. The Regulation also omits a reference to the holder of an office that has been abolished.

This Regulation is made under the *Motor Vehicle Repairs Act 1980*, including sections 78 and 89 (the general regulation-making power).

Clause 1 Motor Vehicle Repairs Amendment (Evidentiary Certificates) Regulation  
2008

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## **Motor Vehicle Repairs Amendment (Evidentiary Certificates) Regulation 2008**

under the

Motor Vehicle Repairs Act 1980

### **1 Name of Regulation**

This Regulation is the *Motor Vehicle Repairs Amendment (Evidentiary Certificates) Regulation 2008*.

### **2 Amendment of Motor Vehicle Repairs Regulation 1999**

The *Motor Vehicle Repairs Regulation 1999* is amended by omitting clause 18 (b) and by inserting instead:

- (b) the Assistant Commissioner, Compliance and Legal, Office of Fair Trading, Department of Commerce,
- (c) the Assistant Commissioner, Customer and Property Services, Office of Fair Trading, Department of Commerce,
- (d) the Director, Property and Licensing, Office of Fair Trading, Department of Commerce.



New South Wales

# Public Trustee Amendment Regulation 2008

under the

Public Trustee Act 1913

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Public Trustee Act 1913*.

JOHN HATZISTERGOS, M.L.C.,  
Attorney General

## Explanatory note

The *Public Trustee Regulation 2008 (the Principal Regulation)* currently provides that the trust fee to which the Public Trustee is entitled in respect of a long-term trust (being a trust, other than a charitable trust, committed to its administration or management for 2 years or more) may be paid wholly from the corpus or capital of the trust property or partly from the corpus or capital of the trust property and partly from the income of the trust property.

The object of this Regulation is to amend the Principal Regulation to provide that this trust fee may also be paid wholly from the income of the trust property.

This Regulation is made under the *Public Trustee Act 1913*, including sections 9 and 59 (the general regulation-making power).

Clause 1          Public Trustee Amendment Regulation 2008

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## **Public Trustee Amendment Regulation 2008**

under the

Public Trustee Act 1913

### **1 Name of Regulation**

This Regulation is the *Public Trustee Amendment Regulation 2008*.

### **2 Amendment of Public Trustee Regulation 2008**

The *Public Trustee Regulation 2008* is amended by inserting “, or wholly from the income,” after “corpus or capital” where firstly occurring in clause 15 (5).



# OFFICIAL NOTICES

## Appointments

### ABORIGINAL LAND RIGHTS ACT 1983

#### NOTICE

I, the Honourable Paul Lynch, M.P., Minister for Aboriginal Affairs, following approval by the New South Wales Aboriginal Land Council, do, by this notice pursuant to section 222 (1) of the Aboriginal Land Rights Act 1983 (the Act), appoint Mr Andrew BOWCHER as Administrator to the Balranald Local Aboriginal Land Council for a period of six (6) calendar months. During the period of his appointment, the Administrator will have all of the functions of a Local Aboriginal Land Council excepting those functions specified in sections 52 (2) (g) and 52 (4) (b) of the Act as specified by the agreed terms of appointment. The Administrator's remuneration and expenses are not to exceed \$60 000 excluding GST without the prior approval of NSWALC. The Administrator's remuneration may include fees payable for the services of other personnel within the Administrator's firm who provide services as agents of the Administrator.

Signed and sealed this 24th day of November 2008.

PAUL LYNCH, M.P.,  
Minister for Aboriginal Affairs

GOD SAVE THE QUEEN

### STATE EMERGENCY AND RESCUE MANAGEMENT ACT 1989

#### Revocation of Appointment of State Emergency Operations Controller

HER Excellency the Governor with the advice of the Executive Council, in pursuance of Schedule 1 (5) (2) of the State Emergency and Rescue Management Act 1989, has approved the revocation of the appointment of Deputy Commissioner, Dave OWENS, NSW Police Force, as the State Emergency Operations Controller, effective at midnight on 12 December 2008.

TONY KELLY, M.P.,  
Minister for Emergency Services

### STATE EMERGENCY AND RESCUE MANAGEMENT ACT 1989

#### Revocation of Appointment of Deputy State Emergency Operations Controller

HER Excellency the Governor with the advice of the Executive Council, in pursuance of Schedule 1 (5) (2) of the State Emergency and Rescue Management Act 1989, has approved the revocation of the appointment of Assistant Commissioner Catherine BURN, NSW Police Force, as the Deputy State Emergency Operations Controller, effective at midnight on 12 December 2008.

TONY KELLY, M.P.,  
Minister for Emergency Services

### STATE EMERGENCY AND RESCUE MANAGEMENT ACT 1989

#### Appointment of State Emergency Operations Controller

HER Excellency the Governor with the advice of the Executive Council, in pursuance of section 18 (1) of the State Emergency and Rescue Management Act 1989, has appointed Assistant Commissioner Catherine BURN, NSW Police Force, as State Emergency Operations Controller for the purposes of administering the requirements of the State Emergency and Rescue Management Act 1989, effective from midnight on 12 December 2008 until midnight 26 January 2009.

TONY KELLY, M.P.,  
Minister for Emergency Services

### STATE EMERGENCY AND RESCUE MANAGEMENT ACT 1989

#### Appointment of Deputy State Emergency Operations Controller

HER Excellency the Governor with the advice of the Executive Council, in pursuance of section 18 (1) of the State Emergency and Rescue Management Act 1989, has appointed Assistant Commissioner Denis CLIFFORD, NSW Police Force, as Deputy State Emergency Operations Controller for the purposes of administering the requirements of the State Emergency and Rescue Management Act 1989, effective from midnight on 12 December 2008 until midnight 26 January 2009.

TONY KELLY, M.P.,  
Minister for Emergency Services

### STATE EMERGENCY AND RESCUE MANAGEMENT ACT 1989

#### Revocation of Appointment of State Emergency Operations Controller

HER Excellency the Governor with the advice of the Executive Council, in pursuance of Schedule 1 (5) (2) of the State Emergency and Rescue Management Act 1989, has approved the revocation of the appointment of Assistant Commissioner Catherine BURN, NSW Police Force, as the State Emergency Operations Controller, effective on 27 January 2009.

TONY KELLY, M.P.,  
Minister for Emergency Services

### STATE EMERGENCY AND RESCUE MANAGEMENT ACT 1989

#### Revocation of Appointment of Deputy State Emergency Operations Controller

HER Excellency the Governor with the advice of the Executive Council, in pursuance of Schedule 1 (5) (2) of the State Emergency and Rescue Management Act 1989,

has approved the revocation of the appointment of Assistant Commissioner Denis CLIFFORD, NSW Police Force, as the Deputy State Emergency Operations Controller, effective on 27 January 2009.

TONY KELLY, M.P.,  
Minister for Emergency Services

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**STATE EMERGENCY AND RESCUE  
MANAGEMENT ACT 1989**

Appointment of State Emergency Operations Controller

HER Excellency the Governor with the advice of the Executive Council, in pursuance of section 18 (1) of the State Emergency and Rescue Management Act 1989, has appointed Deputy Commissioner Dave OWENS, NSW Police Force, as State Emergency Operations Controller for the purposes of administering the requirements of the State Emergency and Rescue Management Act 1989 effective on 27 January 2009.

TONY KELLY, M.P.,  
Minister for Emergency Services

**STATE EMERGENCY AND RESCUE  
MANAGEMENT ACT 1989**

Appointment of Deputy State Emergency  
Operations Controller

HER Excellency the Governor with the advice of the Executive Council, in pursuance of section 18 (1) of the State Emergency and Rescue Management Act 1989, has appointed Assistant Commissioner Catherine BURN, NSW Police Force, as Deputy State Emergency Operations Controller for the purposes of administering the requirements of the State Emergency and Rescue Management Act 1989, effective on 27 January 2009.

TONY KELLY, M.P.,  
Minister for Emergency Services

## Department of Lands

### ARMIDALE OFFICE

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

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

#### 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

<i>Column 1</i>	<i>Column 2</i>
Land District: Armidale Local Government Area: Armidale Dumaresq Council Locality: Dumaresq Reserve No. 96288 Public Purpose: Future public requirements Notified: 27 August 1982 File Reference: 08/9093	The whole being Lot 7010, DP 1056130, Parish Lookout, County Clarke of an area of about 40ha

Notes: Reserve revoked automatically to accommodate Reserve 1015929 created in its place

Disclaimer: # Please note that the above Lot numbers marked # are for Departmental use only.

#### RESERVATION OF CROWN LAND

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

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

#### SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Land District: Armidale Local Government Area: Armidale Dumaresq Council Locality: Ebor Lot 7010, DP 1056130, Parish Lookout, County Clarke Area: About 40ha File Reference: 08/9093	Reserve No. 1015929 Public Purpose: Public recreation

Notes: This reservation automatically revokes Reserve 96288 for future public requirements notified 27 August 1982

Disclaimer: # Please note that the above Lot numbers marked # are for Departmental use only.

#### 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

<i>Column 1</i>	<i>Column 2</i>
Ebor Conservation and Recreation Reserve Trust	Reserve No. 1015929 Public Purpose: Public recreation Notified: This day File Reference: 08/9093

#### APPOINTMENT OF TRUST BOARD MEMBERS

PURSUANT to section 93 of the Crown Lands Act 1989, the persons whose names are specified in Column 1 of the Schedule hereunder are appointed, for the terms of office specified in that Column, as members of the trust 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

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Terrence John LARSEN (new member) Donald James GERRARD (new member) Lorraine Ann OSBORN (new member) Quentin William BRAUND (new member) For a term commencing this day and expiring 31 December 2012.	Ebor Conservation and Recreation Reserve Trust	Reserve No. 1015929 Public Purpose: Public recreation Notified: This day File Reference: 08/9093

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

**APPOINTMENT OF TRUST BOARD MEMBERS**

PURSUANT to section 93 of the Crown Lands Act 1989, the persons whose names are specified in Column 1 of the Schedule hereunder are appointed, for the terms of office specified in that Column, as members of the trust 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**

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Reginald John SWEENEY (re-appointment)	Merrygoen Bush Fire Brigade Reserve Trust	Reserve No. 97636 Public Purpose: Bush Fire Brigade Purposes Notified: 28 December 1984 File Ref.: DB81 R 170
Joel Wesley BENNETTS (re-appointment)		
Kylie Anne BENNETTS (re-appointment)		
Kenneth William RAWLING (re-appointment)		
For a term commencing 5 December 2008 and expiring 4 December 2013		

**SCHEDULE**

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Stuart CURTIS (new member)	Leadville Recreation Reserve Trust	Dedication No. 520079 Public Purpose: Public Recreation Notified: 17 October 1896 File Ref.: DB81 R 66/3
Janelle CURTIS (new member)		
Janice Joyce OWEN (re-appointment)		
Michael John MILLER (new member)		
For a term commencing 5 December 2008 and expiring 4 December 2013.		

**NOTIFICATION OF CLOSING OF ROADS**

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

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

**Description**

*Land District – Warren;*  
*Council – Warren;*  
*Parish – Tabratong;*  
*County – Oxley*

Roads Closed: Lot 1, DP 1132228. File Reference:  
DB05 H 58

Note: On closing, the land within Lot 1 in DP 1132228 remains vested in the State of New South Wales as Crown land.

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

**APPOINTMENT OF TRUST BOARD MEMBERS**

PURSUANT to section 93 of the Crown Lands Act 1989, the persons whose names are specified in Column 1 of the Schedule hereunder are appointed, for the terms of office specified in that Column, as members of the trust 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

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Paul BAYLISS (re-appointment)	Bungonia Park Trust	Reserve No. 35559 Public Purpose: Public Recreation Notified: 10 January 1903 File Reference: 08/8216/1
Julia Ruth McKAY (new member)		
Rosalind Julie DOBBIE (new member)		
John William DOBBIE (new member)		

For a term commencing  
 19 December 2008 and  
 expiring 18 December 2013.

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

**PLAN OF MANAGEMENT FOR CROWN  
RESERVES UNDER DIVISION 6 OF PART 5  
OF THE CROWN LANDS ACT 1989 AND  
CROWN LANDS REGULATION 2006**

A draft plan of management has been prepared for the Crown reserves described hereunder, which are under the trusteeship of the Tabulam Racecourse Trust.

The draft plan may be inspected during normal business hours at:

Department of Lands,  
76 Victoria Street, Grafton NSW;  
Kyogle Council Chambers,  
1 Stratheden Street, Kyogle NSW;  
Tabulam Rural Agents,  
8611 Bruxner Highway, Tabulam NSW.

The draft plan may also be viewed on the Department of Lands website: [www.lands.nsw.gov.au](http://www.lands.nsw.gov.au).

Representations in relation to the draft plan are invited from the public. These may be made in writing for a period of 43 days commencing 5 December 2008 and should be sent to the Manager, Land Management, Department of Lands, PO Box 272, Grafton NSW 2460.

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

Description of Reserves

*Land District – Casino;  
Parish – Tabulam;  
Local Government Area – Kyogle;  
County – Drake*

1. Tabulam Racecourse dedicated by notification in the *New South Wales Government Gazette* of 26 September 1896, comprising Lot 34, DP 752397.

Public Purpose: Racecourse.

2. Tabulam Riverside Reserve being Reserve 84819, notified in the *New South Wales Government Gazette* of 26 March 1964, comprising Lots 7015 and 7016, DP 1026322.

Public Purpose: Public recreation and access.

Location: Tabulam NSW. File No.: 08/5610.

**APPOINTMENT OF ADMINISTRATOR TO  
MANAGE A RESERVE TRUST**

PURSUANT to section 117, Crown Lands Act 1989, the person specified in Column 1 of the Schedule hereunder, is appointed as administrator for the term also specified, 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

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Peter John PAINTER.	Cedar Point Public Hall Reserve Trust.	Reserve No.: 58107. Public Purpose: Public hall. Notified: 26 June 1925. File No.: GF81 R 272/2.

For a term commencing the date of this notice and expiring 4 June 2009.

**ASSIGNMENT OF CORPORATE NAME OF  
RESERVE TRUST**

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

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Nambucca Heads Boy Scouts (R97355) Reserve Trust.	Reserve No.: 97355. For: Boys Scouts. Notified: 20 July 1984. File No.: 08/6533.

**NOTIFICATION OF CLOSING OF ROAD**

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

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

Description

*Land District – Casino;  
LGA – Lismore*

Road Closed: Lot 1, DP 1131033 at McKees Hill, Parish North Codrington, County Rous. File Reference: GF05 H 339

Schedule

On closing, the land within Lot 1, DP 1131033 remains vested in the State of New South Wales as Crown Land.

Description

*Land District – Grafton;  
LGA – Clarence Valley*

Road Closed: Lots 3, 4, DP 869926 at Dundurrabin, Parish Blinks, County Fitzroy. File Reference: GF96 H 233

## Schedule

On closing, the land within Lots 3, 4, DP 869926 will vest in the State of New South Wales as Crown Land.

## Description

*Land District – Lismore;  
LGA – Lismore*

Road Closed: Lot 1, DP 1125434 at Lindendale, Parish Lismore, County Rous. File Reference: GF05 H 932

## Schedule

On closing, the land within Lot 1, DP 1125434 remains vested in the State of New South Wales as Crown Land.

## Description

*Land District – Grafton;  
LGA – Clarence Valley*

Road Closed: Lot 1, DP 1131918 at Fortis Creek, Parish Chapman, County Clarence. File Reference: GF05 H 353

## Schedule

On closing, the land within Lot1, DP 1131918 remains vested in the State of New South Wales as Crown Land.

## ROADS ACT 1993

## ORDER

## Transfer of a Crown Road to a Council

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

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

## SCHEDULE 1

*Parish – Nullum;  
County – Rous;  
Land District – Murwillumbah;  
Shire – Tweed Shire Council*

Crown public road within Lot 1, DP 260307, within Lot 11 and separating Lot 11, DP 871071 from Lot 1, DP 789852.

Width to be Transferred: 20.115

## SCHEDULE 2

Roads Authority: Tweed Shire Council  
Department of Lands Reference: 07/5401

**GRIFFITH OFFICE**  
**2nd Floor, Griffith City Plaza,**  
**120–130 Banna Avenue (PO Box 1030), Griffith NSW 2680**  
**Phone: (02) 6960 3600 Fax: (02) 6962 5670**

**RESERVATION OF CROWN LAND**

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

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Land District: Coleambally.	Reserve No.: 1016628.
Local Government Area: Murrumbidgee Shire Council.	Public Purpose: Travelling stock.
Locality: Coleambally.	
Lot 24, DP 750874, Parish Boona, County Boyd;	
Lot 4, DP 1097932, Parish Waddi, County Boyd;	
Lot 2, DP 217840, Parish Boona, County Boyd.	
Area: About 166.5 hectares.	
File No.: 08/2239/1.	

**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. Upon closing, title to the land, comprising the former public road, vests in the body specified in the Schedule hereunder.

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

SCHEDULE

*Parish – Narrandera;*  
*County – Cooper;*  
*Land of District – Narrandera;*  
*L.G.A. – Narrandera*

Road Closed: Lot 1 in DP 1131651. File No.: 08/1177 (MR).

Note: On closing, title to the land comprised in Lot 1 remains vested the Crown as Crown Land.

**NOTIFICATION VESTING CARE CONTROL AND  
 MANAGEMENT OF A RESERVE IN A RURAL  
 LANDS PROTECTION BOARD**

IN pursuance of the provisions of section 85 (1) of the Rural Lands Protection Act 1998, care control and management of the reserve specified hereunder is placed under the control of the Rural Lands Protection Board for the Rural Lands Protection District as from the date of this notification.

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

Description

Lot 24, DP 750874 and Lot 2, DP 217840, Parish of Boona, County of Boyd.

Lot 4, DP 1097932, Parish of Waddi, County of Boyd.

Local Government Area: Murrumbidgee Shire Council.

Land District: Coleambally.

Reserve 1016628 for travelling stock, notified this day is hereby placed under the control of the Narrandera Rural Lands Protection Board. File No.: 08/2239.



**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

Description

*Land District – Hay;*  
*L.G.A. – Hay*

Road closed: Lot 3, DP 1126404, Parish of Warrigal, County of Sturt. File Reference: HY90 H 347

Note: On closing, title for the land within Lot 3, DP 1126404 remains vested in the State of New South Wales as Crown Land.

Description

*Land District – Hay;*  
*L.G.A. – Murrumbidgee*

Road closed: Lot 1, DP 1127712, Parish of Mulburruga, County of Boyd and Lot 1, DP 1123850, Parish of Eilginbah, County of Boyd. File Reference: HY04 H 127

Note: On closing, title for the land within Lot 1, DP 1127712 and Lot 1, DP 1123850 remain vested in the State of New South Wales as Crown Land.

Description

*Land District – Deniliquin;*  
*L.G.A. – Conargo*

Road closed: Lot 1, DP 1127723, Parish of Nardoo, County of Townsend. File Reference: HY86 H 239

Note: On closing, title for the land within Lot 1, DP 1127723 remains vested in the State of New South Wales as Crown Land.

Description

*Land District – Deniliquin;*  
*L.G.A. – Berrigan*

Road closed: Lot 1, DP 1116843, Parish of Barooga, County of Denison. File Reference: HY05 H 29

Note: On closing, title for the land within Lot 1, DP 1116843 remains vested in the State of New South Wales as Crown Land.

**MAITLAND OFFICE****Corner Newcastle Road and Banks Street (PO Box 6), East Maitland NSW 2323****Phone: (02) 4937 9300 Fax: (02) 4934 2252****PLAN OF MANAGEMENT FOR  
CROWN RESERVE UNDER DIVISION 6 OF  
PART 5 OF THE CROWN LANDS ACT 1989  
AND CROWN LANDS REGULATION 2006**

A Draft Plan of Management has been prepared by the Department of Lands and Newcastle City Council for the Crown reserves described hereunder that are under the trusteeship of Newcastle City Council and Newcastle City Council Community Lands that comprises Merewether foreshore.

Inspection of the draft plan can be made at Newcastle City Council, Administration Building, 282 King Street Newcastle, Newcastle Region Library Laman Street, Newcastle, Merewether Surf Lifesaving Club, John Parade, Merewether and the Department of Lands Cnr Newcastle Road and Banks Street, East Maitland, during normal business hours. The plan may also be viewed at [www.lands.nsw.gov.au](http://www.lands.nsw.gov.au).

The Draft Plan will be on exhibition from 6 December 2008 until 9 February 2009. Comments on the draft plan are invited from the public and may be submitted in writing to The General Manager, Attention Rachel McConkey, Newcastle City Council, PO Box 489, Newcastle NSW 2300 or email [mail@ncc.nsw.gov.au](mailto:mail@ncc.nsw.gov.au)

Further inquiries may be made with Fiona Leatham, Council's Principal Strategist, City Coast & Estuary on 4974 2886.

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

## Description of Lands

*Land District – Newcastle  
Council Area – Newcastle  
Parish – Newcastle  
County - Northumberland*

R56881 for Public Recreation  
R570089 for Public Recreation  
Pt Reserve 1011268 for future public requirements

Being  
Lots 10 and 12, DP 1129519  
Lots 100 and 101, DP1130581  
Merewether Baths Crown Land – part bed of South Pacific Ocean

Location: Merewether Beach  
File No.: 07/5247

**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 – Maitland;  
County – Northumberland;  
Land District – Maitland;  
Local Government Area – Maitland*

Road Closed: Lot 1, DP 1132502 at Rutherford. File No.: MD05 H 125.

Note: On closing, the land within Lot 1, DP 1132502 will remain vested in the Crown as Crown Land.

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

**APPOINTMENT OF TRUST BOARD MEMBERS**

PURSUANT to section 93 of the Crown Lands Act 1989, the persons whose names are specified in Column 1 of the Schedule hereunder, are appointed for the terms of office specified, 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**

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Julie NASH (new member), Sam DAVIS (new member), Suzanne FOULKES (new member), Karen Lynette JOYNES (re-appointment), Annie Elizabeth Francis RAY (re-appointment), Robert Alexander SUMMERS (re-appointment), Alan Francis RAY (re-appointment).	Bermagui Flora and Fauna Reserve Trust.	Reserve No.: 88847. Public Purpose: Preservation of fauna and preservation of native flora. Notified: 16 February 1973. File No.: NA80 R 24.

**Term of Office**

For a term of 5 years commencing 12 December 2008 and expiring 11 December 2013.

**NOTIFICATION OF CLOSING OF ROAD**

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

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

**Description**

*Land District – Nowra;*  
*L.G.A. – Shoalhaven City*

Lot 1, DP 1130366 at Kangaroo Valley, Parish Bugong and County Camden. File No.: NA06 H 78.

Note: On closing, the land remains vested in the Crown as Crown Land.

**APPOINTMENT OF TRUST BOARD MEMBERS**

PURSUANT to section 93 of the Crown Lands Act 1989, the persons whose names are specified in Column 1 of the Schedule hereunder are appointed, for the terms of office specified in that Column, as members of the trust 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**

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Trevor HILTON (new member) Michael SANDLING (new member) David John HEDE (new member) Gary KENT (re-appointment) Neil Arthur DAWSON (re-appointment) David John SMITH (re-appointment) Maria KING (re-appointment)	Pambula Recreation Reserve Trust	Reserve No. 89209 Public Purpose: Showground, public recreation Notified: 31 May 1974 File Ref.: NA79 R 162/1

For a term commencing  
19 December 2008 and  
expiring 18 December 2013

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

**APPOINTMENT OF TRUST BOARD MEMBERS**

PURSUANT to section 93 of the Crown Lands Act 1989, the persons whose names are specified in Column 1 of the Schedule hereunder, are appointed for the terms of office specified, 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

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Tina SLATTERY (new member), Raymond Charles FITZPATRICK (new member), Graham FISHER-SMITH (re-appointment), Ian Warwick ARMSTRONG (re-appointment).	Edith Recreation Reserve Trust.	Reserve No.: 44182. Public Purpose: Public recreation. Notified: 28 July 1909. File No.: OE81 R 1.

Term of Office

For a term commencing 28 November 2008 and expiring 27 November 2013.

**NOTIFICATION OF CLOSING OF PUBLIC ROAD**

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

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

SCHEDULE

Description

*Parish – Yetholme;*  
*County – Roxburgh;*  
*Land District – Bathurst;*  
*L.G.A. – Bathurst Regional*

Road Closed: Lots 5, 6 and 11 in Deposited Plan 1130529.  
File No.: OE05 H 388 and 07/5605.

Note: On closing, the land within Lots 5, 6 and 11, DP 1130529 remains vested in Bathurst Regional Council as operational land for the purposes of the Local Government Act 1993.

Council Reference: 25.00270.

**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

<i>Column 1</i>	<i>Column 2</i>
Land District: Rylstone Local Government Area: Lithgow City Council Locality: Coorongooba Reserve No. 95117 Public Purpose: Future Public Requirements Notified: 5 June 1981 File Reference: OE04 H 519	The whole being Lot 30, DP 753777, Parish Coorongooba, County Hunter of an area of 17.81ha

Note: conversion of crown leasehold land to freehold

**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

<i>Column 1</i>	<i>Column 2</i>
Land District: Rylstone Local Government Area: Mid-Western Regional Council Locality: Wells Reserve No. 80304 Public Purpose: Soil Conservation Notified: 24 January 1958 Lot 163, DP 755765, Parish Clandulla, County Roxburgh Lot 30, DP 753777, Parish Coorongooba, County Hunter Lot 64, DP 755775, Parish Ganguddy, County Roxburgh File Reference: OE04 H 519	The part being Lot 30, DP 753777, Parish Coorongooba, County Hunter of an area of 17.81ha

Note: Conversion of crown leasehold land to freehold

**ROADS ACT 1993****ORDER**

Transfer of Crown Road to Council

IN pursuance of the provisions of section 151, Roads Act 1993, the Crown public roads specified in Schedule 1 are transferred to the Roads Authority specified in Schedule 2 hereunder, as from the date of publication of this notice and as from that date, the roads specified in Schedule 1 cease to be Crown public roads.

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

**SCHEDULE 1**

*Parish – Ganguddy;  
County – Roxburgh;  
Land District – Rylstone*

Road through Lots 21, 22, 23, 24 and 41, DP 755775; road north Lots 24, PT25, 11 and 12, DP 755775; road east Lots 11 and 12, DP 755775.

**SCHEDULE 2**

Roads Authority: Mid-Western Regional Council.

Department File: 08/9960.

**SCHEDULE 1**

*Parish – Wollar; County – Phillip; Land District – Mudgee*

Road west Lot 85, DP 755455; road west and north (variable width) Lot 78, DP 755455; road north Lot 48, DP 250054 (easternmost 455 metres); road east Lots 48 and 49, DP 250054; road east Lot 50, DP 250054 (northernmost 122 metres).

**SCHEDULE 2**

Roads Authority: Mid-Western Regional Council.

Department File: 08/9959.

**SCHEDULE 1**

*Parish – Biraganbil;  
County – Wellington;  
Land District – Mudgee*

The southernmost road through Lot 117, DP 756865 (east-west direction).

**SCHEDULE 2**

Roads Authority: Mid-Western Regional Council.

Department File: 08/9957.

**SCHEDULE 1**

*Parish – Derale;  
County – Phillip;  
Land District – Mudgee*

Road west Lots 61, 62 and 72, DP 755427; road through Lot 37, DP 755427 and Lot 2, DP 711827; road east Lot 2, DP 711827 and Lot 1, DP 794663; road along the north-western boundary of Lot 7001, DP 1050634, Lot 103, DP 44849 and Lot 7004, DP 1050632; road north-east and through Lot 2, DP 1029859 (excluding the southernmost 362 metres).

**SCHEDULE 2**

Roads Authority: Mid-Western Regional Council.

Department File: 08/9964.

**SCHEDULE 1**

*Parish – Walberton, Stewart and Warrangunia;  
County – Roxburgh;  
Land District – Bathurst*

Road east Lot 1, DP 1020100, Lot 3, 28 and 41, DP 755797, Lot 12, DP 1059230, Lot 184, DP 755799; road west Lot 20, DP 755791, Lot 30, DP 755797, Lot 1, DP 131485, Lot 183, DP 755799 (southernmost 286 metres only, including the intersection with the northeast road through Lot 11, DP 1059230), Lot 2, DP 818931 (northernmost 68 metres); road south Lot 184 and 185, DP 755799, Lot 110, DP 862789 (easternmost 402 metres, including the intersection with the public road opened vide DP 862789 through Lot 113, DP 862789); road southeast Lot 1 and 6, DP 1015845 (excluding the public road opened vide DP 1015845), Lot 30, DP 755797, Lot 11, DP 1059230, Lot 110, DP 862789 (separating from Lot 2, DP 818931 and Lot 2, DP 569979); westernmost road through Lot 1, DP 1015845 (excluding the public road opened vide DP 1015845); road northwest Lot 221, DP 1005241 (excluding the public road opened vide DP 1005241); south-eastern and north-eastern roads through Lot 11, DP 1059230; road through Lot 16, DP 755797; road north Lot 111, DP 862789, Lot 113, DP 862789 (westernmost 357 metres); road west and through Lot 113, DP 862789 (northernmost 217 metres, including the intersection with the public road through Lot 113, opened vide DP 862789).

**SCHEDULE 2**

Roads Authority: Mid-Western Regional Council.

Department File: 08/9962.

**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**

**DRAFT PLAN OF MANAGEMENT FOR  
CROWN LANDS AT MUDDY CREEK  
UNDER PART 5, DIVISION 6 OF THE  
CROWN LANDS ACT 1989 AND  
CROWN LANDS REGULATION 2006**

A draft plan of management has been prepared for Muddy Creek at Banksia and Kyeemagh. The study area includes Crown lands, being part Reserve 62644 for Public Recreation at Barton Park and part Reserve 1011268 for Future Public Requirements, being submerged Crown land known as Muddy Creek. Barton Park is under the trust management of Rockdale City Council and Muddy Creek is managed by the Department of Lands.

The draft plan can be viewed at the Department of Lands, Head Office, 3rd floor, 1 Prince Albert Road Queens Square Sydney, the Department of Land's website: <<http://www.lands.nsw.gov.au>, Rockdale City Council's Customer Service Centre 2 Bryant Street Rockdale during normal business hours, Rockdale Library and council web site, <http://www.rockdale.nsw.gov.au>.

The public are invited to make representations on the draft plan. The plan will be on exhibition from Friday 5 December 2008 for two months. Submissions will be received up until 3 February 2009 and should be sent to Regional Manager Department of Lands PO Box 3935 Parramatta NSW 2124 or by email to [ian.ferguson@lands.nsw.gov.au](mailto:ian.ferguson@lands.nsw.gov.au)

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

**DESCRIPTION OF RESERVES**

*Land District – Metropolitan  
LGA – Rockdale  
Parish – St George  
County – Cumberland*

Crown Reserve: Part Crown Reserve 62644 gazetted 24 April 1931 for the public purpose of Public Recreation and part Crown Reserve 1011268 gazetted 3 February 2006 for the public purpose of Future Public Requirements and known as Muddy Creek.

Location: Banksia and Kyeemagh. File No.: 08/1716

**TAMWORTH OFFICE**  
**25-27 Fitzroy Street (PO Box 535), Tamworth NSW 2340**  
**Phone: (02) 6764 5100 Fax: (02) 6766 3805**

**NOTIFICATION OF CLOSING OF A ROAD**

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

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

Description

*Locality – Yannergee and Premer;  
Land District – Gunnedah;  
L.G.A. – Liverpool Plains*

Road Closed: Lot 1 in Deposited Plan 1130382, Parish Mema and Lawson, County Pottinger. File No.: 08/0740.

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

Description

*Locality – Rushes Creek;  
Land District – Tamworth;  
L.G.A. – Tamworth Regional*

Road Closed: Lot 1 in Deposited Plan 1132078, Parish Baldwin, County Darling. File No.: 07/6102.

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

**ROADS ACT 1993**

**ORDER**

Transfer of Crown Road to Council

IN pursuance of provisions of section 151, Roads Act 1993, the Crown public roads specified in Schedule 1 are transferred to the Roads Authority specified in Schedule 2 hereunder, as from the date of publication of this notice and as from that date, the roads specified in Schedule 1 cease to be Crown public road.

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

**SCHEDULE 1**

*Parish – Ghoolendaadi;  
County – Pottinger;  
Land District – Gunnedah;  
L.G.A. – Gunnedah*

Crown public road separating PT91 in DP 755501 from Lot 4 in DP 235576.

**SCHEDULE 2**

Roads Authority: Gunnedah Shire Council. File No.: 08/1179.

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

**NOTIFICATION OF CLOSING OF ROAD**

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

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

Description

*Land District – Port Macquarie;*  
*LGA – Port Macquarie-Hastings*

Road Closed: Lot 1, DP 1128527 at King Creek, Parish Burrawan, County Macquarie. File Reference: TE05 H 203

SCHEDULE

On closing, the land within Lot 1, DP 1128527 remains vested in the State of New South Wales as Crown Land.

**WAGGA WAGGA OFFICE**

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

**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 – Savernake;*  
*County – Denison;*  
*Land District – Corowa;*  
*Shire – Corowa*

Road Closed: Lot 1 in DP 1130011 at Savernake. File No. WA06 H 287

Note: On closing, the land within Lot 1 in DP 1130011 remains vested in the State of New South Wales as Crown land.

Description

*Parish – Turramia;*  
*County – Denison;*  
*Land District – Corowa;*  
*Shire – Corowa*

Road Closed: Lot 1 in DP 1128197 at Mulwala. File No. WA05 H 457

Note: On closing, the land within Lot 1 in DP 1128197 remains vested in the State of New South Wales as Crown land.

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

**RURAL LANDS PROTECTION ACT 1998**

I, Anthony Bernard Kelly, being the Minister administering the Crown Lands Act 1989, do hereby order that pursuant to section 129 of the Rural Lands Protection Act 1998, the establishment of the stock watering place (SWP) 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

*Column 1*

Stock Watering Place No. 1032  
Gazette: 8 June 1945  
Locality: Tibooburra  
Administrative District:  
Unincorporated Area  
Parish: Whyjonta  
County: Yantara  
File Ref: WL86 R 102

Stock Watering Place No. 235  
Gazette: 20 October 1896

Locality: Wanaaring  
Administrative District:  
Unincorporated Area  
Parish: Urisino  
County: Ularara

Stock Watering Place No. 749  
Gazette: 15 October 1915

Locality: Tibooburra  
Administrative District:  
Unincorporated Area  
Parish: Tooncurrie  
County: Tongowoko  
File Ref: WL98 R 528 & 529

File Ref: 08/3576

*Column 2*

That part within Lot 14,  
DP 1131496  
for an area of 2.656 ha.

Those parts within Lots 29  
and 31 in DP 1131496  
for an area of 6.927 ha.

Those parts within Lots 39  
and 40 in DP 1131496  
for an area of 11.59 ha.

**ERRATUM**

IN the *Government Gazette* of 6 June 2008, folio 4686 under the heading "Withdrawal of Lands from Western Lands Leases", the reference in Column 5 of the Schedule to the area 29045 should have read 29032.

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

**ERRATUM**

IN the *Government Gazette* of 6 June 2008, folio 4686 under the heading "Withdrawal of Lands from Western Lands Leases", the reference in Column 5 of the Schedule to the area 38639 should have read 38637.

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

**DEDICATION OF CROWN LAND AS  
PUBLIC ROAD**

PURSUANT to section 12 of the Roads Act 1993, the Crown land described in Schedule 1 hereunder is, from the date of publication of this notice, dedicated as public road. The public road hereby dedicated is declared not to be Crown road within the meaning of the Roads Act 1993.

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

## Description

*Parish – Tanyarto;*  
*County – Farnell;*  
*Administrative District – Broken Hill;*  
*Unincorporated Area*

## SCHEDULE 1

Lot 1, DP 1131496; Lot 13, DP 1131496; Lot 14, DP 1131496; Lot 15, DP 1131496; Lot 16, DP 1131496; Lot 19, DP 1131496; Lot 20, DP 1131496; Lot 21, DP 1131496; Lot 26, DP 1131496; Lot 29, DP 1131496; Lot 30, DP 1131496; Lot 31, DP 1131496; Lot 39, DP 1131496; Lot 40, DP 1131496;

Note: Affected parts of Crown reserves 11335, 71540, 14205, 14206, 24439, 21062, 21063, 50903 and 50905 are hereby revoked. File Ref: 08/3576

**ERRATUM**

IN the notification appearing in the *Government Gazette* of 6 June, 2008, Folio 4685, appearing under the heading "Granting of a Western Lands Lease", the term of Western Lands Lease 14890 should read from "29 May, 2008" to "28 May, 2028".

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

**ERRATUM**

IN the *Government Gazette* of 30 May 2008, folio 4057 under the heading "Withdrawal of Lands from Western Lands Leases", the reference in Column 5 of Schedule 1, to the area 29032 should have read 29122.

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



**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 of the lands specified in the following Schedule have been granted to the undermentioned persons.

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 such leases are those Conditions published in the *Government Gazette* of 25 May 2007, Folios 2974-2975.

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

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

*Administrative District – Walgett North;  
Shire – Walgett;  
Parish – Wallangulla/Mebea;  
County – Finch*

WLL No.	Name of Lessee	File No.	Folio identifier	Area m <sup>2</sup>	Term of Lease	
					From	To
WLL 16138	Gregory BATEUP	08/5869	112/1120765	1914	25-Nov-2008	24-Nov-2028
WLL 16242	Harald DRAEGER	08/10366	3003/1123921	1823	27-Nov-2008	26-Nov-2028
WLL 16179	Radosav JOVIC	08/6819	144/1120765	2500	28-Nov-2008	27-Nov-2028
WLL 16043	Reginald Francis and Aileen Fay PROCTER	08/4186	40/1120765	2468	28-Nov-2008	27-Nov-2028
WLL 15076	William SMITH	08/1246	256/1076808	2525	28-Nov-2008	27-Nov-2028
WLL 15072	Gwendoline Margaret ROACH	08/1217	157/1073508	2643	28-Nov-2008	27-Nov-2028
WLL 15034	Alexander James WOTHERSPOON	07/5981	207/1076808	2673	28-Nov-2008	27-Nov-2028
WLL 15026	Terrance David WRIGHT	07/5666	131/1076808	2994	28-Nov-2008	27-Nov-2028
WLL 16238	James McFARLANE	08/10136	316/1076808	1904	2-Dec-2008	1-Dec-2028

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# Department of Planning

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## ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

### Instrument of Delegation

I, the Minister for Planning and the Minister administering the Environmental Planning and Assessment Act 1979 (“EP&A Act”), pursuant to section 23 of the EP&A Act, delegate to the Planning Assessment Commission (“the Commission”), the powers and functions listed in Schedule 1 to this Instrument in relation to project applications specified in Schedule 2 of this Instrument, subject to the terms, limitations and restrictions specified in Schedule 3 to this Instrument.

Dated this 18th day of November 2008.

The Hon. KRISTINA KENEALLY, M.P.,  
Minister for Planning

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### SCHEDULE 1

My powers and functions under section 75J and 75JA of the EP&A Act.

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### SCHEDULE 2

Project applications lodged before or after the date of this Instrument:

1. in relation to which a statement has been made disclosing a reportable political donation; or
2. that relate to the carrying out of development within the boundaries of the State electoral district represented by the Minister for Planning (where the Minister is a member of the Legislative Assembly); or
3. that relate to the carrying out of development in which the Minister for Planning has a pecuniary interest; other than a project application for an infrastructure project where the proponent is a public authority, other than a local authority.

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### SCHEDULE 3

Where the Commission proposes to impose a condition on an approval which would require a proponent to enter into a voluntary planning agreement to which the Minister for Planning or the Corporation is a party, the Commission must consult with the Minister for Planning in relation to any such condition before determining the project application.

#### Definitions:

Corporation is the corporation sole incorporated under section 8 of the EP&A Act.

Electoral district is the relevant district as proclaimed under section 15 of the Parliamentary Electorates and Elections Act 1912.

Major infrastructure development has the same meaning as in section 75A of the EP&A Act.

Pecuniary interest is an interest that the Minister is required to, or otherwise discloses in a primary, ordinary or discretionary return made under the Constitution (Disclosures by Members) Regulation 1983.

Project applications are applications made under section 75E of the EP&A Act.

Proponent has the same meaning as in section 75A of the EP&A Act.

Public authority has the same meaning as in section 4 of the EP&A Act.

Statement is statement of a disclosure required to be made under section 147(3)(a) of the EP&A Act required to be made in accordance with section 147(6) of the EP&A Act.

#### Note:

This instrument of delegation does not apply to:

- concept plan applications, or
- project applications for project that has been declared to be a critical infrastructure project, as provided by section 23(8) of the EP&A Act.



New South Wales

## **State Environmental Planning Policy (Major Projects—North Cooranbong) Amendment 2008**

under the

Environmental Planning and Assessment Act 1979

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979* in accordance with the recommendation made by the Minister for Planning. (S08/00728-1:MA)

KRISTINA KENEALLY, M.P.,  
Minister for Planning

Clause 1 State Environmental Planning Policy (Major Projects—North Cooranbong)  
Amendment 2008

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## **State Environmental Planning Policy (Major Projects— North Cooranbong) Amendment 2008**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of Policy**

This Policy is *State Environmental Planning Policy (Major Projects—North Cooranbong) Amendment 2008*.

### **2 Aims of Policy**

The aims of this Policy are to amend the *Lake Macquarie Local Environmental Plan 2004*:

- (a) to establish appropriate zoning controls on land to which this Policy applies, and
- (b) to provide for appropriate development on that site that is consistent with the principles of ecologically sustainable development, and
- (c) to require satisfactory arrangements to be made for the provision of designated State public infrastructure before the subdivision of land to which this policy applies to satisfy needs that arise from development on the land, but only if the land is developed intensively for urban purposes, and
- (d) to implement those aspects of the Lower Hunter Regional Strategy, published in the document of that name by the Department of Planning, October 2006, that relate to that site.

### **3 Land to which Policy applies**

This Policy applies to certain land at North Cooranbong, as shown edged heavy red on the map marked “State Environmental Planning Policy (Major Projects—North Cooranbong) Amendment 2008—North Cooranbong Land Application Map” deposited in the office of the Council of the City of Lake Macquarie.

### **4 Amendment of Lake Macquarie Local Environmental Plan 2004**

*Lake Macquarie Local Environmental Plan 2004* is amended as set out in Schedule 1.

State Environmental Planning Policy (Major Projects—North Cooranbong)  
Amendment 2008

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 4)

### [1] Clause 55 Acquisition of land required for community purposes

Insert at the end of the clause:

**Note.** If land, other than land shown cross-hatched on the map, is required to be acquired under the owner-initiated acquisition provisions, the Minister for Planning is required to take action to enable the designation of the acquiring authority. Pending the designation of the acquiring authority for that land, the acquiring authority is to be the authority determined by order of the Minister for Planning (see section 21 of the *Land Acquisition (Just Terms Compensation) Act 1991*).

### [2] Clause 62 Public infrastructure in urban release areas

Insert after clause 62 (4):

(4A) *State Environmental Planning Policy No 1—Development Standards* does not apply to the subdivision of land to which subclause (4) applies.

### [3] Clause 62 (8), definition of “designated State public infrastructure”

Insert “, bus services” after “bus interchanges” in paragraph (b).

### [4] Clause 62 (8), definition of “urban release area”

Insert at the end of the definition:

State Environmental Planning Policy (Major Projects—North Cooranbong) Amendment 2008—North Cooranbong Urban Release Area Map

### [5] Dictionary

Insert in alphabetical order in the definition of *the map*:

State Environmental Planning Policy (Major Projects—North Cooranbong) Amendment 2008—North Cooranbong Land Zoning Map



New South Wales

## **State Environmental Planning Policy (Major Projects) 2005 (Amendment No 22)**

under the

Environmental Planning and Assessment Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979* in accordance with the recommendation made by the Minister for Planning. (S07/00744-1)

KRISTINA KENEALLY, M.P.,  
Minister for Planning

Clause 1 State Environmental Planning Policy (Major Projects) 2005 (Amendment No 22)

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## **State Environmental Planning Policy (Major Projects) 2005 (Amendment No 22)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of Policy**

This Policy is *State Environmental Planning Policy (Major Projects) 2005 (Amendment No 22)*.

### **2 Aims of Policy**

The aims of this Policy are:

- (a) to identify the land to which this Policy applies (being the Greystanes Southern Employment Lands site) as a State significant site under *State Environmental Planning Policy (Major Projects) 2005*, and
- (b) to establish appropriate zoning and other development controls for that land, and
- (c) to rezone that land for a business park and for light industrial uses, and
- (d) to promote economic development and the creation of employment on that land by allowing development for the purposes of light industries, warehouses, distribution centres and other related land uses, passenger transport facilities and depots.

### **3 Land to which Policy applies**

This Policy applies to the land identified on the State Environmental Planning Policy (Major Projects) 2005 (Amendment No 22)—Greystanes Southern Employment Lands Site—Land Application Map held in the head office of the Department.

### **4 Amendment of State Environmental Planning Policy (Major Projects) 2005**

*State Environmental Planning Policy (Major Projects) 2005* is amended as set out in Schedule 1.

State Environmental Planning Policy (Major Projects) 2005 (Amendment  
No 22)

Clause 5

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**5 Amendment of other environmental planning instruments**

Each environmental planning instrument specified in Schedule 2 is amended as set out in that Schedule.



State Environmental Planning Policy (Major Projects) 2005 (Amendment No 22)

Schedule 1 Amendment of State Environmental Planning Policy (Major Projects) 2005

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## Schedule 1 Amendment of State Environmental Planning Policy (Major Projects) 2005

(Clause 4)

### [1] Clause 10B Exempt and complying development

Insert at the end of the clause:

- (2) Development specified in Schedule 9 is complying development.

### [2] Schedule 3 State significant sites

Insert in appropriate order in the Schedule:

## Part 22 Greystanes Southern Employment Lands site

### Division 1 Preliminary

#### 1 Land to which Part applies

This Part applies to the land shown edged heavy black on the Land Application Map, being the Greystanes Southern Employment Lands site (referred to in this Schedule as the *Greystanes SEL site*).

#### 2 Interpretation

- (1) In this Part and in Part 2 of Schedule 8:

*Additional Permitted Uses Map* means the State Environmental Planning Policy (Major Projects) 2005 (Amendment No 22)—Greystanes Southern Employment Lands Site—Additional Permitted Uses Map.

*associated office premises* means premises associated with development on land within Zone IN2 Light Industrial for another purpose permitted by clause 8 (2) or (3).

*consent authority* means the relevant council.

*Land Application Map* means the State Environmental Planning Policy (Major Projects) 2005 (Amendment No 22)—Greystanes Southern Employment Lands Site—Land Application Map.

*Land Zoning Map* means the State Environmental Planning Policy (Major Projects) 2005 (Amendment No 22)—Greystanes Southern Employment Lands Site—Land Zoning Map.

*relevant council*, in relation to land, means the Council of the local government area in which the land is situated.

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 22)

Amendment of State Environmental Planning Policy (Major Projects) 2005 Schedule 1

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- (2) A word or expression used in this Part has the same meaning as it has in the standard instrument prescribed by the *Standard Instrument (Local Environmental Plans) Order 2006*, unless it is otherwise defined in this Part.

### **3 Relationship with other environmental planning instruments**

The only environmental planning instruments that apply, according to their terms, to land within the Greystanes SEL site are this Policy and all other State environmental planning policies, except *State Environmental Planning Policy No 1—Development Standards* and *State Environmental Planning Policy No 59—Central Western Sydney Economic and Employment Area*.

### **4 Maps**

- (1) A reference in this Part to a named map adopted by this Part is a reference to a map by that name:
- (a) approved by the Minister when the map is adopted, and
  - (b) as amended or replaced from time to time by maps declared by environmental planning instruments to amend or replace that map, and approved by the Minister when the instruments are made.
- (2) Any 2 or more named maps may be combined into a single map. In that case, a reference in this Part to any such named map is a reference to the relevant part or aspect of the single map.
- (3) Any such maps are to be kept and made available for public access in accordance with arrangements approved by the Minister.

## **Division 2 Provisions relating to development within Greystanes SEL site**

### **5 Application of Division**

- (1) This Division applies to development on land in the Greystanes SEL site, except as provided by subclause (2).
- (2) Clauses 7, 8, 9, 11 and 20–26 do not apply to development within the Greystanes SEL site to the extent that it is a project to which Part 3A of the Act applies.

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 22)

Schedule 1 Amendment of State Environmental Planning Policy (Major Projects) 2005

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## **6 Land use zones**

For the purposes of this Division, land within the Greystanes SEL site is in a zone as follows if the land is shown on the Land Zoning Map as being within that zone:

- (a) Zone B7 Business Park,
- (b) Zone IN2 Light Industrial.

## **7 Objectives of land use zones to be taken into account**

The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.

## **8 Zone B7 Business Park**

- (1) The objectives of Zone B7 Business Park are as follows:
  - (a) to provide a range of office and research and development uses,
  - (b) to encourage employment opportunities,
  - (c) to enable other land uses that provide facilities or services to meet the day to day needs of workers in the area,
  - (d) to service the site by providing for a variety of commercial and retail facilities.
- (2) Development for the purpose of environmental protection works is permitted without development consent on land within Zone B7 Business Park.
- (3) Development for any of the following purposes is permitted only with development consent on land within Zone B7 Business Park:

business premises; car parks; child care centres; community facilities; food and drink premises; function centres; light industries; neighbourhood shops; office premises; passenger transport facilities; pubs; recreation facilities (indoor); restaurants; retail premises; roads; service stations; supermarkets, transport depots; truck depots; vehicle repair stations; warehouses or distribution centres.
- (4) Except as otherwise provided by this Division, development is prohibited on land within Zone B7 Business Park unless it is permitted by subclause (2) or (3).

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 22)

Amendment of State Environmental Planning Policy (Major Projects) 2005 Schedule 1

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## **9 Zone IN2 Light Industrial**

- (1) The objectives of Zone IN2 Light Industrial are as follows:
  - (a) to provide a wide range of light industrial, warehouse and related land uses,
  - (b) to encourage employment opportunities,
  - (c) to minimise any adverse effect of industry on other land uses,
  - (d) to enable other land uses that provide facilities or services to meet the day to day needs of workers in the area,
  - (e) to facilitate employment-generating development for a wide range of purposes, including light industry, technology-based industry, manufacturing, warehousing, storage and research.
- (2) Development for the purpose of environmental protection works is permitted without development consent on land within Zone IN2 Light Industrial.
- (3) Development for any of the following purposes is permitted only with development consent on land within Zone IN2 Light Industrial:

associated office premises; child care centres; depots; freight transport facilities; hotel accommodation (on land shown on the Additional Permitted Uses Map); landscape and garden supplies; light industries; materials recycling or recovery centres; neighbourhood shops; roads; passenger transport facilities; take away food and drink premises; timber and building supplies; vehicle repair stations; warehouses or distribution centres.
- (4) Except as otherwise provided by this Division, development is prohibited on land within Zone IN2 Light Industrial unless it is permitted by subclause (2) or (3).

## **10 Prohibited development**

Development, other than development that is permitted with or without consent on land within a zone, is prohibited on land within that zone.

## **11 Subdivision**

- (1) Land within the Greystanes SEL site may be subdivided, but only with development consent.

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 22)

Schedule 1      Amendment of State Environmental Planning Policy (Major Projects) 2005

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- (2) However, development consent is not required for a subdivision for the purpose only of any one or more of the following:
- (a) widening a public road,
  - (b) making an adjustment to a boundary between lots, being an adjustment that does not involve the creation of a greater number of lots,
  - (c) a minor realignment of boundaries that does not create additional lots or the opportunity for additional buildings,
  - (d) a consolidation of lots that does not create additional lots or the opportunity for additional buildings,
  - (e) rectifying an encroachment on a lot,
  - (f) creating a public reserve,
  - (g) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public conveniences.

**12 Infrastructure development and the use of existing buildings of the Crown**

- (1) This Division does not restrict or prohibit, or enable the restriction or prohibition of, the carrying out of any development, by or on behalf of a public authority, that is permitted to be carried out without consent under the *State Environmental Planning Policy (Infrastructure) 2007*.
- (2) This Division does not restrict or prohibit, or enable the restriction or prohibition of, the use of existing buildings of the Crown by the Crown.

**13 Height of buildings**

The height of a building on any land:

- (a) within Zone B7 Business Park must not exceed 25 metres, and
  - (b) within Zone IN2 Light Industrial must not exceed 15 metres,
- measured from ground level (finished).

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 22)

Amendment of State Environmental Planning Policy (Major Projects) 2005 Schedule 1

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#### **14 Gross floor area**

- (1) The total gross floor area of all buildings on land within Zone B7 Business Park must not exceed 104,000 square metres, and within that amount:
  - (a) the total gross floor areas of all buildings, other than those buildings included in paragraph (b), must not exceed 97,500 square metres, and
  - (b) the total gross floor area of all retail premises, service stations and vehicle repair stations must not exceed 6,500 square metres, and within that amount the gross floor area of all pubs must not exceed 2,500 square metres and the gross floor area of all supermarkets must not exceed 2,000 square metres, and
  - (c) any building containing office premises must have a minimum gross floor area of 3,000 square metres.
- (2) The following gross floor area requirements apply to buildings on land within Zone IN2 Light Industrial:
  - (a) if the boundary of that land at every point is less than 400 metres from a bus stop, no more than 50% of the gross floor area of the buildings on that land may be used for the purpose of associated office premises,
  - (b) if the boundary of that land at every point is 400 metres or more from a bus stop, no more than 30% of the gross floor area of the buildings on that land may be used for the purpose of associated office premises.

#### **15 Floor space ratio**

The floor space ratio for any building on land within Zone IN2 Light Industrial must not exceed 0.75:1.

#### **16 Hotel accommodation**

Despite any other provision of this Division, the following requirements apply to development for the purpose of hotel accommodation on land to which this Division applies:

- (a) the gross floor area must not exceed 5,000 square metres,
- (b) the height must not exceed 25 metres measured from ground level (finished),
- (c) the floor space ratio must not exceed 1:1.

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 22)

Schedule 1 Amendment of State Environmental Planning Policy (Major Projects) 2005

**17 Child care centres**

The following requirements apply to development for the purposes of a child care centre on land to which this Division applies:

- (a) the development must be intended to primarily provide services to people working in the area in which the child care centre is located,
- (b) the development must provide no more than 40 child care places,
- (c) the development must have an internal play area of at least 130 square metres and an external play area of at least 280 square metres.

**18 Car parking in new or existing buildings**

- (1) Development for the purpose of erecting a new building, or altering an existing building that increases the gross floor area of the building, being a building that is to be used for a purpose set out in Column 1 of the Table to this clause, must make provision for the car parking set out opposite that purpose in Column 2 of the Table.
- (2) For the purposes of this clause, the following are to be included as part of a building's gross floor area:
  - (a) any area of the building that is used for car parking and is at or above existing ground level,
  - (b) any area of the building that is used for car parking below existing ground level, except where the car parking is provided as required by this clause.
- (3) Council owned public car parking is not to be included as part of a building's gross floor area.

**Table**

<b>Column 1</b>	<b>Column 2</b>
<b>Proposed use of building</b>	<b>Number of parking spaces required</b>
Light industry	1 parking space to be provided for every 77 square metres of gross floor area
Office premises	1 parking space to be provided for every 40 square metres of gross floor area
Retail	1 parking space to be provided for every 20 square metres of gross floor area

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 22)

Amendment of State Environmental Planning Policy (Major Projects) 2005 Schedule 1

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Column 1	Column 2
<b>Proposed use of building</b>	<b>Number of parking spaces required</b>
Warehouses or distribution centres	1 parking space to be provided for every 300 square metres of gross floor area

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**19 Exceptions to development standards—Part 3A projects**

- (1) A development standard imposed by this or any other environmental planning instrument on development that is part of a project to which Part 3A of the Act applies, and is within the Greystanes SEL site, does not apply to that development if the Director-General is satisfied, and issues a certificate to the effect, that:
  - (a) compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
  - (b) there are sufficient environmental planning grounds to justify exempting the development from that development standard.
- (2) In deciding whether to issue a certificate, the Director-General must consider:
  - (a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and
  - (b) the public benefit of maintaining the development standard, and
  - (c) any other matters required to be taken into consideration by the Director-General.

**20 Exceptions to development standards—other development**

- (1) This clause applies to development, other than development that is part of a project to which Part 3A of the Act applies.
- (2) The objectives of this clause are:
  - (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development, and
  - (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.
- (3) Consent may, subject to this clause, be granted for development even though the development would contravene a development



State Environmental Planning Policy (Major Projects) 2005 (Amendment No 22)

Schedule 1 Amendment of State Environmental Planning Policy (Major Projects) 2005

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standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.

- (4) Consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:
  - (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
  - (b) that there are sufficient environmental planning grounds to justify contravening the development standard.
- (5) Consent must not be granted for development that contravenes a development standard unless:
  - (a) the consent authority is satisfied that:
    - (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (4), and
    - (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and
  - (b) the concurrence of the Director-General has been obtained.
- (6) In deciding whether to grant concurrence, the Director-General must consider:
  - (a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and
  - (b) the public benefit of maintaining the development standard, and
  - (c) any other matters required to be taken into consideration by the Director-General before granting concurrence.
- (7) After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (4).

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 22)

Amendment of State Environmental Planning Policy (Major Projects) 2005 Schedule 1

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- (8) This clause does not allow consent to be granted for development that would contravene a development standard for complying development.

**21 Design excellence**

- (1) Consent must not be granted to development involving the erection of a new building or external alterations to an existing building unless the consent authority has considered whether the proposed building exhibits design excellence.
- (2) In considering whether the proposed building exhibits design excellence, the consent authority must have regard to the following matters:
- (a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,
  - (b) whether the form and external appearance of the building will improve the quality and amenity of the public domain,
  - (c) whether the building will meet sustainable design principles in terms of sunlight, natural ventilation, wind, reflectivity, visual and acoustic privacy, safety and security and resource, energy and water efficiency, and in accordance with any development control plan applying to the site area for the building.

**22 Architectural roof features**

- (1) The objectives of this clause are:
- (a) to ensure that architectural roof features to which this clause applies are decorative elements only, and
  - (b) to ensure that the majority of the roof features are contained within the prescribed building height.
- (2) Development that includes an architectural roof feature that exceeds, or causes a building to exceed, the height limits set by clause 13 may be carried out, but only with consent.
- (3) Development consent must not be granted to any such development unless the consent authority is satisfied that:
- (a) the architectural roof feature:
    - (i) comprises a decorative element on the uppermost portion of a building, and
    - (ii) is not an advertising structure, and

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 22)

Schedule 1 Amendment of State Environmental Planning Policy (Major Projects) 2005

(iii) does not include floor space area and is not reasonably capable of modification to include floor space area, and

(iv) will cause minimal overshadowing, and

(b) any building identification signage or equipment for servicing the building (such as plant, lift motor rooms, fire stairs and the like) contained in or supported by the roof feature is fully integrated into the design of the roof feature.

### 23 Public utility infrastructure

(1) Consent must not be granted to development on land within the Greystanes SEL site unless the consent authority is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required.

(2) In this clause, *public utility infrastructure* includes infrastructure for any of the following:

(a) the supply of water,

(b) the supply of electricity,

(c) the supply of natural gas,

(d) the disposal and management of sewage.

(3) This clause does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any public utility infrastructure referred to in this clause.

### 24 Exempt development

**Note.** Under section 76 of the Act, exempt development may be carried out without the need for development consent under Part 4 of the Act or for assessment under Part 5 of the Act.

Under the section, exempt development:

(a) must be of minimal environmental impact, and

(b) cannot be carried out in critical habitat of an endangered species, population or ecological community (identified under the *Threatened Species Conservation Act 1995* or the *Fisheries Management Act 1994*), and

(c) cannot be carried out in a wilderness area (identified under the *Wilderness Act 1987*).

(1) The objective of this clause is to identify development of minimal environmental impact as exempt development.

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 22)

Amendment of State Environmental Planning Policy (Major Projects) 2005 Schedule 1

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- (2) Development specified in Part 2 of Schedule 8 that meets the standards for the development contained in that Part and that complies with the requirements of this Division is exempt development.
- (3) To be exempt development, the development:
  - (a) must meet the relevant deemed-to-satisfy provisions of the *Building Code of Australia*, and
  - (b) must not, if it relates to an existing building, cause the building to contravene the *Building Code of Australia*, and
  - (c) must not be designated development, and
  - (d) must not be carried out on land that comprises, or on which there is, an item that is listed on the State Heritage Register under the *Heritage Act 1977* or that is subject to an interim heritage order under the *Heritage Act 1977*, and
  - (e) must not be carried out in an environmentally sensitive area for exempt or complying development (as defined in clause 26).
- (4) Development that relates to an existing building that is classified under the *Building Code of Australia* as class 1b or class 2–9 is exempt development only if:
  - (a) the building has a current fire safety certificate or fire safety statement, or
  - (b) no fire safety measures are currently implemented, required or proposed for the building.

## 25 Complying development

**Note.** Under section 76A of the Act, development consent for the carrying out of complying development may be obtained by the issue of a complying development certificate.

Under the section, development cannot be complying development if:

- (a) it is on land that is critical habitat of an endangered species, population or ecological community (identified under the *Threatened Species Conservation Act 1995* or the *Fisheries Management Act 1994*), or
- (b) it is on land within a wilderness area (identified under the *Wilderness Act 1987*), or
- (c) the development is designated development, or
- (d) the development is on land that comprises, or on which there is, an item of environmental heritage (that is listed on the State Heritage Register or that is subject to an interim heritage order under the *Heritage Act 1977*), or
- (e) the development requires concurrence (except a concurrence of the Director-General of the Department of Environment and

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 22)

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Climate Change in respect of development that is likely to significantly affect a threatened species, population, or ecological community, or its habitat (identified under the *Threatened Species Conservation Act 1995*), or

- (f) the development is on land identified as an environmentally sensitive area.
- (1) The objective of this clause is to identify development as complying development.
- (2) Development specified in Part 1 of Schedule 9 that is carried out in compliance with:
  - (a) the development standards specified in that Part, and
  - (b) the requirements of this Division,
 is complying development.
- (3) To be complying development, the development must:
  - (a) be permissible, with consent, in the zone in which it is carried out, and
  - (b) meet the relevant deemed-to-satisfy provisions of the *Building Code of Australia*, and
  - (c) have an approval, if required by the *Local Government Act 1993*, from the relevant Council for an on-site effluent disposal system if the development is undertaken on unsewered land.

**26 Environmentally sensitive areas excluded**

- (1) Exempt or complying development must not be carried out on any environmentally sensitive area for exempt or complying development.
- (2) For the purposes of this clause:  
***environmentally sensitive area for exempt or complying development*** means any of the following:
  - (a) land identified in this or any other environmental planning instrument as being of high Aboriginal cultural significance or high biodiversity significance,
  - (b) land reserved as a State conservation area under the *National Parks and Wildlife Act 1974*,
  - (c) land reserved or dedicated under the *Crown Lands Act 1989* for the preservation of flora, fauna, geological formations or for other environmental protection purposes,

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 22)

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- (d) land identified as being critical habitat under the *Threatened Species Conservation Act 1995* or Part 7A of the *Fisheries Management Act 1994*.

**27 Suspension of covenants, agreements and instruments**

- (1) For the purpose of enabling development on land within the Greystanes SEL site to be carried out in accordance with this Policy or with a consent granted under the Act, any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose.
- (2) This clause does not apply:
- (a) to a covenant imposed by a relevant Council or that a relevant Council requires to be imposed, or
  - (b) to any prescribed instrument within the meaning of section 183A of the *Crown Lands Act 1989*, or
  - (c) to any conservation agreement within the meaning of the *National Parks and Wildlife Act 1974*, or
  - (d) to any Trust agreement within the meaning of the *Nature Conservation Trust Act 2001*, or
  - (e) to any property vegetation plan within the meaning of the *Native Vegetation Act 2003*, or
  - (f) to any biobanking agreement within the meaning of Part 7A of the *Threatened Species Conservation Act 1995*.
- (3) This clause does not affect the rights or interests of any public authority under any registered instrument.
- (4) Pursuant to section 28 of the Act, before the making of this clause, the Governor approved of subclauses (1)–(3).

**[3] Schedule 8 Exempt development**

Omit “(Clause 10B)”. Insert instead:

(Clause 10B (1) and Schedule 3)

**Part 1 Sydney Cricket Ground**

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 22)

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**[4] Schedule 8, Part 2**

Insert after clause 1:

**Part 2 Greystanes SEL site**

**1 Access ramps**

- (1) Maximum height of less than 1m above ground level (existing).
- (2) Located behind the building line to any street frontage and at least 900mm from the side boundary.
- (3) Maximum grade 1:14 (vertical: horizontal).

**2 Air conditioning units**

- (1) Attached to an external wall or mounted on the ground.
- (2) Located at least 3m from property boundaries and behind required street setback to any street frontage.
- (3) Must not affect the structural integrity of the section of the building affected by the installation of the unit.
- (4) Any opening created by the installation must be adequately weather-proofed and the required fire-rating must not be reduced.

**3 Awnings, canopies and storm blinds**

- (1) Attached to a building.
- (2) Maximum area 10m<sup>2</sup>.
- (3) Located behind building line to any street frontage.
- (4) Located at least 900mm from property boundaries.
- (5) Installed to manufacturer's specifications.

**4 Barbecue**

- (1) Located at least 900mm from property boundaries.
- (2) Located behind building line to any street frontage.
- (3) Maximum height 2.1m above ground level (existing).
- (4) Maximum area of base 4m<sup>2</sup>.

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## **5 Change of use**

- (1) Change of use from a shop to another shop or an office to another office.
- (2) Must be an existing legal use.
- (3) The proposed use:
  - (a) must not involve a change of class of building as defined in the *Building Code of Australia*, and
  - (b) must comply with the conditions of any existing consent for the use of the building or land, and
  - (c) must not involve displaying or selling or rendering accessible or available to the public a category 1 restricted publication, category 2 restricted publication or a RC publication (within the meaning of the *Classification (Publications, Films and Computer Games) Act 1995* of the Commonwealth), and
  - (d) must not involve displaying or selling any article, material, compound, preparation, device or other thing that is primarily concerned with, or is used or intended to be used in connection with, sexual behaviour but is not printed material, and
  - (e) must not operate outside the hours in which the existing use operates, and
  - (f) must not attract additional car parking requirements.
- (4) The curtilage of a shop or office must not be used for storage or display purposes.

## **6 Decks**

- (1) Maximum area of deck 20m<sup>2</sup>.
- (2) Located behind the building line to any street frontage.
- (3) Located at least 3m from property boundaries.
- (4) Deck must not be roofed.
- (5) Maximum height 500mm above ground level to top of deck with balustrade height not exceeding 1.2m above top of deck.

## **7 Demolition of a building**

- (1) Relevant Council has consented to demolition or an order to demolish has been issued by the relevant Council under section 124 of the *Local Government Act 1993*.



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- (2) Erected as exempt development (whether before or after this Policy took effect).
- (3) Carried out in accordance with Australian Standard AS 2601—2001, *Demolition of structures*.
- (4) All work involving asbestos cement must comply with the WorkCover Authority's safety guidelines and requirements for work involving asbestos contained in its publication *Working with Asbestos Guide 2008*.
- (5) All work involving lead paint removal must not cause soil or air contamination.

**8 Driveways and pathways**

- (1) Only one driveway per lot.
- (2) Must be structurally sound, of stable construction and adequately reinforced.
- (3) Must not be elevated or suspended above ground level (finished).
- (4) Must not redirect stormwater or surface water onto adjoining property.
- (5) Must comply with any policy of the relevant Council on maximum gradients and transitions that applies to the site.

**9 Earthworks and landfill**

- (1) Only clean fill to be used.
- (2) Maximum depth of 200mm of fill from ground level (finished).
- (3) Must not redirect stormwater or surface water onto adjoining property.

**10 Fences**

- (1) Maximum height 1.2m above ground level (existing) if located at least 3m from the front boundary and of open construction.
- (2) Maximum height 1.8m above ground level (existing) for all other fences if located behind the street setback area.
- (3) Must not contain barbed wire.

**11 Flag poles**

- (1) Maximum height 6m above ground level (existing) and located at least 7m from boundaries.
- (2) Only one per lot.

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 22)

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- (3) Structurally adequate and installed to manufacturer's specifications.

**12 Hoardings**

- (1) All care must be taken to safeguard the general public.
- (2) Vertical height above footpath level of the structure being demolished or erected must be less than 4m.
- (3) Must be constructed of solid materials to a height not less than 2.4m above the footpath or thoroughfare.
- (4) Must not encroach onto public footpath or thoroughfare.
- (5) Must be in accordance with Australian Standard AS 1319—1994, *Safety signs for the occupational environment*.
- (6) Must be structurally adequate.
- (7) Must be of a temporary nature and be for less than 12 months.

**13 Private electricity service pole/post**

Must comply with specifications for electricity distributors in the *Service and Installation Rules of New South Wales* published by the Department of Water and Energy (as referred to in the *Code of Practice (Electricity) Service and Installation Rules of New South Wales, December 2007*, published by that Department).

**14 Rainwater tanks**

- (1) Minimum 900mm from property boundaries.
- (2) Located behind the front building alignment.
- (3) Maximum height of 1.8m from ground level.
- (4) Overflow must be directed into a suitable stormwater system.
- (5) Must not exceed 1,000L.
- (6) Must be installed on a solid base.
- (7) Must be installed in accordance with manufacturer's specifications.

**15 Replacement or repair of existing roof and walls to buildings, carports or garages**

- (1) Must not alter existing window or door openings or their location and size.

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 22)

Schedule 1 Amendment of State Environmental Planning Policy (Major Projects) 2005

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- (2) Must use materials other than masonry with a low reflectivity index and of equivalent or improved quality.
- (3) Must not involve a structural alteration.
- (4) Must not change roof height, pitch or profile.
- (5) Must direct all stormwater to a suitable system.
- (6) Must comply with the WorkCover Authority's safety guidelines and requirements for work involving asbestos contained in its publication *Working with Asbestos Guide 2008*.

**16 Retaining walls**

- (1) Maximum height 900mm above or below ground level (existing).
- (2) Located at least 900mm from any property boundary.
- (3) Must be structurally adequate for the intended purpose.
- (4) Timber walls, must comply with Australian Standard AS 1720.2—2006, *Timber structures—Timber properties*.

**17 Roof ventilators and skylight roof windows**

- (1) Maximum area 3m<sup>2</sup>.
- (2) Building work must not reduce the structural integrity of the building or involve structural alterations and must be structurally adequate.
- (3) Located at least 900mm from property boundaries or 900mm from a separating wall between 2 buildings.
- (4) Must be installed in accordance with manufacturer's specifications.
- (5) Any opening created by the installation must be adequately weatherproofed and the required fire rating must not be reduced.

**18 Satellite dishes**

- (1) Must be roof or rear yard mounted.
- (2) Maximum diameter 1.5m.
- (3) Building work must not reduce the structural integrity of the building or involve structural alterations and must be structurally adequate.
- (4) One only per lot.

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 22)

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- (5) Maximum height 1.8m from the roof level on which it is mounted.
- (6) Installed to manufacturer's specifications.

#### **19 Scaffolding**

- (1) Must not encroach onto footpath or public thoroughfare.
- (2) Must have sufficient structural strength to withstand and be impenetrable to impact of falling rubble.
- (3) Must enclose the work area.
- (4) Must comply with the following standards:
  - (a) AS/NZS 1576.1:1995, *Scaffolding—General requirements*,
  - (b) AS 1576.2—1991, *Scaffolding—Couplers and accessories*,
  - (c) AS/NZS 1576.3:1995, *Scaffolding—Prefabricated and tube-and-coupler scaffolding*,
  - (d) AS 1576.4—1991, *Scaffolding—Suspended scaffolding*,
  - (e) AS/NZS 1576.5:1995, *Scaffolding—Prefabricated spliheads and trestles*.
- (5) Must be removed immediately after conclusion of the purpose for which it was initially provided.
- (6) Removal must not result in the area becoming unsafe.

#### **20 Signs**

- (1) Real estate signs:
  - (a) Only one per site.
  - (b) Maximum area 1.1m<sup>2</sup>.
- (2) Under awning signs:
  - (a) Associated with a business or industrial use.
  - (b) Only one per site.
  - (c) Minimum 2.7m above ground level (existing).
  - (d) Must not extend beyond the width of the awning.
- (3) Window signs:
  - (a) Maximum 50% of window area.
  - (b) Must be located below the awning level.

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 22)

Schedule 1 Amendment of State Environmental Planning Policy (Major Projects) 2005

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**21 Television aerial or microwave antennae**

- (1) Maximum height 6m above the highest point of the roof.
- (2) Must be structurally adequate.

**22 Water heaters (includes solar systems)**

- (1) Must not reduce the structural integrity of the building or involve structural alterations.
- (2) Must not interfere with views from surrounding properties.
- (3) Installed to manufacturer's specifications by a licensed person.

**23 Windows, glazed areas and external doors**

- (1) Materials must comply with the following standards:
  - (a) AS 1288:2006, *Glass in Buildings—Selection and installation*,
  - (b) AS/NZS 2208—1996, *Safety glazing materials in buildings*.
- (2) Replacement must not increase size of or relocate item.
- (3) Must not reduce the area provided for light and ventilation.
- (4) Structural support members must not be removed.

**24 Use of land**

- (1) Commercial use of footpath or road (or closed road) on land owned by the relevant Council:
  - (a) Must comply with the terms and conditions of a licence obtained from the Council before use.
  - (b) Must be consistent with any plan of management that applies to the land.
- (2) Use of public open space for community, cultural or commercial purposes—must be in accordance with a temporary licence or hire agreement issued by the relevant Council.

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 22)

Amendment of State Environmental Planning Policy (Major Projects) 2005 Schedule 1

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**[5] Schedule 9**

Insert after Schedule 8:

## **Schedule 9 Complying development**

(Clause 10B (2) and Schedule 3)

### **Part 1 Greystanes SEL site**

#### **1 Internal alterations to commercial or light industrial buildings**

- (1) Existing approved use must be operating in accordance with development consent.
- (2) Must not increase the total floor area of the building.

#### **2 Signage**

- (1) Must be a sign on the façade of the building or a directory sign.
- (2) Façade signs and signs that are not freestanding must be located below parapet level.
- (3) Signs on the front façade must be a maximum of:
  - (a) one third of the length of the front façade, and
  - (b) 12m in length.
- (4) Must be a freestanding directory sign containing the names of tenants or businesses within the development that:
  - (a) is located close to the site's main entrance and so as to be easily seen when entering or approaching the site, and
  - (b) has a maximum height of 9m.
- (5) Identification signs on a secondary street frontage must be 50% of the size of those on the primary frontage.
- (6) No blinking, flashing or moving signage.

State Environmental Planning Policy (Major Projects) 2005 (Amendment No 22)

Schedule 2 Amendment of other environmental planning instruments

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## **Schedule 2 Amendment of other environmental planning instruments**

(Clause 5)

### **2.1 Blacktown Local Environmental Plan 1988**

#### **Clause 3 Land to which plan applies**

Insert after clause 3 (2):

- (3) This plan does not apply to the land to which *State Environmental Planning Policy (Major Projects) 2005 (Amendment No 22)* applies.

### **2.2 Fairfield Local Environmental Plan 1994**

#### **Clause 3 Where does this plan apply?**

Insert at the end of clause 3 (2):

Land to which *State Environmental Planning Policy (Major Projects) 2005 (Amendment No 22)* applies.

### **2.3 Holroyd Local Environmental Plan 1991**

#### **Clause 3 Land to which plan applies**

Insert at the end of clause 3:

- (2) This plan does not apply to the land to which *State Environmental Planning Policy (Major Projects) 2005 (Amendment No 22)* applies.



New South Wales

## **Cessnock Local Environmental Plan 1989 (Amendment No 119)**

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (N06/00032-2/PC)

KRISTINA KENEALLY, M.P.,  
Minister for Planning



Clause 1 Cessnock Local Environmental Plan 1989 (Amendment No 119)

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## **Cessnock Local Environmental Plan 1989 (Amendment No 119)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of plan**

This plan is *Cessnock Local Environmental Plan 1989 (Amendment No 119)*.

### **2 Aims of plan**

- (1) The main aim of this plan is to rezone certain land at Greta:
  - (a) to allow for future urban development and the conservation of ecological and riparian corridors, and
  - (b) to allow urban development on the land with appropriate regard to the ecological and heritage values of the land, and
  - (c) to allow for a range of housing opportunities and choice on the land, and
  - (d) to encourage medium density development to be carried out on the land near public transport and commercial areas or neighbourhood open space.
- (2) An additional aim of this plan is to include the former Greta Migrant Camp as an item of the environmental heritage under the *Cessnock Local Environmental Plan 1989*.

### **3 Land to which plan applies**

This plan applies to:

- (a) in relation to the aim referred to in clause 2 (1)—the land shown edged heavy black on the map marked “Cessnock Local Environmental Plan 1989 (Amendment No 119)” deposited in the office of Cessnock City Council, and
- (b) in relation to the aim referred to in clause 2 (2)—the land on which the former Greta Migrant Camp is situated.

### **4 Amendment of Cessnock Local Environmental Plan 1989**

*Cessnock Local Environmental Plan 1989* is amended as set out in Schedule 1.

Cessnock Local Environmental Plan 1989 (Amendment No 119)

Amendments

Schedule 1

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## Schedule 1 Amendments

(Clause 4)

### [1] Clause 5 Definitions

Insert in appropriate order in the definition of *the map* in clause 5 (1):

Cessnock Local Environmental Plan 1989 (Amendment No 119)

### [2] Clause 66 Public infrastructure in urban release areas

Insert in appropriate order in the definition of *urban release area* in clause 66 (8):

Cessnock Local Environmental Plan 1989 (Amendment No 119)

### [3] Schedule 3 Items of the environmental heritage

Insert at the end of Schedule 3:

- 26 Former Greta Migrant Camp—Lot 2, DP 1036942, Lot 1, DP 416028 and Lot 21, DP 593748, Camp Road, Greta.

# Department of Primary Industries

## FISHERIES MANAGEMENT ACT 1994

Section 8 and Section 11 Notification – Fishing Closure  
Sydney Harbour (Port Jackson) and Tributaries

I, GEORGE DAVEY, Executive Director, Fisheries, Compliance and Regional Relations, with the delegated authority of the Minister for Primary Industries and the Director-General of the NSW Department of Primary Industries pursuant to sections 227 and 228 of the Fisheries Management Act 1994, do by this notification:

1. pursuant to section 11 of the Act, revoke the notification titled “Sydney Harbour (Port Jackson) and Tributaries” published in *Government Gazette* No. 194 of 8 December 2003 at pages 11155- 11160 and the notification titled “Sydney Harbour (Port Jackson) and Tributaries” published in *Government Gazette* No. 80 of 7 May 2004 at page 2406 (and any notification revived as a result of this revocation);
2. pursuant to section 8 of the Act, prohibit recreational fishers from the taking of all species of fish by the methods of fishing specified in Column 1 of Schedules 1 to 7 to this notification, from the waters described opposite in Column 2 of Schedules 1 to 7.
3. pursuant to section 8 of the Act, prohibit recreational fishers from the taking of all species of fish by the methods of fishing specified in Column 1 of Schedule 8 to this notification, from the waters described opposite in Column 2 of Schedule 8, subject to the conditions specified opposite in Column 3 of Schedule 8.
4. pursuant to section 8 of the Act, prohibit recreational fishers from the taking of the species of fish specified in Column 1 of Schedule 9 to this notification, by the methods of fishing specified opposite in Column 2 of Schedule 9, from the waters described opposite in Column 3 of Schedule 9.

In the Schedules to this notification:

“General Regulation” means the Fisheries Management (General) Regulation 2002.

This fishing closure is effective for a period of five (5) years unless sooner amended or revoked.

### SCHEDULE 1

Parramatta River – Silverwater to Parramatta Weir

<i>Methods</i>	<i>Waters</i>
By means of nets of every description, except the dip or scoop net and the landing net, as prescribed by clauses 51 and 53 of the General Regulation.	The tidal waters of that part of the Parramatta River and its tributaries, from the Silverwater Road bridge, upstream to the Parramatta Weir (excluding waters of Duck River).

### SCHEDULE 2

Parramatta River – Duck River and Homebush Bay

<i>Methods</i>	<i>Waters</i>
All methods.	Duck River: The whole of the waters of Duck River, together with its creeks and tributaries, upstream to its source from its junction with Parramatta River.

### SCHEDULE 3

Darling Harbour and bays – Netting closure

<i>Methods</i>	<i>Waters</i>
By means of nets of every description, except the landing net as prescribed by clause 53 of the General Regulation.	The whole of the tidal waters of Darling Harbour, Johnstons Bay, White Bay, Rozelle Bay, and Blackwattle Bay, south of a line drawn from the NSW Maritime Authority tower, to Darling Street ferry wharf.

### SCHEDULE 4

Lane Cove River – Netting Closure

<i>Methods</i>	<i>Waters</i>
By means of nets of every description, except the landing net, as prescribed by clause 53 of the General Regulation.	The whole of the tidal waters of that part of the Lane Cove River, together with its bays and tributaries, from the Epping Highway Bridge, upstream to a line drawn between two posts on opposite sides of the river at Little Blue Gum Creek.

### SCHEDULE 5

Upper Lane Cove River (Lane Cove National Park) –  
Catch and Release

<i>Methods</i>	<i>Waters</i>
All methods.	Area 1: That part of the waters of the Lane Cove River and its tributaries, from a line drawn between two posts on opposite banks of the river at the junction of Little Blue Gum Creek, (approximately 50 metres downstream of the weir), upstream to a line drawn from a post at the boatshed, to a post on the opposite bank.

All methods (including fishing from river bank) except catch and release fishing using two rods or lines with a fly or lure attached from an unpowered vessel only, such that any fish caught are to be immediately returned to the water with the least possible injury.	Area 2: From the boatshed, upstream to a line drawn across the river between two posts on opposite sides of the river, at picnic area number 20 (Fern Valley).
All methods except catch and release fishing using up to two hand held lines each with no more than two hooks attached or three treble hooks attached to a lure, such that any fish caught is to be immediately returned to the water with the least possible injury.	Area 3: All waters upstream of 'Fern Valley', from a line drawn across the river between two posts on opposite sides of the river.

## SCHEDULE 6

## Middle Harbour (Upper reaches) – Netting closure

<i>Methods</i>	<i>Waters</i>
By means of nets of every description, except the landing net, as prescribed by clause 53 of the General Regulation.	The whole of the tidal waters of Middle Harbour and its tributaries, upstream of the Roseville Bridge (Warringah Road).

## SCHEDULE 7

## North Harbour – Net and trap closure

<i>Methods</i>	<i>Waters</i>
By means of nets and traps of every description, except the landing net, lobster trap (pot) and the bait trap, as prescribed by clauses 53, 60 and 62 of the General Regulation.	All waters of North Harbour, north of a line drawn on a bearing of 115 degrees from the eastern extremity of Forty Baskets Beach, to the southern extremity of Manly Point. northern boundary of North Harbour Aquatic Reserve.

## SCHEDULE 8

## Middle Harbour (Hunters Bay/Balmoral area) – Netting closure

<i>Methods</i>	<i>Waters</i>	<i>Conditions</i>
By means of nets of every description, except the landing net, as prescribed by clause 53 of the General Regulation.	The waters of that part of Hunters Bay, Middle Harbour, enclosed by a line drawn generally south-easterly from Wyargine Point to the western end of Cobblers Beach.	This closure will only apply during the months of January, February, March, October, November and December in each year.

## SCHEDULE 9

## Port Jackson and Tributaries – Shellfish closure

<i>Species</i>	<i>Methods</i>	<i>Waters</i>
Shellfish.	All methods.	The whole of the tidal waters of Port Jackson and its tributaries, upstream of a line drawn from the northern extremity of South Head, to the southern extremity of North Head.

Dated this 4th day of December 2008.

GEORGE DAVEY,  
Executive Director,  
Fisheries, Compliance and Regional Relations,  
NSW Department of Primary Industries

## RURAL ASSISTANCE ACT 1989

Appointment of Acting Chief Executive  
NSW Rural Assistance Authority

I, IAN MACDONALD, M.L.C., Minister for Primary Industries, pursuant to section 11 of the Rural Assistance Act 1989, appoint Mr George DAVEY as Chief Executive of the New South Wales Rural Assistance Authority from the date of the Governor's approval of this appointment until 18 November 2013.

Dated this 3rd day of December 2008.

IAN MACDONALD, M.L.C.,  
Minister for Primary Industries

## PETROLEUM (ONSHORE) ACT 1991

Notice of Moratorium – Oaklands  
(06-6507)

I, IAN MACDONALD, M.L.C., Minister for Mineral Resources, pursuant to section 9 (1) of the Petroleum (Onshore) Act 1991, hereby designate that petroleum titles will not be granted in respect of the lands defined by the 122 graticular blocks set out in the Schedule hereto.

The moratorium, operative from the date of gazettal, shall remain in force until further notice.

## SCHEDULE

Canberra 1:1,000,000 sheet:

Blocks: 2249, 2250, 2321, 2322, 2323, 2392, 2393, 2394, 2395, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2674, 2675, 2676, 2677, 2678, 2679, 2680, 2681, 2682, 2683, 2684, 2685, 2686, 2687, 2688, 2689, 2690, 2746, 2747, 2748, 2749, 2750, 2751, 2752, 2753, 2754, 2755, 2756, 2757, 2758, 2759, 2760, 2761, 2762, 2827, 2828, 2829, 2830, 2831, 2832, 2833, 2834, 2901, 2902, 2903, 2904, 2905, 2906, 2907, 2908, 2973, 2974, 2975, 2976, 2977, 2978, 2979, 2980, 3046, 3047, 3048, 3049, 3050, 3051, 3052, 3118, 3119, 3120, 3121, 3122, 3123, 3124, 3190, 3191, 3192, 3193, 3194, 3195, 3196.

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

**MINERAL RESOURCES**

NOTICE is given that the following applications have been received:

**EXPLORATION LICENCE APPLICATIONS**

(T08-0249)

No. 3623, ALKANE RESOURCES LTD (ACN 000 689 216), area of 45 units, for Group 1, dated 24 November 2008. (Orange Mining Division).

(T08-0250)

No. 3624, AUGUR RESOURCES LTD (ACN 106 879 690), area of 35 units, for Group 1, dated 24 November 2008. (Orange Mining Division).

(T08-0251)

No. 3625, UNIMIN AUSTRALIA LIMITED (ACN 000 971 844), area of 6 units, for Group 2 and Group 5, dated 27 November 2008. (Orange Mining Division).

(T08-0252)

No. 3626, HUDSON RESOURCES LIMITED (ACN 008 720 965), area of 424 units, for Group 2, dated 27 November 2008. (Orange Mining Division).

(T08-0253)

No. 3627, CENTRAL WEST GOLD NL (ACN 003 078 591), area of 4 units, for Group 1, dated 28 November 2008. (Orange Mining Division).

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

NOTICE is given that the following applications have been granted:

**EXPLORATION LICENCE APPLICATIONS**

(07-401)

No. 3298, now Exploration Licence No. 7250, PERILYA BROKEN HILL LIMITED (ACN 099 761 289), County of Yancowinna, Map Sheets (7134, 7234), area of 97 units, for Group 1, dated 14 November 2008, for a term until 14 November 2010.

(T08-0046)

No. 3446, now Exploration Licence No. 7250, PERILYA BROKEN HILL LIMITED (ACN 099 761 289), Counties of Mootwingee and Yancowinna, Map Sheets (7134, 7234), area of 97 units, for Group 1, dated 14 November 2008, for a term until 14 November 2010.

(08-241)

No. 3474, now Exploration Licence No. 7249, ILLAWARRA COAL HOLDINGS PTY LTD (ACN 093 857 286), County of Cumberland, Map Sheet (9029), area of 486 hectares, for Group 9, dated 25 November 2008, for a term until 25 November 2011.

**MINING LEASE APPLICATIONS**

(06-7502)

Singleton No. 305, now Mining Lease No. 1626 (Act 1992), XSTRATA MANGOOLA PTY LIMITED (ACN 127 535 755), Parish of Denman, County of Brisbane; and Parish of Wybong, County of Brisbane, Map Sheet (9033-3-N), area of 3553 hectares, to mine for coal, dated 20 November 2008, for a term until 20 November 2029. As a result of the grant

of this title, Authorisation No. 102, Assessment Lease No. 9 (Act 1992) and Exploration Licence No. 5552 have partly ceased to have effect.

(07-432)

Singleton No. 306, now Mining Lease No. 1626 (Act 1992), XSTRATA MANGOOLA PTY LIMITED (ACN 127 535 755), Parish of Wybong, County of Brisbane, Map Sheet (9033-3-N), area of 3553 hectares, to mine for coal, dated 20 November 2008, for a term until 20 November 2029. As a result of the grant of this title, Authorisation No. 102, Assessment Lease No. 9 (Act 1992) and Exploration Licence No. 5552 have partly ceased to have effect.

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

NOTICE is given that the following application has been withdrawn:

**EXPLORATION LICENCE APPLICATION**

(T08-0247)

No. 3621, ALKANE RESOURCES LTD (ACN 000 689 216), County of Wellington, Map Sheet (8732). Withdrawal took effect on 24 November 2008.

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

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

(08-9021)

Exploration Licence No. 6036, PLATSEARCH NL (ACN 003 254 395), area of 6 units. Application for renewal received 28 November 2008.

(04-0545)

Exploration Licence No. 6367, WESTERN PLAINS RESOURCES LTD (ACN 109 426 502), area of 50 units. Application for renewal received 26 November 2008.

(T03-0873)

Exploration Licence No. 6499, LUCKNOW GOLD LTD (ACN 123 714 910), area of 36 units. Application for renewal received 28 November 2008.

(06-4154)

Exploration Licence No. 6689, PERILYA BROKEN HILL LIMITED (ACN 099 761 289), area of 33 units. Application for renewal received 2 December 2008.

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

**RENEWAL OF CERTAIN AUTHORITIES**

NOTICE is given that the following authorities have been renewed:

(05-213)

Exploration Licence No. 6472, John Leslie LOVE, Counties of Clive and Gough, Map Sheet (9239), area of 18 units, for a further term until 26 October 2009. Renewal effective on and from 2 December 2008.

(08-2301)

Exploration Licence No. 6557, Reginald Thomas O'BRIEN and Norman Edward SLAPE, County of Drake, Map Sheet (9339), area of 2 units, for a further term until 10 April 2010. Renewal effective on and from 2 December 2008.

(05-309)

Exploration Licence No. 6561, John Leslie LOVE, County of Harden, Map Sheet (8528), area of 2 units, for a further term until 1 May 2010. Renewal effective on and from 2 December 2008.

(06-125)

Exploration Licence No. 6574, MERIDIAN MINERALS LIMITED (ACN 125 825 532), County of Buccleuch, Map Sheet (8527), area of 21 units, for a further term until 18 June 2010. Renewal effective on and from 12 November 2008.

(06-110)

Exploration Licence No. 6607, NIMROD RESOURCES LIMITED (ACN 130 842 063), Counties of Gunderbooka and Irrara, Map Sheet (8038), area of 100 units, for a further term until 1 August 2010. Renewal effective on and from 26 November 2008.

(06-5579)

Exploration Licence No. 6614, PEEL EXPLORATION LIMITED (ACN 119 343 734), County of Hawes, Map Sheet (9134), area of 8 units, for a further term until 21 August 2010. Renewal effective on and from 28 November 2008.

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

## Roads and Traffic Authority

### ROAD TRANSPORT (GENERAL) ACT 2005

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

TWEED SHIRE COUNCIL, in pursuance of the Road Transport (Mass, Loading, Access) Regulation 2005, makes the amendment in the Schedule to the routes and areas previously specified on or in which 23 metre B-Doubles vehicles may be used.

MIKE RAYNER,  
General Manager,  
Tweed Shire Council  
(by delegation from the Minister for Roads)  
Dated: 25 November 2008

#### SCHEDULE

**1. Citation**

This Notice may be cited as the Tweed Shire Council 23 metre B-Double Repeal Notice No. 1/2008.

**2. Commencement**

This Notice takes effect on date of gazettal.

**3. Amendment**

The 23 metre B-Double Permit Notice 2005 is amended by omitting the following from that Notice:

<i>Type</i>	<i>Road</i>	<i>Starting point</i>	<i>Finishing point</i>
23m.	Reserve Creek Road, Murwillumbah (now Quarry Road).	Pacific Highway (SH10) – (now Tweed Valley Way).	Quarry Road (now Reserve Creek Road).

### ROAD TRANSPORT (GENERAL) ACT 2005

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

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

MIKE RAYNER,  
General Manager,  
Tweed Valley Council  
(by delegation from the Minister for Roads)  
Dated: 25 November 2008

#### SCHEDULE

**1. Citation**

This Notice may be cited as Tweed Shire Council 25 Metre B-Double route Notice No. 02/2008.

**2. Commencement**

This Notice takes effect on the date of gazettal.

**3. Effect**

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

**4. Application**

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

**5. Routes**

<i>Type</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>
25m.	Quarry Road, Murwillumbah.	Tweed Valley Way.	Reserve Creek Road.

**ROAD TRANSPORT (GENERAL) ACT 2005**

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

GRIFFITH 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 25 metre B-Doubles may be used subject to any requirements or conditions set out in the Schedule.

PETER BROOKS,  
General Manager,  
Griffith City Council  
(by delegation from the Minister for Roads)  
Dated: 26 November 2008

**SCHEDULE****1. Citation**

This Notice may be cited as Griffith City Council 25 Metre B-Double route Notice No. 2/2008.

**2. Commencement**

This Notice takes effect on the date of gazettal.

**3. Effect**

This Notice remains in force unless it is amended or repealed.

**4. Application**

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

**5. Routes**

<i>Type</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25.	Lasscock Road.	Jensen Road.	230 metres east of Jensen Road.	B-Doubles are required to enter and leave Lasscock Road via Jensen Road. Right turn only permitted when exiting Lasscock Road.

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

Notice of Compulsory Acquisition and Dedication as  
Public Road of Land at Forbes in the  
Forbes Shire Council area

ALL that piece or parcel of Crown land situated in the  
Forbes Shire Council area, Parish of Forbes and County of  
Ashburnham, shown as Lot 2 Deposited Plan 1127202  
being part of the land in Certificate of Title 1538/750158.

(RTA Papers: FPP 8M2937; RO 17/157.156)

THE Roads and Traffic Authority of New South Wales by its delegate declares, with the approval of Her Excellency the Governor, that the land described in the schedule below is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Roads Act 1993 and further dedicates the land as public road under Section 10 of the Roads Act 1993.

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



# Department of Water and Energy

## WATER ACT 1912

Order under Section 166(1)

Designation of Floodplain– Narromine to Oxley Station Floodplain

The Water Administration Ministerial Corporation, by this Order pursuant to section 166(1) of Part 8 of the Water Act 1912, designates the lands set out in the Schedule to this Notice as a floodplain which is to be known as the Narromine to Oxley Station Floodplain.

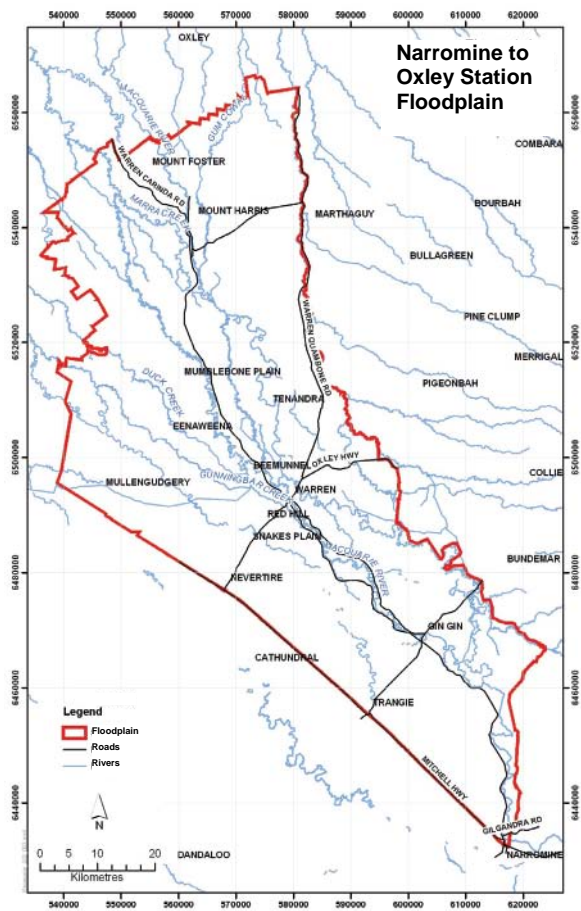
Dated at Sydney, this 28th day of November 2008.

MARK DUFFY,  
Director-General,  
Department of Water and Energy  
(by delegation)

### SCHEDULE

Those parts of that area situated in New South Wales and:

- (a) being within or part of the Shires of Narromine and Warren;
- (b) shown on the diagram hereunder; and
- (c) exclusive of all towns, villages and their environs.



Larger maps of the area and exclusions to which this notice relates are available for public inspection during office hours at the Department of Water and Energy Dubbo office

## WATER ACT 1912

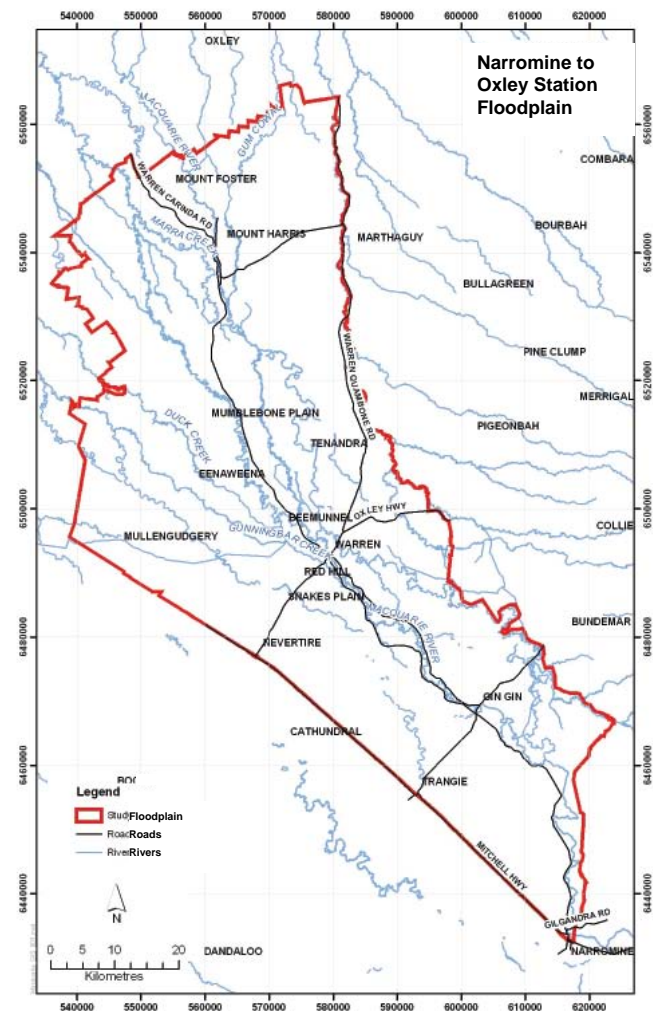
Notice under Section 166A

Adoption of Floodplain Management Plan  
Macquarie River, Narromine to Oxley Station, Floodplain Management Plan

PURSUANT to section 166A of the Water Act 1912, and having considered the matters set out in section 166C of the Act, the Water Administration Ministerial Corporation has adopted the Macquarie River, Narromine to Oxley Station, Floodplain Management Plan as a floodplain management plan for the lands set out in the Schedule to this Notice.

### SCHEDULE

That part of the Macquarie Valley Floodplain, being the area situated in New South Wales in the catchment of the Macquarie River, between Narromine and Oxley Station, shown on the map hereunder.



Larger maps of the area and exclusions to which this notice relates are available for public inspection during office hours at the Department of Water and Energy Dubbo office.

**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 Energy under section 97K(4) of the Electricity Supply Act 1995.

I, Ian Michael Macdonald, 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 Water and Energy's website at [www.dwe.nsw.gov.au](http://www.dwe.nsw.gov.au).

Dated at Sydney, this 28th day of November 2008.

IAN MICHAEL MACDONALD, M.L.C.,  
Minister for Energy

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**SCHEDULE 1**

- [1] Minister's Name and title**
- 1.1 Omit "Joseph Tripodi, MP"
  - 1.2 Insert "Ian Michael Macdonald, MLC"

**[2] Clause 1 Name and Commencement**

- 2.1 In clause 1.1 omit “25 August 2006” after “commences on” and insert “gazettal”
- 2.2 In clause 1.2 omit “9 December 2005 (December Rule)” after “commenced on” and insert “25 August 2006 (August Rule)”
- 2.3 In clause 1.2 omit “December” after “Rule differs from the” and insert “August”

**[3] Clause 11 Default Abatement Factors Method**

- 3.1 Omit clause 11.6 and insert

“11.6 Despite clause 1.1, the following amendments to Schedule A, Table 1 do not commence until 1 January 2009:

- (a) in the third row (not including the title row), the omission of “0.9” and the insertion of “0.15”;
- (b) in the fourth row (not including the title row), the omission of “0.7” and the insertion of “0.15”;
- (c) in the fifth row (not including the title row), the omission of “0.6” and the insertion of “0.15”;
- (d) in the sixth row (not including the title row), the omission of “0.5” and the insertion of “0.15”; and
- (e) in the seventh row (not including the title row), the omission of “0.3” and the insertion of “0.15”.”

**[4] Schedule A – Default factors and supporting information**

- 4.1 In Table 1, in the third row (not including the title row), omit “0.9” and insert “0.15”
- 4.2 In Table 1, in the fourth row (not including the title row), omit “0.7” and insert “0.15”
- 4.3 In Table 1, in the fifth row (not including the title row), omit “0.6” and insert “0.15”
- 4.4 In Table 1, in the sixth row (not including the title row), omit “0.5” and insert “0.15”
- 4.5 In Table 1, in the seventh row (not including the title row), omit “0.3” and insert “0.15”

## SCHEDULE 2

### Greenhouse Gas Benchmark Rule (Demand Side Abatement) No. 3 of 2003

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Ian Michael Macdonald, MLC  
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 gazettal (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 25 August 2006 (August Rule), to the extent that this Rule differs from the August 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 CO<sub>2</sub>-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 CO<sub>2</sub>-e abated
- *Emissions Abated* (in t CO<sub>2</sub>-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 CO<sub>2</sub>-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*<sub>s</sub> 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<sub>a</sub> 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*<sub>Tb</sub> (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*<sub>Tb</sub> (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*<sub>Tb</sub> 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*<sub>Tb</sub> is the value for Variable

- Consumption<sub>T<sub>b</sub></sub> that is the greatest of all  $n$  time periods  $T_b$
- *Minimum Variable Consumption<sub>T<sub>b</sub></sub>* is the value for Variable Consumption<sub>T<sub>b</sub></sub> that is the lowest of all  $n$  time periods  $T_b$

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:

$$(\text{Output}_{T_a} \times \text{Variable Energy Baseline} + \text{Fixed Energy Consumption}) - \text{Total Consumption}_{T_a}$$

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<sub>T<sub>a</sub></sub>* (in MWh or GJ) is the consumption of energy source,  $S$ , for the Site measured by metering that consumption over a time period  $T_a$
- *Output<sub>T<sub>a</sub></sub>* 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<sub>s</sub>* (in t CO<sub>2</sub>-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<sub>s</sub>* 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 CO<sub>2</sub>-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

$$\text{If } \sum_s \text{Emissions Abated}_s < 0:$$

$$\text{Number of NGACs} = 0$$

#### 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 2**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<sub>s</sub>*, 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<sub>Tb</sub>* (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<sub>Tb</sub>* is the value for Total Consumption<sub>Tb</sub> that is the greatest of all  $n$  time periods  $Tb$
- *Minimum Total Consumption<sub>Tb</sub>* is the value for Total Consumption<sub>Tb</sub> 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 CO<sub>2</sub>-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 CO<sub>2</sub>-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  $\sum_s \text{Emissions Abated}_s < 0$ :

*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<sub>s</sub>* 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<sub>a</sub> 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<sub>Tb</sub>* (in MWh or GJ) for *n* time periods *Tb* by normalising the Total Consumption<sub>Tb</sub> to determine the consumption that would have occurred for period *Tb* had the conditions at time T<sub>a</sub> existed, using:

- (a) a set of normalisation coefficients, which are one or more coefficients calculated to account for the variation in Total Consumption<sub>Tb</sub> 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 Tb, and the values of the Normalisation Variables for one time period Ta, determined by measurements or other data sources.

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
- *Ta* 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<sub>Tb</sub>* (in MWh or GJ) is the consumption of energy source, S, for the Site measured by metering that consumption over each time period Tb
- *n* is the number of time periods, Tb, where *n* must be at least 1
- *Normalisation Variables* are the variables in respect of which the Total Consumption<sub>Tb</sub> is normalised and must correspond to factors that are a reason for change in Total Consumption<sub>Tb</sub>

Step (2B) Calculate *Normalised Energy Baseline* (in MWh or GJ):

$$\left\{ \sum_{T=1}^n \text{Normalised Consumption}_{Tb} \right\} / n$$

Step (2C) Calculate *Baseline Variability* (in MWh or GJ), which is the unexplained variance in the baseline, as:

where  $n > 1$ :

$$\text{Baseline Variability} = (\text{Maximum Normalised Consumption}_{Tb} - \text{minimum Normalised Consumption}_{Tb}) / 2$$

where  $n = 1$ :

$$\text{Baseline Variability} = 10\% \text{ of Normalised Energy Baseline}$$

Where:

- *Maximum Normalised Consumption<sub>Tb</sub>* is the value for Normalised Consumption<sub>Tb</sub> that is the greatest of all *n* time periods *Tb*
- *Minimum Normalised Consumption<sub>Tb</sub>* is the value for Normalised Consumption<sub>Tb</sub> that is the lowest of all *n* time periods *Tb*
- Step (2D) Calculate *Reduced Energy Consumption* (in MWh or GJ) for each time period *Ta* 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<sub>s</sub>* (in t CO<sub>2</sub>-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<sub>s</sub>

Where:

- *Emissions Coefficient<sub>s</sub>* 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 CO<sub>2</sub>-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 CO<sub>2</sub>-e / m<sup>2</sup>) 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<sub>Tb</sub>* (in kg CO<sub>2</sub>-e / m<sup>2</sup>) 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 <sub>$T_b$</sub>  – Minimum Normalised Emissions <sub>$T_b$</sub> ) / 2

where  $n = 1$ :

Baseline Variability = 5% of Normalised Emissions Baseline

Where:

- *Maximum Normalised Emissions <sub>$T_b$</sub>*  is the value for Normalised Emissions <sub>$T_b$</sub>  that is the greatest of all  $n$  time periods  $T_b$
- *Minimum Normalised Emissions <sub>$T_b$</sub>*  is the value for Normalised Emissions <sub>$T_b$</sub>  that is the lowest of all  $n$  time periods  $T_b$

Step (4) Calculate the Emissions Abated as:

Normalised Emissions Baseline - Normalised Emissions <sub>$T_a$</sub>

Where:

- *Emissions Abated* is in kg CO<sub>2</sub>-e / m<sup>2</sup>
- *Normalised Emissions <sub>$T_a$</sub>*  (in kg CO<sub>2</sub>-e / m<sup>2</sup>) 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 CO<sub>2</sub>-e):

If Emissions Abated  $\geq 0$ :

$$\text{Number of NGACs} = \text{Emissions Abated} \times \text{Net Lettable Area}_{Ta} \times (\text{Gross Emissions}_{Ta} / \text{Normalised Emissions}_{Ta}) \times \text{Confidence Factor} / 1000$$

**or**

If Emissions Abated  $\times$  Net Lettable Area<sub>Ta</sub>  $\times$  (Gross Emissions<sub>Ta</sub> / Normalised Emissions<sub>Ta</sub>)  $\times$  Confidence Factor  $< 0$ :

$$\text{Number of NGACs} = 0$$

Where:

- *Net Lettable Area<sub>Ta</sub>* (in m<sup>2</sup>) is the occupied net lettable area of the building determined in accordance with the ABGR for the period Ta
- *Gross Emissions<sub>Ta</sub>* (in kg CO<sub>2</sub>-e / m<sup>2</sup>) 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 CO<sub>2</sub>-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 Schedule A, Table 1 do not commence until 1 January 2009:
- (a) in the third row (not including the title row), the omission of "0.9" and the insertion of "0.15";
  - (b) in the fourth row (not including the title row), the omission of "0.7" and the insertion of "0.15";
  - (c) in the fifth row (not including the title row), the omission of "0.6" and the insertion of "0.15";
  - (d) in the sixth row (not including the title row), the omission of "0.5" and the insertion of "0.15"; and
  - (e) in the seventh row (not including the title row), the omission of "0.3" and the insertion of "0.15".
- 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 CO<sub>2</sub>-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 CO<sub>2</sub>-e/MWh
- *Total Greenhouse Gas Emissions* (in t CO<sub>2</sub>-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.

“**E<sub>3</sub> 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 E<sub>3</sub> 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**

<b>Installation or Activity</b>	<b>Default Emissions Abatement Factors</b>
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	0.15
Compact fluorescent lamp that has a manufacturer's rating of 12,000 hours or more	0.15
Compact fluorescent lamp that has a manufacturer's rating of 10,000 hours or more	0.15
Compact fluorescent lamp that has a manufacturer's rating of 8,000 hours or more	0.15
Compact fluorescent lamp that has a manufacturer's rating of 5,000 hours or more	0.15
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

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Effective from

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-boostered 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
	6 Star Energy Rating	2.5
Freezer	2.5 Star Energy Rating	-
	3 Star Energy Rating	0.7
	3.5 Star Energy Rating	0.8

Greenhouse Gas Benchmark Rule (Demand Side Abatement) No. 3 of 2003  
Effective from

	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	-

Greenhouse Gas Benchmark Rule (Demand Side Abatement) No. 3 of 2003  
Effective from

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	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.



Greenhouse Gas Benchmark Rule (Demand Side Abatement) No. 3 of 2003  
Effective from

**Table 2: Carbon Dioxide Emission Factors**

Energy Source	Application / Usage	kt CO <sub>2</sub> /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.

Greenhouse Gas Benchmark Rule (Demand Side Abatement) No. 3 of 2003  
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**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

Greenhouse Gas Benchmark Rule (Demand Side Abatement) No. 3 of 2003  
Effective from

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**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.

## Other Notices

### APPRENTICESHIP AND TRAINEESHIP ACT 2001

NOTICE is given that the Commissioner for Vocational Training has made Vocational Training Orders for the recognised traineeship vocations of:

- Civil Construction (General)
- Civil Construction (Bituminous Surfacing)
- Civil Construction (Bridge Construction and Maintenance)
- Civil Construction (Foundation Work)
- Civil Construction (Pipe Laying)
- Civil Construction (Plant Operations)
- Civil Construction (Road Construction and Maintenance)
- Civil Construction (Road Marking)
- Civil Construction (Trenchless Technology)
- Civil Construction (Tunnel Construction)
- Civil Construction (Timber Bridge Construction and Maintenance)
- Civil Construction (General Operations)
- Civil Construction (Design)

under Section 6 of the Apprenticeship and Traineeship Act 2001.

The Orders specify a number of matters relating to the required training for these vocations, including the term/s of training, probationary period/s, competency outcome/s and course/s of study to be undertaken.

The Orders will take effect from the date of publication in the *New South Wales Government Gazette*.

A copy of the Orders may be inspected at any State Training Services Centre of the Department of Education and Training or on the Internet at <http://apprenticeship.det.nsw.edu.au/html/cibs/387.htm>.

Notice is also given that the recognised traineeship vocation of Civil Construction is now repealed.

### APPRENTICESHIP AND TRAINEESHIP ACT 2001

NOTICE is given that the Commissioner for Vocational Training has made a Vocational Training Order for the recognised traineeship vocation of Leather Production, under Section 6 of the Apprenticeship and Traineeship Act 2001.

The Order specifies a number of matters relating to the required training for this vocation, including the term/s of training, probationary period/s, competency outcome/s and course/s of study to be undertaken.

The Order will take effect from the date of publication in the *New South Wales Government Gazette*.

A copy of the Order may be inspected at any State Training Services Centre of the Department of Education and Training or on the Internet at <http://apprenticeship.det.nsw.edu.au/html/cibs/390.htm>.

### APPRENTICESHIP AND TRAINEESHIP ACT 2001

NOTICE is given that the Commissioner for Vocational Training has made Vocational Training Orders for the recognised traineeship vocations of:

- Retail Services (Certificate II/Certificate III combined)
- Retail Services

under Section 6 of the Apprenticeship and Traineeship Act 2001.

The Orders specify a number of matters relating to the required training for these vocations, including the term/s of training, probationary period/s, competency outcome/s and course/s of study to be undertaken.

The Orders will take effect from the date of publication in the *New South Wales Government Gazette*.

A copy of the Orders may be inspected at any State Training Services Centre of the Department of Education and Training or on the Internet at <http://apprenticeship.det.nsw.edu.au/html/cibs/388.htm>.

Notice is also given that the recognised traineeship vocation of Retail Operations is now repealed.

### APPRENTICESHIP AND TRAINEESHIP ACT 2001

Notice is given that the Commissioner for Vocational Training has made Vocational Training Orders for the recognised traineeship vocations of:

- Wholesale Services (Certificate II/Certificate III combined)
- Wholesale Services

under Section 6 of the Apprenticeship and Traineeship Act 2001.

The Orders specify a number of matters relating to the required training for these vocations, including the term/s of training, probationary period/s, competency outcome/s and course/s of study to be undertaken.

The Orders will take effect from the date of publication in the *New South Wales Government Gazette*.

A copy of the Orders may be inspected at any State Training Services Centre of the Department of Education and Training or on the Internet at <http://apprenticeship.det.nsw.edu.au/html/cibs/389.htm>.

### ASSOCIATIONS INCORPORATION ACT 1984

Reinstatement of Cancelled Association pursuant to Section 54A

The incorporation of NORTHERN AVICULTURAL SOCIETY (NEWCASTLE) INCORPORATED (Y0899728) cancelled on 10 October 2008, is reinstated pursuant to section 54A of the Associations Incorporation Act 1984.

Dated: 27th day of November 2008.

CHRISTINE GOWLAND,  
 Manager,  
 Financial Analysis Branch,  
 Registry of Co-operatives and Associations,  
 Office of Fair Trading,  
 Department of Commerce

**ASSOCIATIONS INCORPORATION ACT 1984**

Transfer of Incorporation Pursuant to Section 48(4)(a)

TAKE notice that the co-operative Bourke & District Multipurpose Child Care Centre Co-op Ltd formerly registered under the provisions of the Co-operatives Act 1992, is now incorporated under the Associations Incorporation Act 1984, as BOURKE AND DISTRICT MULTIPURPOSE CHILD CARE CENTRE INCORPORATED, effective 1 December 2008.

ROBYNE LUNNEY,  
Delegate of Commissioner,  
Office of Fair Trading  
1 December 2008

**ASSOCIATIONS INCORPORATION ACT 1984**

Cancellation of Incorporation Pursuant to Section 54

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

Cancellation is effective as at the date of gazettal.

Forest Softball Club Inc Y0810003  
Orchard Hills Family Support Group Inc Y1465031  
Mountain Aids Assistance Group - known as MAAG Incorporated Y1568017  
Mallacoota-Cann River Football Club Inc Y1410801  
Hayfever & Allergy Information Service Incorporated Y1511842  
The Hills Church (Undenominational) Incorporated Y1930915  
Argyle Theatre Ryde Incorporated Y2256134  
Biodynamic and Organic Food Manufacturers Association of Australia Inc Y1579010  
Central Coast Mini Owners Social Club Incorporated Y1645715  
Dubbo Masters Games Incorporated Y1751228  
Defend Australia Movement Incorporated Y1790117  
Dubbo Youth Care Service Inc Y0657319  
Ernie Campbell Association Incorporated Y1612932  
Kalapu 'Oke Association Inc Y1581912  
Mountain Men Australia Incorporated Y1878439  
Nigerian Association of New South Wales Australia Inc Y1569112  
Dixon Street Hamilton Afterschool Care Inc Y0985200  
Mount Druitt Cedars Cricket Club Inc Y0394523  
Forster-Tuncurry Cricket Club Incorporated Y2412348  
Hua-Sheng Chinese Language School Incorporated Y2453035  
Tumbarumba Landcare Group Incorporated Y2095915  
Lions Club of the Lower Blue Mountains Inc Y1437331  
Central Coast Accommodation Services Incorporated Y2030513  
Bonnyrigg Turkish Islamic Cultural Association Incorporated Y1889236  
Kensington Chamber of Commerce and Merchants Association Inc Y1505540

The North Arm & Missabotti Creek Landcare Group Incorporated Y1784501  
Beresfield United Senior Soccer Club Inc Y0842524  
Ulladulla & Districts Heated Pool Incorporated Y2034746  
Northern Suburbs Touch Association Inc Y1557416  
Toronto Workers Ladies Hockey Club Incorporated Y1357132  
Singleton Over 30 Touch Football Association Incorporated Y1940519  
Brunswick Heads Meals On Wheels Service Inc Y1362829  
Wallsend Hospital Guardians Incorporated Y1926607  
Blue Cow Mountain Ski Patrol Incorporated Y1956938  
Tamworth Polo Club Incorporated Y1771906  
Rotaract Club of Galston Incorporated Y1724721  
Lower Macleay Rodeo Association Inc Y1677942  
Hebron House Domestic Violence Cottage Incorporated Y2119930  
I S O Bookmarx Incorporated Y1800736  
Geurie and District Racing Club Incorporated Y2055245  
Triumph Prophetic Ministries Incorporated Y1932321  
Te Whanau Aroha Ki Te Katoa Incorporated Y1901532  
Te Kotuku Maori Culture Club Incorporated Y1907710  
Trees For Survival Inc Y1191928  
Vietnamese Television Sydney Incorporated Y1994928  
The Vietnamese Australian Mutual Support Association of NSW Incorporated Y1897630  
Berkeley Vale Netball Club Incorporated Y2116008  
Ourimbah Precinct Committee Incorporated Y2251100  
Glen Innes Archers Incorporated Y2106943  
East Timor Relief Association Incorporated Y1547910  
Equine Dentists Association of N S W Inc Y1670326  
Friends of Gozo-Australia Incorporated Y1966738  
Fairfield Employment and Economic Development Forum Incorporated Y1666214  
Finley & District Citizens Band Incorporated Y1705824  
Fort Bourke Tunnel Club Incorporated Y1642626  
International Chinese Medical Federation Incorporated Y2039927  
Promoting Education and Training, Tongan Association (Petta) Incorporated Y1869146  
Parkes Off Road Motorcycle Association Inc Y1973106  
Randwick Business Council Incorporated Inc9879197  
Rebels MC Armidale Inc Y2346819  
Romagnola Society of Australia Inc Y1478704  
The Rock Youth and Music Festival Incorporated Inc9880940  
Riverina Mobile Mammography Funding Appeal Inc Y1835905  
Somali Youth Association Inc Y1249331  
Simon's Music Association Incorporated Inc9878460  
Sudanese Australian Catholic Community and Welfare Association (SACCWA) Incorporated Inc9882826

Sat Sang Ramayan Mandali Incorporated Y1919847  
 Spiritual Enlightenment Society of Australia Inc  
 Y0115513  
 Sydney Fringe Festival Incorporated Y2033308  
 Splitters Creek Riding Club Inc Y0203616  
 Scoala Romaneasca Independenta Din Sydney The  
 Romanian Independent School of Sydney Incorporated  
 Y2692012  
 Southern Illawarra Youth Refuge Inc Y1241404  
 The Sydney Adventist High School Foundation Inc  
 Y1380043  
 The Sydney Partnership Inc Y1439717  
 Sutherland Activity Centre Inc Y1502402  
 Trade Records Analysis of Flora and Fauna in Commerce  
 (Oceania) Inc Y0570239  
 Tally-Ho Hunt Inc Y1479309  
 Taralga Ball Committee Inc Y1679642  
 New South Wales Floorball Association Incorporated  
 Inc9881245  
 Massob Australia Incorporated Inc9882728  
 Moree Waterways Aquatic Club Incorporated  
 Y2095719  
 Manly Warringah Developmental Disabilities Support  
 Group Incorporated Y1542827  
 Manning Valley Truck Drivers Club Inc Y1639119  
 Multicomunity Inc Y1523342  
 Mothers For Contact In Adoption Inc Y1436138  
 Murray River Koorie Inc Y1005908  
 Youth and Lifestyle Association Incorporated  
 Y1873405  
 Young Macedonians Incorporated Y1702441  
 Lets-New England Tablelands (Lets-Net) Incorporated  
 Y2316635  
 Kandos Toy Library Incorporated Y1817417  
 Koorungal Community Centre Inc Y1575806  
 International Federation of Chinese Yangsheng - Yizhi  
 Kong Incorporated Y2039829  
 Australian Venison Processors Association Incorporated  
 Y2073635  
 South Cronulla Out of School Hours (S.C.O.O.S.H.)  
 Incorporated Y1396511  
 Walgett Speedway Incorporated Y1944948  
 Tamworth High School Ex-Students' Union Incorporated  
 Y2016209  
 Taralga Youth Club Incorporated Y2058138  
 Tooraweenah Ride For Life Association Incorporated  
 Y1933220  
 United Portuguese Speaking Citizen Group Inc  
 Y1471137  
 University of Wollongong Baseball Softball Club  
 Incorporated Inc9880554  
 Unit Committee T S Tobruk Inc Y0645623  
 Voyeur Vision Productions Incorporated Y1914127  
 Dated: 3 December 2008

CHRISTINE GOWLAND,  
 Manager, Financial Analysis,  
 Registry of Co-operatives and Associations,  
 Office of Fair Trading,  
 Department of Commerce

## CHARITABLE TRUSTS ACT 1993

Order under Section 12

Cy Pres Scheme relating to  
 the Estate of the Late Margaret Mary Arthur

MARGARET MARY ARTHUR died on 21 September 2004 leaving a will dated 11 May 1995. Mrs Arthur directed that her estate be divided in equal shares between the Intellectually and Physically Handicapped Children's Association of NSW and the Guide Dog Association of NSW and ACT for their general purposes. Intellectually and Physically Handicapped Children's Association of NSW was deregistered on 1 August 2004, and the gift therefore fails.

There remains approximately \$54,000.00 for distribution. The solicitor for the trustees has recommended a scheme whereby the funds are applied to The Northcott Society, as an organisation which most closely resembles the Intellectually and Physically Handicapped Children's Association of NSW in its purposes and functions. The Northcott Society is said to provide support specifically for children and young persons, and its clients have a range of disabilities.

I have determined that this is an appropriate matter in which the Attorney General should approve a cy-pres scheme under section 12(1)(a) of the Charitable Trusts Act 1993. The proposed scheme enables the bequest in the will of Margaret Mary Arthur to the 'Intellectually and Physically Handicapped Children's Association of NSW' be applied to another organisation, being The Northcott Society for its general purposes, which provides a suitable and effective means of using the trust property.

Therefore, pursuant to section 12 of the Charitable Trusts Act, I hereby ORDER that the gift in the will of Margaret Mary Arthur to the 'Intellectually and Physically Handicapped Children's Association of NSW' be applied to The Northcott Society, such Order to take effect 21 days after its publication in the *New South Wales Government Gazette*, in accordance with section 16(2) of the Charitable Trusts Act.

Date of Order: 1st December 2008.

M. G. SEXTON, SC,  
 Solicitor General  
 (as delegate of the Attorney General)

## CONTAMINATED LAND MANAGEMENT ACT 1997

Declaration of remediation site

Section 21 of the

Contaminated Land Management Act 1997

Declaration Number 21125; Area Number 3257

THE ENVIRONMENT PROTECTION AUTHORITY (EPA) declares the following land to be a remediation site under the Contaminated Land Management Act 1997 ("the Act"):

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

This declaration applies to 128 Barker Street, Randwick NSW 2031 (described as Lot 1 in DP 226586), in the local government area of Randwick Council. A map of the site is attached to this declaration.

2. Nature of contamination affecting the site:

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

- petroleum hydrocarbons including benzene, toluene, ethyl benzene, xylenes and naphthalene.

### 3. Risk of harm due to the contaminants

The EPA has considered the matters in section 9 of the Act and has determined that the contamination at the site warrants regulation under the Act for the following reasons:

- petroleum hydrocarbons have been detected in soil and groundwater at concentrations exceeding guidelines values;
- the contaminated groundwater is migrating offsite towards residential properties; and
- exposure to the contaminants may occur through the inhalation of volatile chemicals or through dermal contact/incidental ingestion should groundwater be used in the future or contaminated soils/groundwater be excavated/extracted.

### 4. Further action under the Act

The making of this declaration does not prevent the carrying out of a voluntary remediation of the site and any person may submit a voluntary investigation proposal for the site to the EPA. If the proposal satisfies the requirements of section 26 of the Act, the EPA may agree not to issue a remediation order to the person or persons bringing the proposal.

### 5. Submissions invited

The public may make written submissions to the EPA on:

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

Submissions should be made in writing to:

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

by not later than 19 December 2008.

NIALL JOHNSTON,  
Manager Contaminated Sites,  
Department of Environment and Climate Change  
Date: 1 December 2008.

#### NOTE:

Remediation order may follow

If remediation of the site or part of the site is required, the EPA may issue a remediation order under section 23 of the Act.

#### Variation/Revocation

This declaration may be varied by subsequent declarations. It remains in force until it is otherwise revoked. A declaration may only be revoked when the EPA does not have reasonable grounds to believe that land is contaminated in such as way as to present a significant risk of harm (section 44 of the Act).

#### Information recorded by the EPA

Section 58 of the Contaminated Land Management Act 1997 requires the EPA to maintain a public record. A copy of this investigation declaration will be included in the public record.

#### Information recorded by councils

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

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

#### Relationship to other regulatory instrument

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

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### CRIMES (ADMINISTRATION OF SENTENCES) ACT 1999

JAMES JACOB SPIGELMAN, AC, Lieutenant-Governor  
I, the Honourable JAMES JACOB SPIGELMAN, AC, Lieutenant-Governor of the State of New South Wales, with the advice of the Executive Council, and pursuant to section 225(4) and 226(4) of the Crimes (Administration of Sentences) Act 1999, do, by this Proclamation, revoke the Proclamation of Silverwater Periodic Detention Centre published in the *New South Wales Government Gazette* on 8 November 2002.

This proclamation is to take effect on and from the date of publication in the *New South Wales Government Gazette*.

Signed and sealed at Sydney, this 3rd day of December 2008.

By His Excellency's Command,

JOHN HATZISTERGOS, M.L.C.,  
Minister for Justice

GOD SAVE THE QUEEN!

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### 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:

Lismore, 10:00 a.m., 28 January 2009 (3 days), special fixture.

Dated this 29th day of November 2008.

R. O. BLANCH,  
Chief Judge

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### 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:

Bega, 10:00 a.m., 6 April 2009 (1 week), special fixture.

Lismore, 10:00 a.m., 18 May 2009 (2 weeks), in lieu of 20 April 2009 (2 weeks) and 8 June 2009 (2 weeks).

Dated this 1st day of December 2008.

R. O. BLANCH,  
Chief Judge

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**DEPARTMENT OF ENVIRONMENT AND CLIMATE  
CHANGE**

Notice of Approval of the Recovery Plan for  
Kurri Sand Swamp Woodland

THE Department of Environment and Climate Change (DECC) hereby gives notice of the approval of the Recovery Plan for the endangered ecological community Kurri Sand Swamp Woodland. Copies of the Recovery Plan are available, during ordinary office hours, at the following locations:

- DECC Information Centre (Sydney CBD), Level 14, 59-61 Goulburn Street, Sydney;
- DECC Environment Protection and Regulation Division, North East Branch, 117 Bull St, Newcastle West.

A full version of the Recovery Plan will be placed on the Internet ([www.environment.nsw.gov.au/threatenedspecies/recoveryplans](http://www.environment.nsw.gov.au/threatenedspecies/recoveryplans)).

**FOOD ACT 2003**

THE NSW Food Authority advises of two convictions under the Food Act 2003 relating to the sale of food made against SADIK BROTHERS BUTCHERY at the business address of 100 Park Road, Auburn NSW 2144. In the first offence committed on 14 February 2008, the defendant was charged with two breaches relating to offences under section 21 (2) of the Food Act, incurring a \$3,150 fine. The second offence committed on 12 March 2008 the defendant was charged with four breaches of section 21 (2) of the Food Act, incurring a \$8,400 fine. The total penalty imposed under the Act for both cases was \$11,550 plus professional costs yet to be determined. This notice is made after statutory time for appeal has elapsed.

NSW Food Authority,  
PO Box 6682,  
Silverwater NSW 1811

**FORESTRY ACT 1916**

Revocation of a Timber Reserve

HER Excellency the Governor, with the advice of the Executive Council, on the recommendation of the Minister and with the concurrence of the Minister for Lands, directs it to be notified that, in pursuance of the provisions of section 22 of the Forestry Act 1916, the reserve from sale described hereunder shall be revoked and it is revoked accordingly.

Dated: Sydney, 5 December 2008.

IAN MACDONALD, M.L.C.,  
Minister for Primary Industries

**SCHEDULE**

Eastern Division

*Land District of Gloucester;  
Gloucester Shire Council Area; Central Forestry Region*

Timber Reserve No. 79954, notified 23 August 1968, Parish of Barrington, County of Gloucester, the whole, having an area of about 124.2 hectares (43485).

**GEOGRAPHICAL NAMES ACT 1966**

Erratum

Katoomba 8930 1S 1:25 000 topographic map within the  
Katoomba 8930 1:100 000 topographic map area

THE notice in *NSW Government Gazette* of 24 April 1970, Folio 8953, refers to the assignment of a geographical name Butterbox Point, designation Lookout. The correct designation should be Point. This notice corrects that error.

W. WATKINS,  
Chairman

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

**GEOGRAPHICAL NAMES ACT 1966**

Erratum

Katoomba 8930 1S 1:25 000 topographic map within the  
Katoomba 8930 1:100 000 topographic map area

THE notice in *New South Wales Government Gazette* of 24 April 1970, Folio 8953, refers to the assignment of a geographical name Butterbox Point, designation Lookout. The correct designation should be Point. This notice corrects that error.

W. WATKINS,  
Chairman

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

**GEOGRAPHICAL NAMES ACT 1966**

Notice of Determination of Address Locality Names  
and Boundaries Within the Upper Lachlan  
Local Government Area

PURSUANT to the provisions of section 10 of the Geographical Names Act 1966, the Geographical Names Board hereby notifies that it has this day determined address locality names and boundaries in the Upper Lachlan Local Government Area as shown on map GNB5110-1.

The following fifty three names have been determined as address localities which are shown on map GNB5110-1: Bannaby, Bannister, Bellmount Forest, Bevendale, Biala, Big Hill, Bigga, Binda, Blakney Creek, Brayton, Breadalbane, Broadway, Chatsbury, Collector, Crooked Corner, Crookwell, Cullerin, Curraweela, Dalton, Fullerton, Golspie, Grabben Gullen, Greenwich Park, Gunning, Gurrundah, Jerrawa, Lade Vale, Laggan, Lerida, Limerick, Lost River, Merrill, Middle Arm, Mount Werong, Myrtleville, Narrawa, Oolong, Peelwood, Pejar, Pomeroy, Richlands, Roslyn, Stonequarry, Taralga, Tarlo, Tuena, Wayo, Wheeo, Wiaborough, Wollogorang, Wombeyan Caves, Woodhouselee, Yalbraith,

The position and extent of these address localities are shown on map GNB5110-1 and are recorded within the Geographical Names Register of New South Wales. This information can be accessed through the Board's web site at [www.gnb.nsw.gov.au](http://www.gnb.nsw.gov.au).

WARWICK WATKINS,  
Chairperson

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



**NATIONAL PARKS AND WILDLIFE ACT 1974**

## Notice of Reservation of a Nature Reserve

I, Professor Marie Bashir AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, reserve the land described in the Schedule below, as part of Narran Lake Nature Reserve, under the provisions of section 30A (1) of the National Parks and Wildlife Act 1974.

Signed and sealed at Sydney this 26th day of November 2008.

MARIE BASHIR,  
Governor,

By Her Excellency's Command,

CARMEL TEBBUTT,  
Minister for Climate Change and the Environment

GOD SAVE THE QUEEN

**SCHEDULE**

*Western Division Administrative District;  
LGA – Walgett*

County Finch, about 5,915 hectares, being Lot 3232 in DP 764668 and that part of the bed of Narran River separating Lot 3232 aforesaid from Narran Lake Nature Reserve, exclusive of Crown Public road and Western Division Road No.21. DECC Papers; 07/1475.

**NATIONAL PARKS AND WILDLIFE ACT 1974**

Watagans National Park and Jilliby SCA  
Draft Plan of Management  
Budelah Nature Reserve  
Draft Plan of Management

A draft plan of management for Watagans National Park and Jilliby State Conservation Area has been prepared and is available free of charge from the NPWS offices at 207 Albany Street, Gosford (phone 4320 4200) and Elizabeth Bay Drive, Lake Munmorah (4358 0400). The plan may also be viewed at Cessnock City Library, 65 Vincent Street, Cessnock; Tuggerah Library, Westfield, Cobbs Road, Tuggerah; Morisset Library, Station Street, Morisset; Toronto Library, Brighton Street, Toronto; Speers Point Library, 139 Main Road, Speers Point and on the website: [www.environment.nsw.gov.au](http://www.environment.nsw.gov.au). Written submissions on the Watagans plan must be received by The Planning Officer, NPWS, PO Box 1477, Gosford NSW 2250 by 30 March 2009.

A draft plan of management for Budelah Nature Reserve has been prepared and is available free of charge from the NPWS office at 100 Maitland Street, Narrabri NSW 2390 (phone 6792 7300). The plan may also be viewed at Mungindi CTC (Community Transaction Centre), St George Street, Mungindi 2406 and on [www.environment.nsw.gov.au](http://www.environment.nsw.gov.au). Written submissions on the Budelah plan must be received by The Area Manager, NPWS, PO Box 72, Narrabri NSW 2390 by 23 March 2009.

All submissions received by NPWS are a matter of public record and are available for public inspection upon request to NPWS. Your comments on these plans may contain information that is defined as "personal information" under the NSW Privacy and Personal Information Protection Act 1998. The submission of personal information with your comments is voluntary.

**NATIONAL PARKS AND WILDLIFE ACT 1974**

## Notice of Reservation of a National Park

I, Professor MARIE BASHIR, AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, reserve the land described in the Schedule below, as part of Wollemi National Park, under the provisions of section 30A(1) of the National Parks and Wildlife Act 1974.

Signed and sealed at Sydney, this 26th day of November 2008.

MARIE BASHIR,  
Governor

By Her Excellency's Command,

CARMEL TEBBUTT, M.P.,  
Minister for Climate Change  
and the Environment

GOD SAVE THE QUEEN!

**Description**

*Land District – Lithgow; L.G.A. – Lithgow*

County Cook, Parishes Gindantherie and Barton, about 5.2 hectares, being the lots listed in the Schedule following. DECC/02/08449.

**SCHEDULE**

<i>Parish</i>	<i>Section</i>	<i>Lot</i>	<i>DP</i>
Gindantherie	2	2, 7	758770
Gindantherie	3	8	758770
Gindantherie	13	9	758770
Gindantherie	30	10, 12 to 19 inclusive	758770
Gindantherie	31	1 to 7, 10 to 25 inclusive	758770
Gindantherie	32	1 to 3 inclusive, 12, 13	758770
Gindantherie	33	1, 3 to 7 inclusive, 9 to 22	758770
Gindantherie	34	1, 5, 8, 11, 12, 14 to 16 inclusive, 18, 19	758770
Gindantherie	35	2, 4, 6 to 9 inclusive	758770
Barton	27	3	758770
Barton	28	1 to 4 inclusive, 8, 9	758770
Barton	29	1, 13, 14	758770

**NATIONAL PARKS AND WILDLIFE ACT 1974**

## Notice of Reservation of a National Park

I, Professor MARIE BASHIR, AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, reserve the land described in the Schedule below, as part of Kwiambal National Park, under the provisions of section 30A(1) of the National Parks and Wildlife Act 1974.

Signed and sealed at Sydney, this 26th day of November 2008.

MARIE BASHIR,  
Governor

By Her Excellency's Command,  
 CARMEL TEBBUTT, M.P.,  
 Minister for Climate Change  
 and the Environment

GOD SAVE THE QUEEN!

—————  
 SCHEDULE

*Land District – Warialda; L.G.A. – Inverell*

County Arrawatta, Parish Ena, about 625 hectares, being the remainder of Lot 2 in DP 1045639 not previously reserved as Kwiambal National Park by notice in the *New South Wales Government Gazette* dated 19th May 2000, folio 4226. DECC/03/07412.

Note: The above reservation is restricted to a depth of 100 metres below the surface.

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**NATIONAL PARKS AND WILDLIFE ACT 1974**

Proclamation

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 the powers vested in me under section 68 of the National Parks and Wildlife Act 1974, with the consent of every owner and occupier do, on the recommendation of the Director-General of the Department of Environment and Climate Change, by this my Proclamation declare the lands described hereunder to be a wildlife refuge for the purposes of the abovementioned Act.

To be known as “Springwell Wildlife Refuge”.

Signed and sealed at Sydney, this 26th day of November 2008.

MARIE BASHIR,  
 Governor

By Her Excellency's Command,

CARMEL TEBBUTT, M.P.,  
 Minister for Climate Change  
 and the Environment

GOD SAVE THE QUEEN!

—————  
 Description

*Land District – Hillston; Council – Palerang*

County of Murray, Parish of Mulloon, 98.45 hectares, being Lots 9, 10, 11, 75 and 76, DP 754897.

DECC 08/9602.

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**NATIONAL PARKS AND WILDLIFE ACT 1974**

Part Revocation of Proclamation

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 the powers vested in me under section 68 of the National Parks and Wildlife Act 1974, with the consent of every owner and occupier do, on the recommendation of the Director-General of the Department of Environment and Climate Change, by this my Proclamation revoke part of the lands described as Spring Park Wildlife Refuge and notified in *New South Wales Government Gazette* No. 82 of 6th June 1974.

Signed and sealed at Sydney, this 26th day of November 2008.

MARIE BASHIR,  
 Governor

By Her Excellency's Command,

CARMEL TEBBUTT, M.P.,  
 Minister for the Climate Change  
 and the Environment

GOD SAVE THE QUEEN!

—————  
 Description

*Land District – Tamworth; Council – Liverpool Plains*

County of Buckland, Parish of Evan, about 527.91 hectares, being Lots 145, 146, 162, 163 and 175, DP 751014. NPWS 02/02043.

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**NATIONAL PARKS AND WILDLIFE ACT 1974**

Part Revocation of Proclamation

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 the powers vested in me under section 68 of the National Parks and Wildlife Act 1974, with the consent of every owner and occupier do, on the recommendation of the Director-General of the Department of Environment and Conservation, by this my Proclamation revoke part of the lands described as Rose Point Wildlife Refuge and notified in *New South Wales Government Gazette* No. 28 of 2 March 1973.

Signed and sealed at Sydney, this 26th day of November 2008.

MARIE BASHIR,  
 Governor

By Her Excellency's Command,

CARMEL TEBBUTT, M.P.,  
 Minister for the Climate Change  
 and the Environment

GOD SAVE THE QUEEN!

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 Description

*Land District – Taree; Council – Great Lakes*

County of Gloucester, Parish of Wallingat, about 10 hectares, being Lot 4, DP 703884. NPWS 02/01648.

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**NATIONAL PARKS AND WILDLIFE ACT 1974**

Proclamation

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 the powers vested in me under section 68 of the National Parks and Wildlife Act 1974, with the consent of every owner and occupier do, on the recommendation of the Director-General of the Department of Environment and Climate Change, by this my Proclamation declare the lands described hereunder to be a wildlife refuge for the purposes of the abovementioned Act.

To be known as “Brayson's Run Wildlife Refuge”.

Signed and sealed at Sydney, this 26th day of November 2008.

MARIE BASHIR,  
Governor

By Her Excellency's Command,

CARMEL TEBBUTT, M.P.,  
Minister for Climate Change  
and the Environment

GOD SAVE THE QUEEN!

—————  
Description

*Land District – Queanbeyan; Council – Palerang*

County of Murray, Parish of Bywong, 12.37 hectares,  
being Lot 1, DP 883484. NPWS 08/9600.

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**PROPERTY, STOCK AND BUSINESS AGENTS  
ACT 2002**

Notification of Approval of Authorised Deposit-Taking  
Institution

I, LYN BAKER, Commissioner for Fair Trading, pursuant to section 87 of the Property, Stock and Business Agents Act 2002, have approved the authorised deposit-taking institution listed in the Schedule below for the purposes of Part 7 of the Act.

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SCHEDULE

Elders Rural Bank Limited

Dated this 27th day of November 2008.

LYN BAKER,  
Commissioner for Fair Trading,  
Office of Fair Trading,  
Department of Commerce

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**PUBLIC LOTTERIES ACT 1996**

Soccer Football Pools – Approval of Rules

I, THE HONOURABLE KEVIN GREENE, M.P., Minister for Gaming and Racing and Minister for Sport and Recreation, being the Minister for the time being administering the Public Lotteries Act 1996 (hereinafter referred to as “the Act”) pursuant to section 23 (1) of the Act DO HEREBY APPROVE the Rules annexed to this instrument for the conduct of Games of Pools and Games of Promotional Pools by the New South Wales Lotteries Corporation effective on and from 5 December 2008. These Rules supersede the RULE 1 (a) (xv) in force prior to this approval.

Dated this second day of December 2008.

KEVIN GREENE, M.P.,  
Minister for Gaming and Racing  
and Minister for Sport and Recreation

—————  
ANNEXURE

RULE 1 (a) (xv)

"Direct Mail Agent" means an Agent, approved by the Minister, who is authorised by the Licensee to receive Subscriptions, Commissions and instructions in respect of a Game of Pools or entries and instructions with respect to a

Game of Promotional Pools from a Player. Such Direct Mail Agent may receive instructions by post, telephone, facsimile or modem (internet) and such Direct Mail Agent may receive Prizes for and on behalf of a Player;

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**PUBLIC LOTTERIES ACT 1996**

Draw Lottery – Approval of Rules

I, THE HONOURABLE KEVIN GREENE, M.P., Minister for Gaming and Racing and Minister for Sport and Recreation, being the Minister for the time being administering the Public Lotteries Act 1996 (hereinafter referred to as “the Act”) pursuant to section 23 (1) of the Act DO HEREBY APPROVE the Rules annexed to this instrument for the conduct of Draw Lottery and Promotional Draw Lottery Games by the New South Wales Lotteries Corporation effective on and from 5 December 2008. These Rules supersede the RULE 1 (a) (xii) in force prior to this approval.

Dated this second day of December 2008.

KEVIN GREENE, M.P.,  
Minister for Gaming and Racing  
and Minister for Sport and Recreation

—————  
ANNEXURE

RULE 1 (a) (xii)

"Direct Mail Agent" means an Agent, approved by the Minister, who is authorised by the Licensee to receive Subscriptions, Commissions and instructions in respect of a Draw Lottery Game or entries and instructions with respect to a Promotional Draw Lottery Game from a Player. Such Direct Mail Agent may receive instructions by post, telephone, facsimile or modem (internet) and such Direct Mail Agent may receive Prizes for and on behalf of a Player;

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**PUBLIC LOTTERIES ACT 1996**

Lotto – Approval of Rules

I, THE HONOURABLE KEVIN GREENE, M.P., Minister for Gaming and Racing and Minister for Sport and Recreation, being the Minister for the time being administering the Public Lotteries Act 1996 (hereinafter referred to as “the Act”) pursuant to section 23 (1) of the Act DO HEREBY APPROVE the Rules annexed to this instrument for the conduct of Games of Lotto and Games of Promotional Lotto by the New South Wales Lotteries Corporation effective on and from 5 December 2008. These Rules supersede the RULE 1 (a) (xiii) in force prior to this approval.

Dated this second day of December 2008.

KEVIN GREENE, M.P.,  
Minister for Gaming and Racing  
and Minister for Sport and Recreation

—————  
ANNEXURE

RULE 1 (a) (xiii)

"Direct Mail Agent" means an Agent, approved by the Minister, who is authorised by the Licensee to receive Subscriptions, Commissions and instructions in respect of a Game of Lotto or entries and instructions with respect to a Game of Promotional Lotto from a Player. Such Direct Mail Agent may receive instructions by post, telephone, facsimile or modem (internet) and such Direct Mail Agent may receive Prizes for and on behalf of a Player;

**PUBLIC LOTTERIES ACT 1996**

## Lotto Strike – Approval of Rules

I, THE HONOURABLE KEVIN GREENE, M.P., Minister for Gaming and Racing and Minister for Sport and Recreation, being the Minister for the time being administering the Public Lotteries Act 1996 (hereinafter referred to as “the Act”) pursuant to section 23 (1) of the Act DO HEREBY APPROVE the Rules annexed to this instrument for the conduct of Games of Lotto Strike and Games of Promotional Lotto Strike by the New South Wales Lotteries Corporation effective on and from 5 December 2008. These Rules supersede the RULE 1 (a) (xiv) in force prior to this approval.

Dated this second day of December 2008.

KEVIN GREENE, M.P.,  
Minister for Gaming and Racing  
and Minister for Sport and Recreation

ANNEXURE

## RULE 1 (a) (xiv)

"Direct Mail Agent" means an Agent, approved by the Minister, who is authorised by the Licensee to receive Subscriptions, Commissions and instructions in respect of a Game of Lotto Strike or entries and instructions with respect to a Game of Promotional Lotto Strike from a Player. Such Direct Mail Agent may receive instructions by post, telephone, facsimile or modem (internet) and such Direct Mail Agent may receive Prizes for and on behalf of a Player;

**PUBLIC LOTTERIES ACT 1996**

## Oz Lotto – Approval of Rules

I, THE HONOURABLE KEVIN GREENE, M.P., Minister for Gaming and Racing and Minister for Sport and Recreation, being the Minister for the time being administering the Public Lotteries Act 1996 (hereinafter referred to as “the Act”) pursuant to section 23 (1) of the Act DO HEREBY APPROVE the Rules annexed to this instrument for the conduct of Games of Oz Lotto and Games of Promotional Oz Lotto by the New South Wales Lotteries Corporation effective on and from 5 December 2008. These Rules supersede the RULE 1 (a) (xiii) in force prior to this approval.

Dated this second day of December 2008.

KEVIN GREENE, M.P.,  
Minister for Gaming and Racing  
and Minister for Sport and Recreation

ANNEXURE

## RULE 1 (a) (xiii)

"Direct Mail Agent" means an Agent, approved by the Minister, who is authorised by the Licensee to receive Subscriptions, Commissions and instructions in respect of a Game of OZ Lotto or entries and instructions with respect to a Game of Promotional OZ Lotto from a Player. Such Direct Mail Agent may receive instructions by post, telephone, facsimile or modem (internet) and such Direct Mail Agent may receive Prizes for and on behalf of a Player;

**PUBLIC LOTTERIES ACT 1996**

## Powerball – Approval of Rules

I, THE HONOURABLE KEVIN GREENE, M.P., Minister for Gaming and Racing and Minister for Sport and Recreation, being the Minister for the time being administering the Public Lotteries Act 1996 (hereinafter referred to as “the Act”) pursuant to section 23 (1) of the Act DO HEREBY APPROVE the Rules annexed to this instrument for the conduct of Games of Powerball and Games of Promotional Powerball by the New South Wales Lotteries Corporation effective on and from 5 December 2008. These Rules supersede the RULE 1 (a) (xii) in force prior to this approval.

Dated this second day of December 2008.

KEVIN GREENE, M.P.,  
Minister for Gaming and Racing  
and Minister for Sport and Recreation

ANNEXURE

## RULE 1 (a) (xii)

"Direct Mail Agent" means an Agent, approved by the Minister, who is authorised by the Licensee to receive Subscriptions, Commissions and instructions in respect of a Game of Powerball or entries and instructions with respect to a Game of Promotional Powerball from a Player. Such Direct Mail Agent may receive instructions by post, telephone, facsimile or modem (internet) and such Direct Mail Agent may receive Prizes for and on behalf of a Player;

**TRANSPORT ADMINISTRATION ACT 1988****LAND ACQUISITION (JUST TERMS  
COMPENSATION) ACT 1991**

Notice of Compulsory Acquisition of Land and Interest in Land for the Purposes of the Rail Corporation New South Wales

RAIL CORPORATION NEW SOUTH WALES, with the approval of Her Excellency the Governor, declares that the land described in the Schedule 1 hereto and the interests in land described in Schedule 2 hereto are acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of Rail Corporation New South Wales, as authorised by the Transport Administration Act 1988, being for rail facilities in connection with the Southern Sydney Freight Line.

The Minister responsible for Rail Corporation New South Wales is satisfied that Rail Corporation New South Wales requires immediate vacant possession of the land described in the Schedule.

Dated this 24th day of November 2008.

ROB MASON,  
Chief Executive Officer

SCHEDULE 1  
(Land)

All that piece or parcel of land situate at Liverpool in the Local Government Area of Liverpool, Parish of St Luke, County of Cumberland and State of New South Wales, being Lot 4 in Deposited Plan 1129945 having an area of 615.8 square metres or thereabouts and said to be in the possession of the Minister administering the Public Works Act 1912.

All that piece or parcel of land situate at Liverpool in the Local Government Area of Liverpool, Parish of St Luke, County of Cumberland and State of New South Wales, being Lot 14 in Deposited Plan 1129945 having an area of 258.7 square metres or thereabouts and said to be in the possession of the Minister administering the Public Works Act 1912.

All that piece or parcel of land situate at Liverpool in the Local Government Area of Liverpool, Parish of St Luke, County of Cumberland and State of New South Wales, being Lot 5 in Deposited Plan 1129945 having an area of 1001 square metres or thereabouts and said to be in the possession of Roads and Traffic Authority.

All that piece or parcel of land situate at Liverpool in the Local Government Area of Liverpool, Parish of St Luke, County of Cumberland and State of New South Wales, being Lot 6 in Deposited Plan 1129945 having an area of 1379 square metres or thereabouts and said to be in the possession of the Minister administering the Public Works Act 1912.

All that piece or parcel of land situate at Liverpool in the Local Government Area of Liverpool, Parish of St Luke, County of Cumberland and State of New South Wales, being Lot 12 in Deposited Plan 1129945 having an area of 28.49 square metres or thereabouts and said to be in the possession of the Minister administering the Public Works Act 1912.

All that piece or parcel of land situate at Liverpool in the Local Government Area of Liverpool, Parish of St Luke, County of Cumberland and State of New South Wales, being Lot 7 in Deposited Plan 1129945 having an area of 102.2 square metres or thereabouts and said to be in the possession of Roads and Traffic Authority .

All that piece or parcel of land situate at Liverpool in the Local Government Area of Liverpool, Parish of St Luke, County of Cumberland and State of New South Wales, being Lot 8 in Deposited Plan 1129945 having an area of 1680 square metres or thereabouts and said to be in the possession of the State of New South Wales.

**SCHEDULE 2**  
(Interest in Land)

Easement rights as described hereunder over the sites described as:

All that piece or parcel of land situate at Liverpool in the Local Government Area of Liverpool, Parish of St Luke, County of Cumberland and State of New South Wales, shown as '(C) PROPOSED EASEMENT FOR BATTER VARIABLE WIDTH' in Deposited Plan 1129945 exclusive of that part within Lot 15 in Deposited Plan 1129945 and said to be in the possession of Roads and Traffic Authority and The State of New South Wales.

**EASEMENT RIGHTS**

**EASEMENT FOR BATTER OR SUPPORT**

FULL AND FREE right for the Minister and his successors and assigns (being a public or local authority) and every person authorised by any of them from time to time to enter, go upon, return, pass and re-pass with or without vehicles plant machinery and equipment, in through along and over the servient tenement to use the servient tenement for the purpose of maintaining thereon existing support batters and/or the placing thereon of all such earth, soil, cements and clay and other material as shall in the opinion of the Minister, his successors and assigns (being a public or local authority) and every person authorised by any of them

be necessary or desirable for the purpose of constructing, reconstructing, repairing, replacing and forever maintaining on the servient tenement batters to serve as a support for the surface, subsoil and undersurface of any road or structure adjoining or adjacent to the servient tenement and to use the said batters at all times hereafter for the purpose of giving such support AND the Transferor (which expression includes successors and title) covenants that it will not:

- (a) Use or permit to be used the servient tenement in any manner or for any purpose which may affect or have a tendency to affect the stability of the said batters or any of them as a support for any such road or structure and;
- (b) Do or suffer to be done any act or thing which may injure or damage the said batters or any of them or in any way impair its efficiency

PROVIDED THAT the Minister, his successors and assigns (being a public or local authority) and every person authorised by any of them will:

- (a) Take all reasonable precautions to ensure there is as little disturbance as possible to the surface of the servient tenement;
- (b) Make good or bear the reasonable costs of making good any works or property of the Transferor or any property of any lessee, tenant or licensee of the Transferor that may be interfered with in the construction, reconstruction and maintenance of the batters; and
- (c) At all times at its own expense keep the said batters in a good and proper state of repair.

RailCorp Reference: 303207.

**TRANSPORT ADMINISTRATION ACT 1988**  
**LAND ACQUISITION (JUST TERMS**  
**COMPENSATION) ACT 1991**

Notice of Compulsory Acquisition of Land for the  
Purposes of the Rail Corporation New South Wales

RAIL CORPORATION NEW SOUTH WALES, with the approval of Her Excellency the Governor, declares that the land described in the Schedule 1 hereto are acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of Rail Corporation New South Wales, as authorised by the Transport Administration Act 1988, being for rail facilities in connection with the Southern Sydney Freight Line.

The Minister responsible for Rail Corporation New South Wales is satisfied that Rail Corporation New South Wales requires immediate vacant possession of the land described in the Schedule.

Dated this 24th day of November 2008

ROB MASON,  
Chief Executive Officer

**SCHEDULE 1**  
(Land)

All that piece or parcel of land situate at Leumeah in the Local Government Area of Campbelltown, Parish of St Peter, County of Cumberland and State of New South Wales, being

Lot 1 in Deposited Plan 1131074 having an area of 121.3 square metres or thereabouts and said to be in the possession of Campbelltown City Council.

All that piece or parcel of land situate at Leumeah in the Local Government Area of Campbelltown, Parish of St Peter, County of Cumberland and State of New South Wales, being Lot 2 in Deposited Plan 1131074 having an area of 85.6 square metres or thereabouts and said to be in the possession of Campbelltown City Council.

All that piece or parcel of land situate at Leumeah in the Local Government Area of Campbelltown, Parish of St Peter, County of Cumberland and State of New South Wales, being Lot 3 in Deposited Plan 1131074 having an area of 124.2 square metres or thereabouts and said to be in the possession of Campbelltown City Council.

All that piece or parcel of land situate at Leumeah in the Local Government Area of Campbelltown, Parish of St Peter, County of Cumberland and State of New South Wales, being Lot 4 in Deposited Plan 1131074 having an area of 153.8 square metres or thereabouts and said to be in the possession of Campbelltown City Council.

All that piece or parcel of land situate at Leumeah in the Local Government Area of Campbelltown, Parish of St Peter, County of Cumberland and State of New South Wales, being Lot 5 in Deposited Plan 1131074 having an area of 167.3 square metres or thereabouts and said to be in the possession of Campbelltown City Council.

All that piece or parcel of land situate at Leumeah in the Local Government Area of Campbelltown, Parish of St Peter, County of Cumberland and State of New South Wales, being Lot 6 in Deposited Plan 1131074 having an area of 392.7 square metres or thereabouts and said to be in the possession of Campbelltown City Council.

All that piece or parcel of land situate at Leumeah in the Local Government Area of Campbelltown, Parish of St Peter, County of Cumberland and State of New South Wales, being Lot 7 in Deposited Plan 1131074 having an area of 350.7 square metres or thereabouts and said to be in the possession of Campbelltown City Council.

All that piece or parcel of land situate at Leumeah in the Local Government Area of Campbelltown, Parish of St Peter, County of Cumberland and State of New South Wales, being Lot 8 in Deposited Plan 1131074 having an area of 503.7 square metres or thereabouts and said to be in the possession of Campbelltown City Council.

All that piece or parcel of land situate at Leumeah in the Local Government Area of Campbelltown, Parish of St Peter, County of Cumberland and State of New South Wales, being Lot 9 in Deposited Plan 1131074 having an area of 378.3 square metres or thereabouts and said to be in the possession of Campbelltown City Council.

All that piece or parcel of land situate at Leumeah in the Local Government Area of Campbelltown, Parish of St Peter, County of Cumberland and State of New South Wales, being Lot 10 in Deposited Plan 1131074 having an area of 183.2 square metres or thereabouts and said to be in the possession of Campbelltown City Council.

All that piece or parcel of land situate at Leumeah in the Local Government Area of Campbelltown, Parish of St Peter, County of Cumberland and State of New South Wales, being Lot 11 in Deposited Plan 1131074, excluding thereout

'Easement for Sewer 6.095 wide created by dealing V82000' having an area of 760.2 square metres or thereabouts and said to be in the possession of Campbelltown City Council.

All that piece or parcel of land situate at Minto in the Local Government Area of Campbelltown, Parish of Minto, County of Cumberland and State of New South Wales, being Lot 1 in Deposited plan 1131072 having an area of 1039 square metres or thereabouts and said to be in the possession of Campbelltown City Council.

All that piece or parcel of land situate at Campbelltown in the Local Government Area of Campbelltown, Parish of St Peter, County of Cumberland and State of New South Wales, being Lot 1 in Deposited Plan 1130933 having an area of 277.8 square metres or thereabouts and said to be in the possession of Campbelltown City Council.

All that piece or parcel of land situate at Campbelltown in the Local Government Area of Campbelltown, Parish of St Peter, County of Cumberland and State of New South Wales, being Lot 10 in Deposited Plan 1130933, excluding thereout 'Easement for Transmission Line 8 wide shown in DP 644075' having an area of 87.33 square metres or thereabouts and said to be in the possession of Campbelltown City Council.

All that piece or parcel of land situate at Glenfield in the Local Government Area of Campbelltown, Parish of Minto, County of Cumberland and State of New South Wales, being part of Lot 5 in Deposited Plan 1123827 in Campbelltown City Council Area, having an area of 674 square metres or thereabouts and said to be in the possession of Campbelltown City Council.

RailCorp Reference: 303277.

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## TRANSPORT ADMINISTRATION ACT 1988

### LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land for the  
Purposes of the Rail Corporation New South Wales

RAIL CORPORATION NEW SOUTH WALES, with the approval of Her Excellency the Governor, declares that the land described in the Schedule hereto is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of Rail Corporation New South Wales, as authorised by the Transport Administration Act 1988, being for rail facilities in connection with the Southern Sydney Freight Line.

Dated this 24th day of November 2008.

ROB MASON,  
Chief Executive Officer

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### SCHEDULE

All that piece or parcel of land situate at Glenfield in the Local Government Area of Liverpool, Parish of Minto, County of Cumberland and State of New South Wales, being Lot 2 in Deposited Plan 1123827 having an area of 1564 square metres or thereabouts and said to be in the possession of the Minister Administering the National Parks and Wildlife Act 1974.

RailCorp Reference: 303258.

**TRANSPORT ADMINISTRATION ACT 1988****LAND ACQUISITION (JUST TERMS  
COMPENSATION) ACT 1991**

Notice of Compulsory Acquisition of Land and Interest in Land for the Purposes of the Rail Corporation New South Wales

RAIL CORPORATION NEW SOUTH WALES, with the approval of Her Excellency the Governor, declares that the land described in the Schedule 1 hereto and the interest in land described in Schedule 2 hereto are acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of Rail Corporation New South Wales, as authorised by the Transport Administration Act 1988, being for rail facilities in connection with the Southern Sydney Freight Line.

The Minister responsible for Rail Corporation New South Wales is satisfied that Rail Corporation New South Wales requires immediate vacant possession of the land described in the Schedule.

Dated this 24th day of November 2008.

ROB MASON,  
Chief Executive Officer

SCHEDULE 1  
(Land)

All that piece or parcel of land situate at Glenfield in the Local Government Area of Campbelltown, Parish of Minto, County of Cumberland and State of New South Wales, being Lot 1 in Deposited Plan 1129316 having an area of 7158 square metres or thereabouts and said to be in the possession of J.C. and F.W. Kennett Pty Limited.

All that piece or parcel of land situate at Glenfield in the Local Government Area of Campbelltown, Parish of Minto, County of Cumberland and State of New South Wales, being Lot 2 in Deposited Plan 1129316 having an area of 1.673 hectares or thereabouts and said to be in the possession of Figela Pty Limited.

SCHEDULE 2  
(Interest in Land)

Easement rights as described hereunder over the site described as:

All that piece or parcel of land situate at Glenfield in the Local Government Area of Campbelltown, Parish of Minto, County of Cumberland and State of New South Wales, shown as '(A) PROPOSED EASEMENT FOR BATTER VARIABLE WIDTH' in Deposited Plan 1129316 and said to be in the possession of J.C. and F.W. Kennett Pty Limited and Figela Pty Limited.

**EASEMENT RIGHTS****EASEMENT FOR BATTER OR SUPPORT**

FULL AND FREE right for the Minister and his successors and assigns (being a public or local authority) and every person authorised by any of them from time to time to enter, go upon, return, pass and re-pass with or without vehicles plant machinery and equipment, in through along and over the servient tenement to use the servient tenement for the purpose of maintaining thereon existing support batters and/or the placing thereon of all such earth, soil, cements and clay and other material as shall in the opinion of the Minister, his successors and assigns (being a public or

local authority) and every person authorised by any of them be necessary or desirable for the purpose of constructing, reconstructing, repairing, replacing and forever maintaining on the servient tenement batters to serve as a support for the surface, subsoil and undersurface of any road or structure adjoining or adjacent to the servient tenement and to use the said batters at all times hereafter for the purpose of giving such support AND the Transferor (which expression includes successors and title) covenants that it will not:

- (a) Use or permit to be used the servient tenement in any manner or for any purpose which may affect or have a tendency to affect the stability of the said batters or any of them as a support for any such road or structure and;
- (b) Do or suffer to be done any act or thing which may injure or damage the said batters or any of them or in any way impair its efficiency.

PROVIDED THAT the Minister, his successors and assigns (being a public or local authority) and every person authorised by any of them will:

- (a) Take all reasonable precautions to ensure there is as little disturbance as possible to the surface of the servient tenement;
- (b) Make good or bear the reasonable costs of making good any works or property of the Transferor or any property of any lessee, tenant or licensee of the Transferor that may be interfered with in the construction, reconstruction and maintenance of the batters; and
- (c) At all times at its own expense keep the said batters in a good and proper state of repair.

RailCorp Reference: 303256.

**TRANSPORT ADMINISTRATION ACT 1988****LAND ACQUISITION (JUST TERMS  
COMPENSATION) ACT 1991**

Notice of Compulsory Acquisition of Land and Interest in Land for the Purposes of the Rail Corporation New South Wales

RAIL CORPORATION NEW SOUTH WALES, with the approval of Her Excellency the Governor, declares that the land described in the Schedule 1 hereto and the interests in land described in Schedule 2 hereto are acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of Rail Corporation New South Wales, as authorised by the Transport Administration Act 1988, being for rail facilities in connection with the Southern Sydney Freight Line.

The Minister responsible for Rail Corporation New South Wales is satisfied that Rail Corporation New South Wales requires immediate vacant possession of the land described in the Schedule.

Dated this 24th day of November 2008.

ROB MASON,  
Chief Executive Officer

SCHEDULE 1  
(Land)

All that piece or parcel of land situate at Warwick Farm in the Local Government Area of Liverpool, Parish of St Luke, County of Cumberland and State of New South Wales, being Lot 1 in plan number R30922 in the office of Rail Corporation New South Wales having an area of 375 square metres or thereabouts and said to be in the possession of Liverpool City Council.

All that piece or parcel of land situate at Liverpool in the Local Government Area of Liverpool, Parish of St Luke, County of Cumberland and State of New South Wales, being Lot 9 in Deposited Plan 1129945 having an area of 817.1 square metres or thereabouts and said to be in the possession of Liverpool City Council.

All that piece or parcel of land situate at Liverpool in the Local Government Area of Liverpool, Parish of St Luke, County of Cumberland and State of New South Wales, being Lot 1 in Deposited Plan 1129945, excluding thereout 'Easement for Railway Purposes & Transmission Line 20.115 metres wide and variable in Book 3196 Number 484' having an area of 516.9 square metres or thereabouts and said to be in the possession of Liverpool City Council.

All that piece or parcel of land situate at Liverpool in the Local Government Area of Liverpool, Parish of St Luke, County of Cumberland and State of New South Wales, being Lot 2 in Deposited Plan 1129945, excluding thereout 'Easement for Railway Purposes & Transmission Line 20.115 metres wide and variable in Book 3196 Number 484' having an area of 234.9 square metres or thereabouts and said to be in the possession of Liverpool City Council.

All that piece or parcel of land situate at Liverpool in the Local Government Area of Liverpool, Parish of St Luke, County of Cumberland and State of New South Wales, being Lot 3 in Deposited Plan 1129945, excluding thereout 'Easement for Railway Purposes & Transmission Line 20.115 metres wide and variable in Book 3196 Number 484' having an area of 1362 square metres or thereabouts and said to be in the possession of Liverpool City Council.

All that piece or parcel of land situate at Casula in the Local Government Area of Liverpool, Parish of St Luke, County of Cumberland and State of New South Wales, being Lot 20 in plan number R30921 in the office of Rail Corporation New South Wales having an area of 180 square metres or thereabouts and said to be in the possession of Liverpool City Council.

All that piece or parcel of land situate at Casula in the Local Government Area of Liverpool, Parish of St Luke, County of Cumberland and State of New South Wales, being Lot 21 in plan number R30921 in the office of Rail Corporation New South Wales having an area of 1127 square metres or thereabouts and said to be in the possession of Liverpool City Council.

All that piece or parcel of land situate at Casula in the Local Government Area of Liverpool, Parish of St Luke, County of Cumberland and State of New South Wales, being Lot 23 in plan number R30921 in the office of Rail Corporation New South Wales having an area of 13.97 square metres or thereabouts and said to be in the possession of Liverpool City Council.

All that piece or parcel of land situate at Glenfield and Casula in the Local Government Area of Liverpool, Parish of St Luke, County of Cumberland and State of New South Wales, being Lot 1 in Deposited Plan Number 1130753 having an area of 374 square metres or thereabouts and said to be in the possession of Liverpool City Council.

All that piece or parcel of land situate at Casula in the Local Government Area of Liverpool, Parish of St Luke, County of Cumberland and State of New South Wales, being Lot 2 in Deposited Plan 1130753 having an area of 3981 square metres or thereabouts and said to be in the possession of Liverpool City Council.

All that piece or parcel of land situate at Glenfield in the Local Government Area of Liverpool, Parish of Minto, County of Cumberland and State of New South Wales, being Lot 1 in Deposited Plan 1123827, excluding thereout 'Easement for Co-axial Cable 3.66 wide created by dealing K180698' and 'EASEMENT FOR PIPELINE 5 WIDE created by dealing 2375528' having an area of 1.014 hectares or thereabouts and said to be in the possession of Liverpool City Council.

All that piece or parcel of land situate at Glenfield in the Local Government Area of Liverpool, Parish of Minto, County of Cumberland and State of New South Wales, being part of Lot 5 in Deposited Plan 1123827 in Liverpool City Council area, having an area of 296 square metres or thereabouts and said to be in the possession of Liverpool City Council.

SCHEDULE 2  
(Interest in Land)

Easement rights as described hereunder over the sites described as:

All that piece or parcel of land situate at Liverpool in the Local Government Area of Liverpool, Parish of St Luke, County of Cumberland and State of New South Wales, shown as '(C) PROPOSED EASEMENT FOR BATTER VARIABLE WIDTH' over part of Lot 15 in Deposited Plan 1129945 and said to be in the possession of Liverpool City Council. All that piece or parcel of land situate at Casula in the Local Government Area of Liverpool, Parish of St Luke, County of Cumberland and State of New South Wales, shown as '(F) PROPOSED EASEMENT FOR SUPPORT VARIABLE WIDTH' in plan number R30921 in the office of Rail Corporation New South Wales and said to be in the possession of Liverpool City Council.

**EASEMENT RIGHTS**

**EASEMENT FOR BATTER OR SUPPORT**

FULL AND FREE right for the Minister and his successors and assigns (being a public or local authority) and every person authorised by any of them from time to time to enter, go upon, return, pass and re-pass with or without vehicles plant machinery and equipment, in through along and over the servient tenement to use the servient tenement for the purpose of maintaining thereon existing support batters and/or the placing thereon of all such earth, soil, cements and clay and other material as shall in the opinion of the Minister, his successors and assigns (being a public or local authority) and every person authorised by any of them be necessary or desirable for the purpose of constructing, reconstructing, repairing, replacing and forever maintaining on the servient tenement batters to serve as a support for the



surface, subsoil and undersurface of any road or structure adjoining or adjacent to the servient tenement and to use the said batters at all times hereafter for the purpose of giving such support AND the Transferor (which expression includes successors and title) covenants that it will not:

- (a) Use or permit to be used the servient tenement in any manner or for any purpose which may affect or have a tendency to affect the stability of the said batters or any of them as a support for any such road or structure and;
- (b) Do or suffer to be done any act or thing which may injure or damage the said batters or any of them or in any way impair its efficiency.

PROVIDED THAT the Minister, his successors and assigns (being a public or local authority) and every person authorised by any of them will:

- (a) Take all reasonable precautions to ensure there is as little disturbance as possible to the surface of the servient tenement;
- (b) Make good or bear the reasonable costs of making good any works or property of the Transferor or any property of any lessee, tenant or licensee of the Transferor that may be interfered with in the construction, reconstruction and maintenance of the batters; and
- (c) At all times at its own expense keep the said batters in a good and proper state of repair.

RailCorp Reference: 303251.

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#### TRANSPORT ADMINISTRATION ACT 1988

##### LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land for the  
Purposes of the Rail Corporation New South Wales

RAIL CORPORATION NEW SOUTH WALES, with the approval of Her Excellency the Governor, declares that the land described in the Schedule 1 hereto are acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of Rail Corporation New South Wales, as authorised by the Transport Administration Act 1988, being for rail facilities in connection with the Southern Sydney Freight Line.

The Minister responsible for Rail Corporation New South Wales is satisfied that Rail Corporation New South Wales requires immediate vacant possession of the land described in the Schedule.

Dated this 24th day of November 2008.

ROB MASON,  
Chief Executive Officer

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#### SCHEDULE 1 (Land)

All that piece or parcel of land situate at Cabramatta in the Local Government Area of Fairfield, Parish of St Luke, County of Cumberland and State of New South Wales, being Lot 1 in Deposited Plan 1129315 having an area of 1982 square metres or thereabouts and said to be in the possession of Fairfield City Council.

All that piece or parcel of land situate at Cabramatta in the Local Government Area of Fairfield, Parish of St Luke, County of Cumberland and State of New South Wales, being Lot 2 in Deposited Plan 1129315 having an area of 132.6 square metres or thereabouts and said to be in the possession of Fairfield City Council.

RailCorp Reference: 303203.

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#### TRANSPORT ADMINISTRATION ACT 1988

##### LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land for the  
Purposes of the Rail Corporation New South Wales

RAIL CORPORATION NEW SOUTH WALES, with the approval of Her Excellency the Governor, declares that the land described in the Schedule 1 hereto are acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of Rail Corporation New South Wales, as authorised by the Transport Administration Act 1988, being for rail facilities in connection with the Southern Sydney Freight Line.

The Minister responsible for Rail Corporation New South Wales is satisfied that Rail Corporation New South Wales requires immediate vacant possession of the land described in the Schedule.

Dated this 24th day of November 2008.

ROB MASON,  
Chief Executive Officer

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#### SCHEDULE 1 (Land)

All that piece or parcel of land situate at Villawood in the Local Government Areas of Bankstown, Parish of Liberty Plains, County of Cumberland and State of New South Wales, being Lot 1 in Deposited Plan 1129558 in the office of Rail Corporation New South Wales having an area of 260 square metres or thereabouts and said to be in the possession of Bankstown City Council.

All that piece or parcel of land situate at Birrong in the Local Government Area of Bankstown, Parish of Liberty Plains, County of Cumberland and State of New South Wales, being Lot 1 in Deposited Plan 1128872 having an area of 1012.8 square metres or thereabouts and said to be in the possession of Bankstown City Council.

All that piece or parcel of land situate at Sefton in the Local Government Area of Bankstown, Parish of Liberty Plains, County of Cumberland and State of New South Wales, being Lot 1 in Deposited Plan 1130751 having an area of 1568 square metres or thereabouts and said to be in the possession of Bankstown City Council.

RailCorp Reference: 303202.

**CRIMES (ADMINISTRATION OF SENTENCES) ACT 1999**

JAMES JACOB SPIGELMAN, AC, Lieutenant-Governor

I, the Honourable JAMES JACOB SPIGELMAN, AC, Lieutenant-Governor of the State of New South Wales, with the advice of the Executive Council, and pursuant to section 225(1) and 225(3) of the Crimes (Administration of Sentences) Act 1999, do, by this Proclamation, declare the area comprised within the boundaries hereunder (together with all buildings or premises which are now or may hereafter be erected thereon) to be a correctional centre within the meaning of the Crimes (Administration of Sentences) Act 1999, and I further declare that the correctional centre shall be known as Dawn de Loas Correctional Centre, viz.:

All that piece or parcel of land situate in the Local Government Area of Auburn, Parish of St John and County of Cumberland, being part of Lot 22, Deposited Plan 876995, shown by shading as Dawn de Loas Correctional Centre on Plan Catalogue Number 56175 in the Department of Commerce Plan Room reproduced hereunder and having a total area of 1.919 hectares or thereabouts.

This proclamation is to take effect on and from the date of publication in the *New South Wales Government Gazette*.

Signed and sealed at Sydney, this 3rd day of December 2008.

By His Excellency's Command,

JOHN HATZISTERGOS, M.L.C.,  
Minister for Justice

GOD SAVE THE QUEEN!

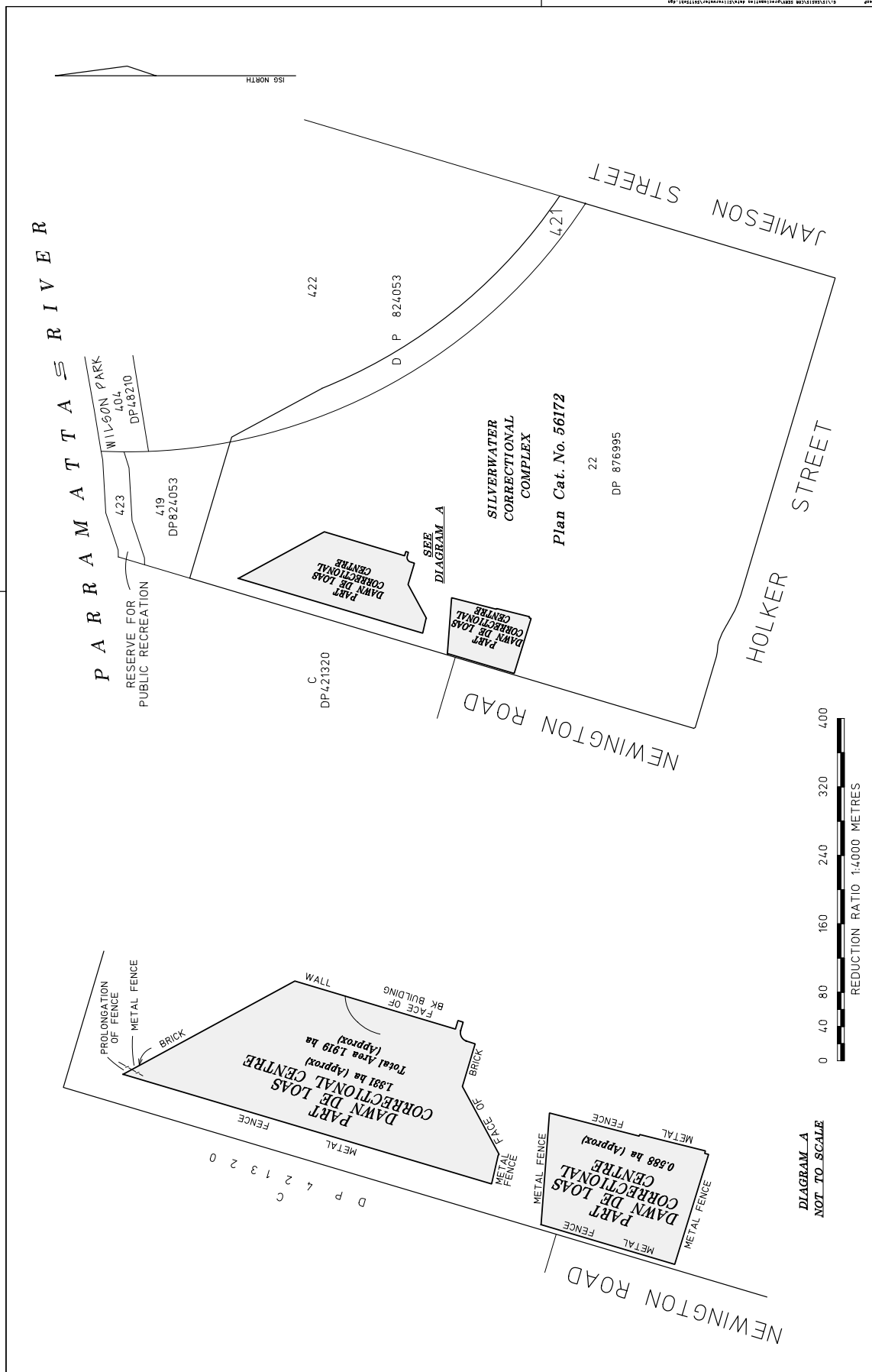


DIAGRAM A  
NOT TO SCALE  
REDUCTION RATIO 1:4,000 METRES

<b>DAWN DE LOAS CORRECTIONAL CENTRE</b>	
	NEW SOUTH WALES DEPARTMENT OF CORRECTIVE SERVICES
	COMMONWEALTH OF AUSTRALIA DEPARTMENT OF JUSTICE
<b>PLAN No. 56175</b>	<b>ISG ZONE 561</b>
<p>DATE: 12/11/08                  THIS PLAN HAS BEEN PROVIDED AT THE SCALED SHOWN AND SHOULD NOT BE USED FOR ANY OTHER PURPOSE.                  THE PLAN HAS BEEN PROVIDED AT THE SCALED SHOWN AND SHOULD NOT BE USED FOR ANY OTHER PURPOSE.</p>	
<p>DATE: 12/11/08                  DRAWN: [Name]                  CHECKED: [Name]                  SURVEY DATED: [Date]                  LOAD OPERATOR: [Name]                  FILE EXTENSION: [Name]                  FOR INSTRUCTION: [Name]</p>	<p>DATE: 12/11/08                  DRAWN: [Name]                  CHECKED: [Name]                  SURVEY DATED: [Date]                  LOAD OPERATOR: [Name]                  FILE EXTENSION: [Name]                  FOR INSTRUCTION: [Name]</p>

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**CRIMES (ADMINISTRATION OF SENTENCES) ACT 1999**

JAMES JACOB SPIGELMAN, AC, Lieutenant-Governor

I, the Honourable JAMES JACOB SPIGELMAN, AC, Lieutenant-Governor of the State of New South Wales, with the advice of the Executive Council, and pursuant to section 224(3) of the Crimes (Administration of Sentences) Act 1999, do, by this Proclamation, vary the Proclamation of Silverwater Correctional Complex published in the *New South Wales Government Gazette*, dated 24 December 1998 and 19 October 2001 and varied on 13 December 2002; and in variation thereof I declare Silverwater Correctional Complex to be the area comprised within the boundaries hereunder (together with all buildings or premises which are now or may hereafter be erected thereon), viz.:

All that piece or parcel of land situate in the Local Government Area of Auburn, Parish of St John and County of Cumberland, being Lot 22, Deposited Plan 876995 and Lot 421, Deposited Plan 824053, shown by shading as Silverwater Correctional Complex on Plan Catalogue Number 56172 in the Department of Commerce Plan Room reproduced hereunder and having a total area of 27.84 hectares or thereabouts.

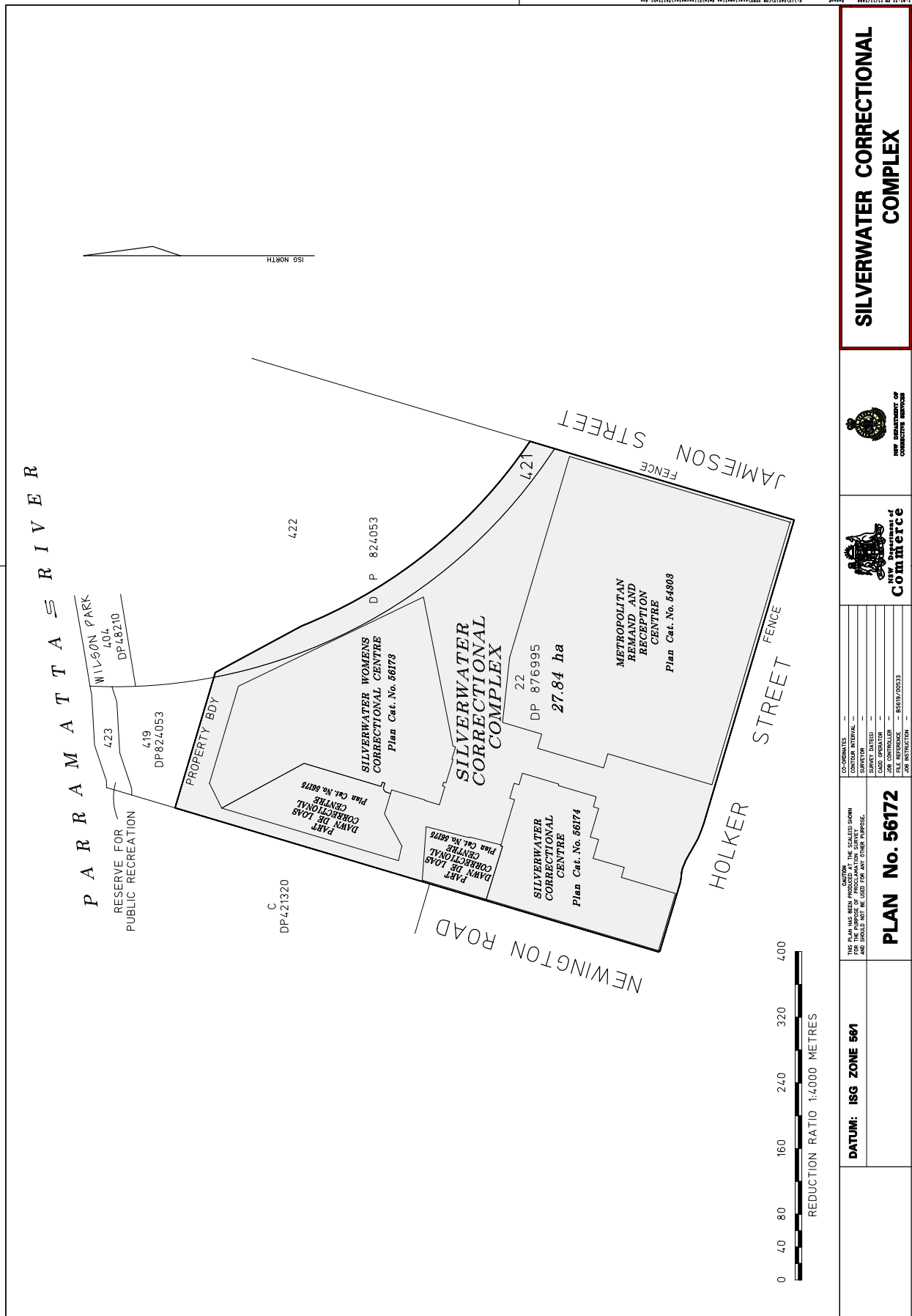
This proclamation is to take effect on and from the date of publication in the *New South Wales Government Gazette*.

Signed and sealed at Sydney, this 3rd day of December 2008.

By His Excellency's Command,

JOHN HATZISTERGOS, M.L.C.,  
Minister for Justice

GOD SAVE THE QUEEN!



<b>SILVERWATER CORRECTIONAL COMPLEX</b>																
	NEW SOUTH WALES DEPARTMENT OF CORRECTIVE SERVICES															
	STATE OF NEW SOUTH WALES DEPARTMENT OF CORRECTIVE SERVICES															
<table border="1"> <tr><td>ISSUES</td><td>---</td></tr> <tr><td>CONTRACT NUMBER</td><td>---</td></tr> <tr><td>SURVEYOR</td><td>---</td></tr> <tr><td>SURVEY DATED</td><td>---</td></tr> <tr><td>CAD OPERATOR</td><td>---</td></tr> <tr><td>FILE NUMBER</td><td>---</td></tr> <tr><td>JOB INSTRUCTION</td><td>---</td></tr> </table>	ISSUES	---	CONTRACT NUMBER	---	SURVEYOR	---	SURVEY DATED	---	CAD OPERATOR	---	FILE NUMBER	---	JOB INSTRUCTION	---	<table border="1"> <tr><td>PLAN No. 56172</td></tr> </table>	PLAN No. 56172
ISSUES	---															
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PLAN No. 56172																
<p><b>DATUM: ISG ZONE 561</b></p> <p>THIS PLAN HAS BEEN PRODUCED AT THE SCALES SHOWN AND SHOULD NOT BE USED FOR ANY OTHER PURPOSE.</p>																
<p>© CROWN COPYRIGHT NSW MINISTER FOR COMMERCE</p>																

**CRIMES (ADMINISTRATION OF SENTENCES) ACT 1999**

JAMES JACOB SPIGELMAN, AC, Lieutenant-Governor

I, The Honourable JAMES JACOB SPIGELMAN, AC, Lieutenant-Governor of the State of New South Wales, with the advice of the Executive Council, and pursuant to section 225(4) of the Crimes (Administration of Sentences) Act 1999, do, by this Proclamation, vary the Proclamation of Silverwater Correctional Centre published in the *New South Wales Government Gazette* on 8 October 1999 and 19 October 2001 and varied on 8 November 2002; and in variation thereof I declare Silverwater Correctional Centre to be the area comprised within the boundaries hereunder (together with all buildings or premises which are now or may hereafter be erected thereon), viz.:

All that piece or parcel of land situate in the local government area of Auburn, Parish of St John and County of Cumberland, being part Lot 22, Deposited Plan 876995, shown by shading as Silverwater Correctional Centre on Plan Catalogue Number 56174 in the Department of Commerce Plan Room reproduced hereunder and having a total area of 2.552 hectares or thereabouts.

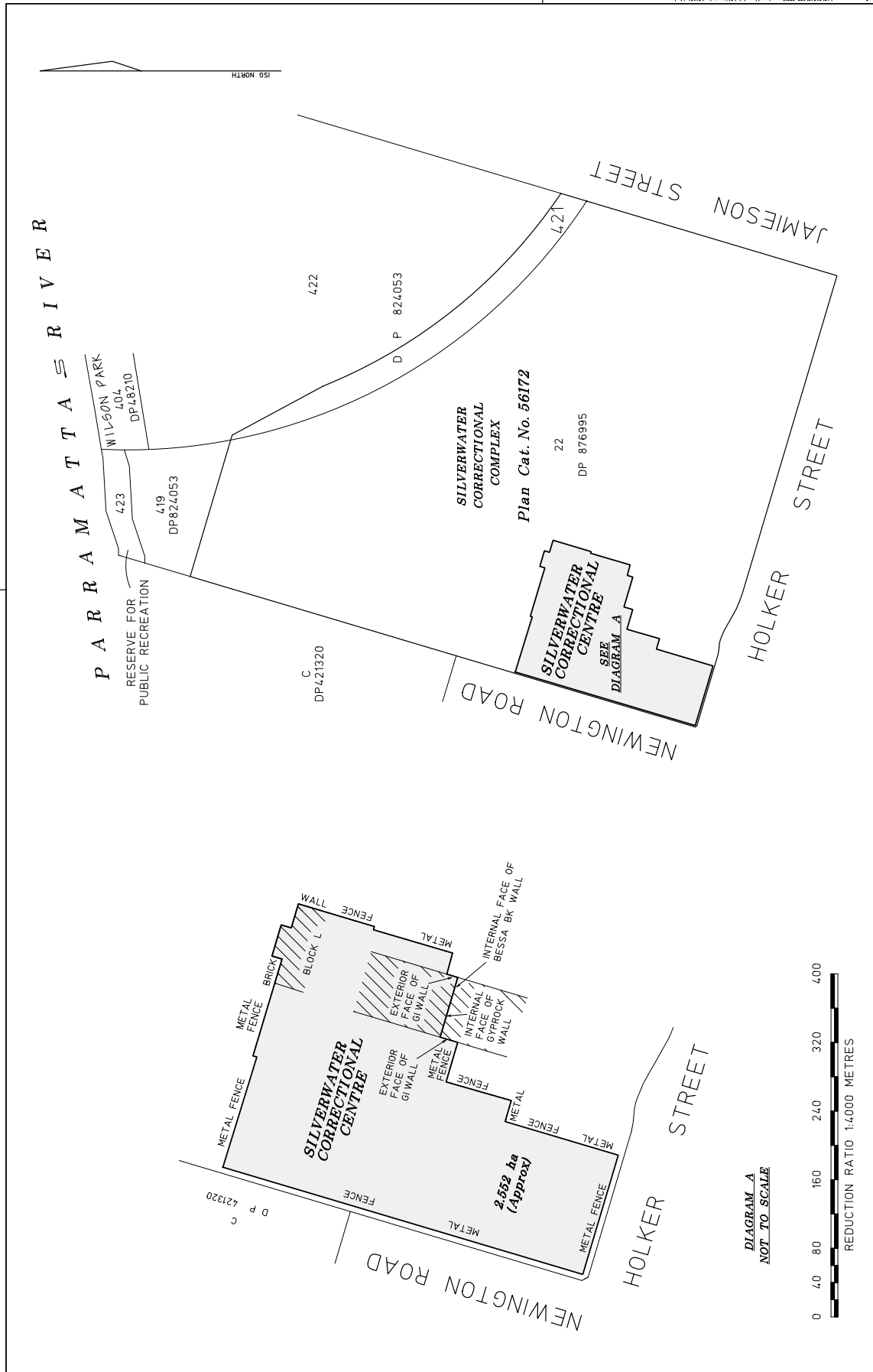
This proclamation is to take effect on and from the date of publication in the *New South Wales Government Gazette*.

Signed and sealed at Sydney, this 3rd day of December 2008.

By His Excellency's Command,

JOHN HATZISTERGOS, M.L.C.,  
Minister for Justice

GOD SAVE THE QUEEN!



**SILVERWATER CORRECTIONAL CENTRE**



COORDINATES	---
DEVELOPER	---
INTERNAL SURVEYOR	---
SURVEY DATED	---
LOAD OPERATOR	---
PLANNING OFFICER	---
FILE EXTENSION	---
JOB INSTRUCTION	---

**PLAN No. 56174**

DATUM:	ISG ZONE 561
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**CRIMES (ADMINISTRATION OF SENTENCES) ACT 1999**

JAMES JACOB SPIGELMAN, AC, Lieutenant-Governor

I, The Honourable JAMES JACOB SPIGELMAN, AC, Lieutenant-Governor of the State of New South Wales, with the advice of the Executive Council, and pursuant to section 225(4) of the Crimes (Administration of Sentences) Act 1999, do, by this Proclamation, vary the Proclamation of the Silverwater Women's Correctional Centre published in the *New South Wales Government Gazette* on 19 January 2007 and varied on 1 June 2007; and in variation thereof I declare Silverwater Women's Correctional Centre to be the area comprised within the boundaries hereunder (together with all buildings or premises which are now or may hereafter be erected thereon), viz.:

All that piece or parcel of land situate in the local government area of Auburn, Parish of St John and County of Cumberland, being part of Lot 22, Deposited Plan 876995, shown by shading as Silverwater Women's Correctional Centre on Plan Catalogue Number 56173 in the Department of Commerce Plan Room reproduced hereunder and having a total area of 4.655 hectares or thereabouts.

This proclamation is to take effect on and from the date of publication in the *New South Wales Government Gazette*.

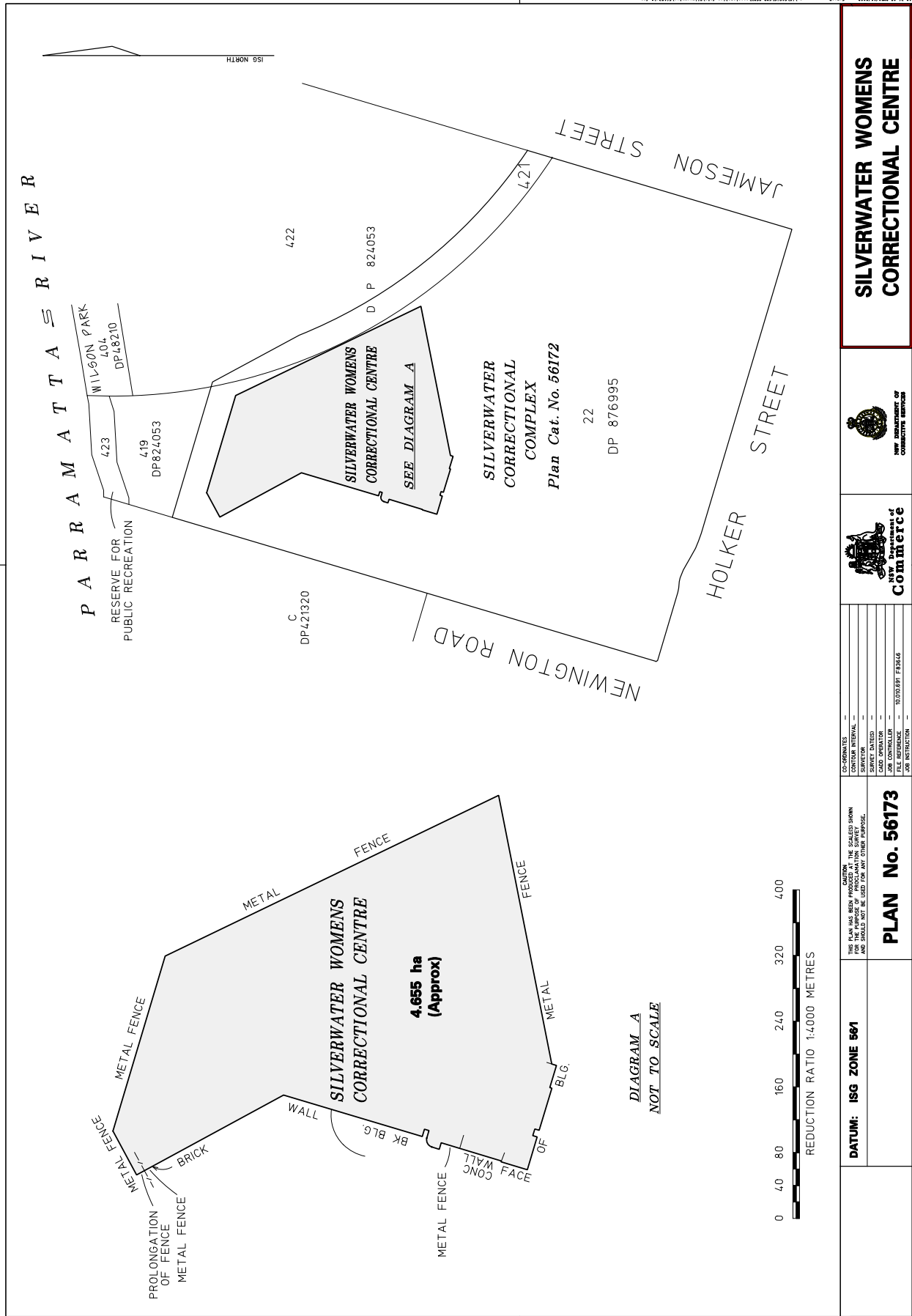
Signed and sealed at Sydney, this 3rd day of December 2008.

By His Excellency's Command,

JOHN HATZISTERGOS, M.L.C.,  
Minister for Justice

GOD SAVE THE QUEEN!





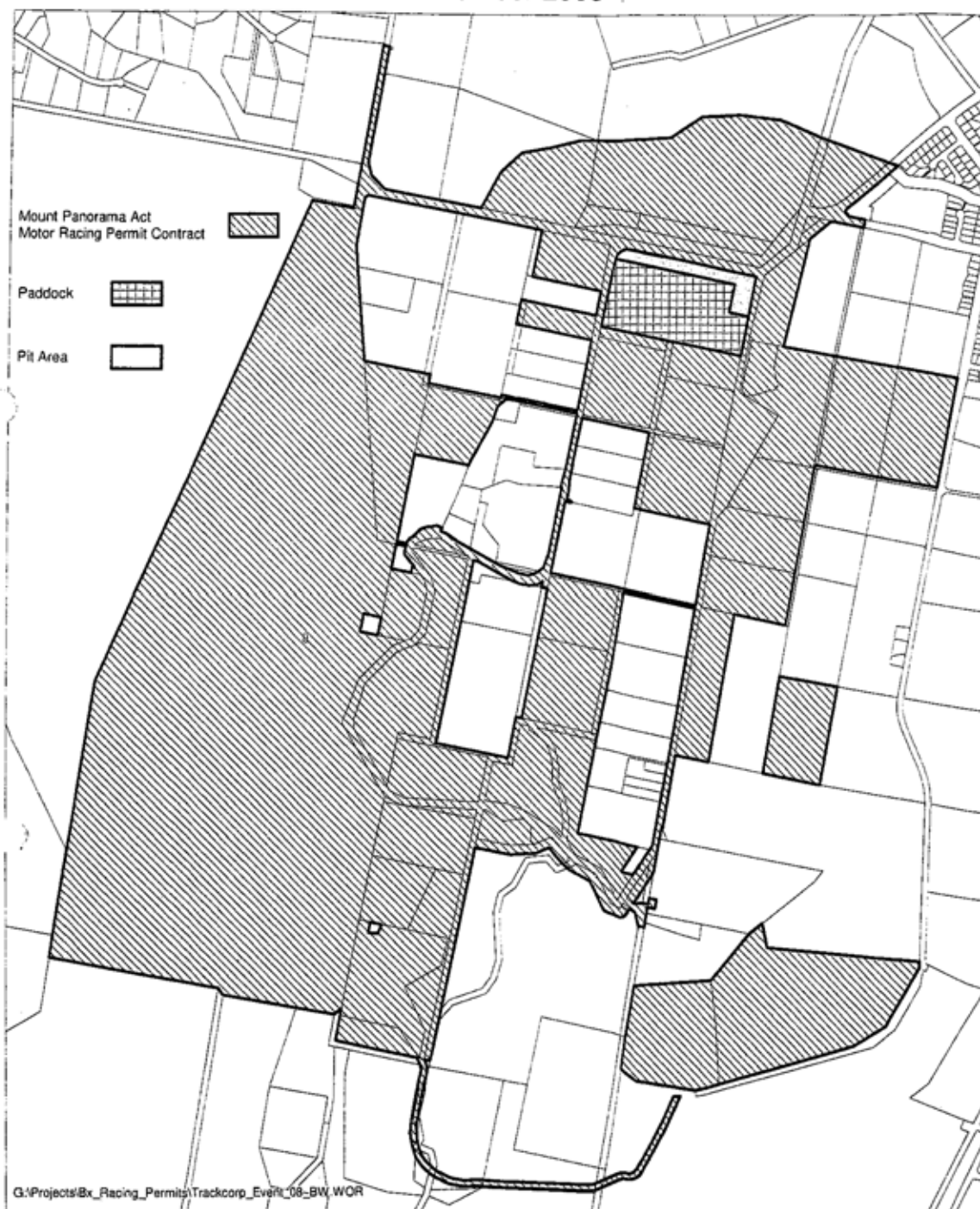
**MOUNT PANORAMA MOTOR RACING ACT 1989**

Conduct of Motor Racing and Associated Events  
Mount Panorama

IN pursuance of the provisions of section 4 of the Mount Panorama Motor Racing Act 1989, I declare that the lands, as shown by hatching on the diagram hereunder, shall constitute the Mount Panorama Circuit for the purpose of motor racing, practice and associated events during the period 10 December to 14 December 2008, both dates inclusive.

KEVIN GREENE, M.P.,  
Minister for Gaming and Racing  
and Minister for Sport and Recreation

**BATHURST REGIONAL COUNCIL**  
Mt Panorama Circuit  
Trackcorp Event  
December 2008



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Bathurst Regional Council expressly disclaims all liability for errors or omissions of any kind whatsoever, or any loss, damage or other consequence which may arise from any person relying on information in this Plan.

Date 07/01/2008

Note: The colours on this Plan do not indicate zones under the Bathurst Local Environmental Plan 1997.

Department of Lands

**GEOGRAPHICAL NAMES ACT 1966**

PURSUANT to the provisions of section 8 of the Geographical Names Act 1966, the Geographical Names Board hereby notifies that it proposes to assign the names of reserves located in the Shellharbour City Council area as geographical names.

<i>Proposed Name</i>	<i>Description</i>	<i>Lot, DP</i>	<i>Origin</i>
Cox Park	A Reserve in Cox Parade, Mount Warrigal	Lot 1210, DP 243230	Name derived from the road name in which the park is located.
Brisbane Park	A Reserve between Brisbane Place and Paterson Place, Barrack Heights	Lot 58, DP 238012	Name derived from the road name in which the park is located.
Wattle Reserve	A large Reserve adjacent to Wattle Road, Barrack Heights	Lot 80, DP 700658, Lot 79, DP 700658, Lot 81, DP 700658	Name derived from the road name in which the park is located.
Loftus Park	A Reserve in Loftus Drive, Barrack Heights	Lot 546, DP 245174	Name derived from the road name in which the park is located.
Stewart Park	A Reserve at the end of Stewart Place, Barrack Heights	Lot 28, DP 241137	Name derived from the road name in which the park is located.
Sparta Park	A Reserve bounded by Sparta and Arcadia Streets, Warilla	Lot 17, DP 251564	Name derived from the road name in which the park is located.
Doonside Park	A Reserve in Doone Street, Barrack Heights	Lot 99, DP 27252	Name derived from the road name in which the park is located.
Sophia Park	A Reserve between Sophia Street and Old Bass Point Road, Shellharbour	Lot 30, DP 229374	Name derived from the road name in which the park is located.
Garnett Park	A Reserve in Garnett Grove, Flinders	Lot 8067, DP 1019349	Name derived from the road name in which the park is located.
Moreton Bay Reserve	A Reserve in Moreton Place, Flinders which features a prominent Moreton Bay Fig tree.	Lot 9112, DP 1027038	Name derived from the road name in which the park is located.
Macquarie Shores Reserve	A Reserve off Shearwater Boulevard along the bank of the Macquarie Rivulet, Albion Park Rail	Lot 332, DP 849257, Lot 333, DP 849257, Lot 230, DP 844852	Name derived from the nearby Macquarie Rivulet.
Bateman Park	A Reserve in Bateman Avenue, Albion Park Rail	Lot 16, DP 805748	Name derived from the road name in which the park is located.
Poplar Park	A Reserve in Poplar Avenue, Albion Park Rail	Lot 15, DP 251020	Name derived from the road name in which the park is located.
Pollock Park	A Reserve in Pollock Crescent, Albion Park	Lot 68, DP 253407	Name derived from the road name in which the park is located.
Parsons Park	A Reserve in Parsons Place, Albion Park	Lot 48, DP 253407	Name derived from the road name in which the park is located.
Macquarie Park	A Reserve off Macquarie Street, Albion Park	Lot 1, DP 260523, Lot 8, DP 244972	Name derived from the road name in which the park is located.
Golden Grove Park	A Reserve in Golden Grove, Albion Park	Lot 332, DP 786108	Name derived from the road name in which the park is located.
Federation Park	A Reserve at the end of Federation Place, Albion Park	Lot 899, DP 794349	Name derived from the road name in which the park is located.
Frasers Reserve	A Reserve off Frasers Crescent, Terry Street, Cawdell Drive and Stapleton Avenue, Albion Park	Lot 83, DP 261974	Name derived from the road name in which the park is located.

<i>Proposed Name</i>	<i>Description</i>	<i>Lot, DP</i>	<i>Origin</i>
Clermont Park	A Reserve between Clermont Crescent and Ulan Place, Albion Park	Lot 4655, DP 1048649	Name derived from the road name in which the park is located.
Jilba Park	A Reserve between Jilba Place and Birra Drive, Oak Flats	Lot 2126, DP 263662, Lot 3056, DP 263882	Name derived from the road name in which the park is located.
Nalong Park	A Reserve in Nalong Place, Oak Flats	Lot 2125, DP 263662	Name derived from the road name in which the park is located.

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

WARWICK WATKINS,  
Chairperson

Geographical Names Board,  
PO Box 143, Bathurst NSW 2795

### HOME BUILDING REGULATION 2004

#### Clause 28

Qualification requirements for an endorsed contractor licence or supervisor certificate for  
airconditioning and refrigeration

I, LYN BAKER, Commissioner for Fair Trading, Department of Commerce, pursuant to Clause 28 (1) of the Home Building Regulation 2004:

- (a) determine the possession of qualifications or the passing of examinations specified in Column 1 of the Table to the Schedule; and
- (b) consider the possession of experience specified in Column 2 of that Table opposite the relevant matter in Column 1, to be necessary for an applicant for the issue of a Certificate.

This Instrument commences on the Commencement Date.

Dated this 25th day of November 2008.

LYN BAKER,  
Commissioner for Fair Trading,  
Department of Commerce

#### Definitions

In this Instrument:

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

Reference to an apprenticeship is to an apprenticeship completed in Australia.

Commencement Date means date of approval;

Registered Training Organisation has the same meaning as Registered Provider in the Vocational Education and Training Accreditation Act 1990;

TAFE means the New South Wales Technical and Further Education Commission;

the Act means the Home Building Act 1989;

the Regulation means the Home Building Regulation 2004.

## SCHEDULE 1

Table 1

<i>Qualifications</i>	
<i>Column 1 Qualifications or Examinations</i>	<i>Column 2 Experience</i>
<p>Completion of a competency based qualification such as: MEM30298 Certificate III in Engineering (Mechanical-Refrigeration and Air Conditioning),</p> <p>MEM30205 Certificate III in Engineering – Mechanical Trade (specialisation Refrigeration and Air Conditioning) or</p> <p>MEM40105 Certificate IV in Engineering (specialisation Refrigeration and Air Conditioning) including the following units of competency:</p> <p>MEM 05006 B Perform brazing and/or silver soldering</p> <p>MEM 09002 B Interpret technical drawing</p> <p>MEM 10002 B Terminate and connect electrical wiring</p> <p>MEM 10009 B Install refrigeration and air conditioning plant and equipment</p> <p>MEM 10010 B Install pipework and pipework assemblies</p> <p>MEM 12002 B Perform electrical/electronic measurement</p> <p>MEM 12023 A Perform engineering measurements</p> <p>MEM 18001 C Use hand tools</p> <p>MEM 18002 B Use power tools/hand held operations</p> <p>MEM 18049 B Disconnect/reconnect fixed wired equipment up to 1000 volts a.c./1500 volts d.c.</p> <p>MEM 18055 B Dismantle, replace and assemble engineering components</p> <p>MEM 18086 B Test, recover, evacuate and charge refrigeration systems</p> <p>MEM 18088 B Maintain and repair commercial air conditioning systems and components</p> <p>MEM 18092 B Maintain and repair commercial and/or industrial refrigeration and/or air conditioning controls</p>	N/A
<p>UTE30999 Certificate III in Electrotechnology (Refrigeration and Air Conditioning) or</p> <p>UEE31307 Certificate III in Refrigeration and Air-Conditioning</p>	N/A
<p>Completion of an apprenticeship as a Refrigeration Mechanic which may be evidenced by a Certificate of Proficiency</p>	N/A
<p>Completion of a Mechanical or Electrical Engineering Degree or Diploma or Associate Diploma through TAFE NSW</p>	At least two years relevant industry experience
<p>NOTE</p> <p>The licence or certificate will be endorsed to exclude associated electrical work unless the transcripts show completion of the units:</p> <ul style="list-style-type: none"> <li>• UTENES208 OR UEENEPP001B AND EITHER UTENES505 OR UEENEPP007B; OR</li> <li>• MEM18049B AND MEM18046B (for equipment up to 1000 volts a.c./1500 volts d.c.).</li> </ul>	

Table 2

<i>Transitional Arrangements</i>	
<i>Column 1 Qualifications or Examinations</i>	<i>Column 2 Experience</i>
1 Existing Licence or Certificate A Licence or Certificate held immediately before the Commencement Date.	N/A
2 Licence or Certificate held before the Commencement Date A licence or certificate ever held before the Commencement Date will meet the requirement for issue of an equivalent authority.	N/A
3 Qualifications before the Commencement Date Any qualification attained before the Commencement Date that was necessary immediately before the Commencement Date pursuant to clause 28(1) of the Regulation for the issue of a Certificate.	At least 2 years relevant industry experience.
4 Transitional arrangements in respect of examinations The passing of any examination that was necessary immediately before the Commencement Date pursuant to clause 28(1) of the Regulation for the issue of a Certificate PROVIDED THAT immediately before the Commencement Date the applicant was enrolled in the course or program relating to that examination.	The experience relating to such examination that was necessary immediately before the Commencement Date pursuant to clause 28 (1) of the Regulation for the issue of a Certificate.

#### MOTOR ACCIDENTS COMPENSATION ACT 1999

PURSUANT to section 74 of the Motor Accidents Compensation Act 1999 (the Act), I approve the following Compensation to Relatives Claim Form. This form replaces the Compensation to Relatives Claim Form gazetted on 3 October 2008.

CARMEL DONNELLY,  
A/General Manager,  
Motor Accidents Authority  
26 November 2008

# MOTOR ACCIDENT COMPENSATION TO RELATIVES FORM



**MOTOR ACCIDENTS  
AUTHORITY**

THIS CLAIM FORM IS APPROVED BY THE MOTOR ACCIDENTS AUTHORITY OF NSW. IT IS TO BE USED FOR CLAIMS MADE UNDER THE COMPENSATION TO RELATIVES ACT 1897 FOR ACCIDENTS ON OR AFTER 1 OCTOBER 2008

## Who Can Make a Claim

If you are the close relative (or the executor or administrator of the estate) of a person who died in a motor vehicle accident in NSW, there are a number of circumstances under which you may be eligible to claim compensation for the financial losses you and other close relatives may have suffered as a result of the death of that person.

For the purposes of making a claim a close relative is a wife, husband, de facto partner, brother, sister, half-brother, half-sister, parent or child of the person who died.

### 1. Other driver or owner of vehicle at fault

Whether the person who died was a driver, passenger, pedestrian, cyclist, motorbike rider or pillion passenger you can make a claim for compensation if you can demonstrate that a driver or owner of a motor vehicle, other than the person who died, was partially or completely at fault.

### 2. Special benefit for children in accidents from 1 October 2006

If the person who died was under 16 years of age and lived in NSW at the time of the accident you may still make a claim even if the accident was not caused by the driver or owner of a motor vehicle (i.e. the accident was caused by the child). Please refer to the Important note for children on page 6 for more information.

### 3. Blameless accidents from 1 October 2007

If the accident occurred on or after 1 October 2007 you may be able to make a claim for compensation even if the accident in which the person died was a blameless motor accident. Examples of blameless motor accidents could include accidents resulting from the sudden illness of a driver, such as heart attack or stroke or vehicle failure such as a tyre blow-out.

If the person who died was a passenger, pedestrian, cyclist, pillion passenger, driver or motorcycle rider you can make a claim. However, special rules apply to drivers and motorcycle riders in blameless accidents. You may not be entitled to make a claim if the person who died was involved in a single vehicle accident or if the person who died was driving or riding the vehicle that caused the accident (i.e. they were the driver that suffered a medical condition which resulted in the motor accident).

For more information about the special rules that apply to drivers and motorcycle riders in blameless accidents, contact the Claims Advisory Service on 1300 656 919.

## If you were injured in a motor vehicle accident

Do not use this form if you were injured in a motor vehicle accident. If you were injured in a motor vehicle accident contact the CTP insurer to obtain a Personal Injury Claim Form. You can use the Personal Injury Claim Form for an injury that is physical, psychological or psychiatric.

## Where To Send The Claim Form

You must send the completed claim form to the Green Slip or Compulsory Third Party (CTP) insurer of the motor vehicle you consider caused the accident. If you are unsure of where to send your claim form contact the MAA's Claims Advisory Service on 1300 656 919.

**The claim form should be sent to the CTP insurer as soon as possible but no later than six months after the death. Even though you might not want to think about filling in forms right now, you and your family may miss out on compensation if you do not lodge your claim within six months of the death of your relative.**

## Help with your claim

If you are claiming more than funeral expenses, you might like to **talk to a solicitor**. A solicitor who understands this area of the law can help you work out who should be named in the form and who should receive compensation. Contact the NSW Law Society's Community Assistance Service (02 9926 0300) for names of personal injury accredited solicitors in your area.

## Need More Information?

- < Contact the Claims Advisory Service on 1300 656 919, or
- < Visit the Motor Accidents Authority's (MAA) website at [www.maa.nsw.gov.au](http://www.maa.nsw.gov.au)





## ABOUT THE INFORMATION IN THIS FORM

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### The information in this form is required by law

The information in this form is required by laws covering motor accidents compensation. Failure to provide the required information may result in delays in processing your claim or it being rejected.

The information in this form is used by insurers to help determine liability for your claim and your compensation entitlements. It is important that you answer the questions fully. For example, you should include details of all dependants of the person who died.

### Your information is confidential

The information in this form will be treated confidentially. Only staff of the Motor Accidents Authority (MAA), CTP insurers and other approved bodies with proper legal authority are allowed to access your information and are restricted in how they use the information. You have the right to access and correct information about you held by the MAA or CTP insurers. If you consider:

- < that your personal information has been handled incorrectly by the MAA, you can ask the authority to undertake an internal review or you may contact Privacy NSW
- < an insurer has handled your information incorrectly, you may contact the relevant insurer for an internal review or the Office of the Federal Privacy Commissioner.

CTP insurers are bound by national privacy principles. You may visit the licensed insurers' websites or contact them directly to request information on how to access your personal information, seek an internal review or determine with whom they share the information.

### The information you provide must be truthful

You must answer the questions fully and truthfully. Information that is knowingly false or misleading may result in a fine of up to \$5,500 or imprisonment for up to 12 months or both.

## INTERPRETER ASSISTANCE

If you need an interpreter service to help you read this form, contact:

### Associated Translators & Linguists Pty Ltd

Level 5, 72 Pitt Street, Sydney, NSW 2000

P: 02 9231 3288 F: 02 9221 4763 www.atl.com.au

Office hours: 8.00am to 5.30pm (this interpreter service is provided free of charge to claimants).

ARABIC	.9231 3288 فالرجاء الإتصال بتليفون رقم 9231 3288 إذا كنت بحاجة الى مترجم لقراءة هذا الطلب.
CHINESE	如您需要傳譯員讀這表格請致電 9231 3288 如您需要传译员读这表格请致电 9231 3288
CROATIAN	AKO TREBATE PREVODITELJA DA VAM PROČITA OVAJ FORMULAR NAZOVITE 9231 3288
FARSI	اگر برای خواندن این فرم به مترجم احتیاج دارید به شماره 9231 3288 تلفن کنید.
GREEK	ΑΝ ΧΡΕΙΑΖΕΣΤΕ ΔΙΕΡΜΗΝΕΑ ΝΑ ΣΑΣ ΔΙΑΒΑΣΕΙ ΑΥΤΟ ΤΟ ΕΝΤΥΠΟ ΤΗΛΕΦΩΝΗΣΤΕ ΣΤΟ 9231 3288.
INDONESIAN	JIKA ANDA MEMERLUKAN BANTUAN PENERJEMAH UNTUK MEMBACA FORMULIR INI, SILAHKAN MENELEPON 9231 3288.
ITALIAN	SE AVETE BISOGNO DI UN INTERPRETE PER LEGGERE QUESTO MODULO CHIAMATE IL 9231 3288.
KOREAN	이 서식을 읽기 위해 통역이 필요하시면 전화 9231 3288로 연락 주십시오.
MACEDONIAN	AKO VI TREBA TOLKUVACH DA VI GO PROČITA OVOJ FORMULAR JABETE SE NA 9231 3288.
POLISH	JEŚLI DO PRZECZYTANIA TEGO FORMULARZA POTRZEBUJE PAN(I) POMOCY TŁUMACZA, PROSZĘ ZATELEFONOWAĆ POD NUMER 9231 3288
PORTUGUESE	SE NECESSITAR QUE UM INTÉRPRETE LHE LEIA ESTE IMPRESSO TELEFONE PARA O NÚMERO 9231 3288.
SERBIAN	AKO TREBATE PREVOĐIJOCA DA VAM PROČITA OVAJ FORMULAR NAZOVITE 9231 3288.
SPANISH	SI NECESITA QUE UN INTERPRETE LE LEA ESTE DOCUMENTO, LLAME AL: 9231 3288.
TAGALOG (FILIPINO)	KUNG KAILANGAN NINYO NG TAGASALINWIKA (INTERPRETER) SA PAGBABASA NG NAKASULAT DITO TUMAWAG SA 9231 3288
TURKISH	BU FORMU OKUMAK İÇİN TERCÜMANA İHTİYACINIZ VARSA 9231 3288. 'E TELEFON EDİNİZ.
VIETNAMESE	NẾU BẠN CẦN THÔNG DỊCH VIÊN ĐỂ ĐỌC MẪU ĐƠN NÀY HÃY GỌI ĐIỆN THOẠI SỐ 9231 3288.

If you need an interpreter to help you read this form, the declaration below must be completed by the interpreter and the claimant.

### Interpreter declaration

- 1 We declare that the Motor Accident Compensation to Relatives Form has been read to the undersigned claimant by the undersigned interpreter.
- 2 We understand that the Motor Accidents Authority of New South Wales and Associated Translators & Linguists Pty Limited bear no responsibility for any loss whatsoever arising from the interpreting service provided.
- 3 We acknowledge that the interpreting service provided by Associated Translators & Linguists Pty Limited was limited to reading the claim form.
- 4 This declaration has been read to the claimant by the undersigned interpreter.

Claimant's name

Claimant's signature

Interpreter's name

Interpreter's signature

Claimant's address

Date:

## MAKING A COMPENSATION TO RELATIVES CLAIM

There are a number of steps to making a claim:

### 1 Report the accident to the police

You must report the accident to the police as soon as possible, and in any case, within 28 days after the accident. If the accident is reported late and you cannot give a reason, it could affect the insurer's decision about your claim. If the accident has been reported late, please attach an explanation to this claim form giving the reasons for the delay.

### 2 Find out the CTP insurer of the NSW motor vehicle you consider caused the accident

Contact the Claims Advisory Service on 1300 656 919 to find out the CTP insurer. You will need to give them the NSW registration number plate of the motor vehicle you consider caused the accident and the date of the accident.

If the motor vehicle you consider caused the accident is:

- < not a NSW registered motor vehicle, you will need to contact the relevant state or territory.
- < unregistered or cannot be identified (e.g. hit and run) see step 4 below for further instructions.

### 3 Identify the motor vehicle and person you consider caused the accident

You must indicate the motor vehicle and/or person you consider caused the accident (Q22). If you are having difficulty in finding out the motor vehicle registration number and/or the person you consider caused the accident contact the police.

### 4 If the motor vehicle you consider caused the accident was uninsured or unidentified

The Nominal Defendant receives claims where the motor vehicle you consider caused the accident cannot be identified or is uninsured, and the accident occurred in NSW.

Before sending the claim you must take action to find out the registration number of the motor vehicle or the person you consider caused the accident. For example, by putting an advertisement in the newspaper or attempting to talk to witnesses.

If you cannot find out the registration number or if the motor vehicle is unregistered and not covered by CTP insurance, send your claim to the Nominal Defendant at Level 25, 580 George Street, Sydney NSW 2000, (DX 1517 Sydney). If you need more information about the Nominal Defendant call 1300 137 131 or visit [www.maa.nsw.gov.au](http://www.maa.nsw.gov.au)

### 5 Complete the claim form on behalf of all dependants

A compensation to relatives claim is made by one person on behalf of all dependants of the deceased. In filling out the compensation to relatives claim form it is necessary to not only include any claim you have for loss of dependency (financial support or loss of services) but also the claims of anyone else who was dependent on the deceased. The entitlements of all dependants are dealt with at the same time and as part of the same claim.

### 6 Send the claim form to the CTP insurer

You must send the completed claim form to the CTP insurer of the motor vehicle you consider caused the accident (see step 2 above).

The claim form should be sent as soon as possible, but no later than six months from the date of death. You can still make a claim more than six months after the date of death. However, your claim could be rejected if you cannot give a satisfactory reason for the delay. If you make a claim more than six months after the date of death, please attach an explanation to this claim form giving reasons for the delay.

### 7 If the person who died was under 16 years at the date of accident

Attach proof of age (a certified copy of the birth certificate, death certificate or passport) and proof that the person who died was a resident of NSW at the date of their death (refer to the Important note for children on page 6).

### 8 Keep a copy of the completed forms and accounts and invoices

Please attach any original accounts and invoices you may already have to the claim form. Keep a copy of all forms, certificates, accounts and invoices, etc, so that you have your own record.

Tear along this line and keep this information after you send off the completed form.

## AFTER YOU SEND YOUR CLAIM TO THE CTP INSURER

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### 1 You will receive a letter from the insurer

You will get a letter from the insurer telling you they have received your claim. The letter will include a claim or reference number that you should use if you want to talk to the insurer about your claim. The letter will also include a contact person's name and phone number.

### 2 You must help the CTP insurer with its investigation of your claim

The insurer will investigate your claim. You may be required to give the CTP insurer more information, photographs, documents or records.

### 3 The insurer will tell you its decision about your claim

The insurer will tell you whether liability is accepted (fully or partly) or denied. The insurer is required to make a decision on liability within three months of a claim being made. If the insurer accepts liability, they will then make an offer of settlement, that is, an offer to pay an amount of compensation they think is appropriate after investigating the losses you describe in this form.

The settlement offer may include payment for:

- < Funeral expenses paid for either by you or a close relative
- < The loss of financial support which the person who died would have provided to you or other close relatives if the person had not died
- < Loss of services (such as those previously provided by a parent to a child)
- < Hospital and other medical expenses
- < Loss of earnings the person suffered prior to their death.

You may negotiate with the insurer to settle your claim. This can include accepting the insurer's offer or making a counter-offer.

If the CTP insurer denies liability on your claim, contact the Claims Advisory Service on 1300 656 919 for further information as you may have further rights against the CTP insurer.

### 4 Important note for children

From 1 October 2006, if the person who died was under 16 years of age and lived in NSW at the time of their death, you may still make a claim for the children's special benefit even if the accident was not caused by the owner or driver of a motor vehicle. The special benefit provides for reasonable funeral or cremation expenses associated with the death of the child. If the accident was caused, wholly or in part, by the driver or owner of a motor vehicle other compensation entitlements may apply.

### 5 CTP insurer handling of your claim

CTP insurers are required to comply with the MAA Claims Handling Guidelines, which are available at [www.maa.nsw.gov.au](http://www.maa.nsw.gov.au). If you need a copy sent to you, contact the Claims Advisory Service on 1300 656 919.

# PERSONAL DETAILS

## Details of the deceased person

Ms  Mrs  Miss     
 Mr  Other  Surname/family name Given name(s)

Was the person under 16 years at the date of death? No  Yes  Date of birth  /  /

Sex: M  F

Marital status: Never married  Married (legal or defacto)  Divorced  Separated  Widowed

Driver's licence number  Occupation

Medicare number  State

Home address   
  
 Town/suburb State Postcode

Date of Death  /  /  Cause of death, if known

Note: a copy of the death certificate should be lodged with this claim. If this certificate is not available when you lodge the form, forward it as soon as it is.

## Details of the person making this claim

Ms  Mrs  Miss     
 Mr  Other  Surname/family name Given name(s)

Have you ever been known by another name? No  Yes

Do you need an interpreter to help you with your claim? No  Yes    
 Language

Home address   
  
 Town/suburb State Postcode

Postal address (or as above)   
  
 Postbox Town/suburb State Postcode

Phone numbers  ( )  ( )  ( )  
 Home Work Mobile

Email address

Are you a close relative of the deceased person? No  Yes    
 Relationship

Are you the executor or administrator of the estate of the deceased person?

No  Yes

Are you completing this form because you are acting in a professional capacity, e.g. as a solicitor?

No  Yes

Professional capacity

Who will continue to conduct this claim?

Name

Address

Town/suburb

State

Postcode

## ACCIDENT DETAILS

If you have not reported the accident to the police, report it immediately.

**1 Date of accident**

 /  / 

**Time of accident**

 :  am/pm

**Weather and road conditions**

**2 Place of the accident (streets and town or suburb)**

Street(s)

Town/suburb

State

Postcode

**3 Did the police come to the accident scene?**

No

Yes  Go to Q5

**4 Was the accident reported at a police station?**

No  Report the accident immediately

Yes  Date reported

 /  / 

**5 Police officer's details (if you have a copy of the police report, please attach it to this form)**

Police officer's name

Police station

Police "event" number

**6 Is police action going to be taken?**

No  Go to Q7

Don't know  Go to Q7

Yes

Name of person charged (if known)

Registration plate number

Charge (if known)

Court (if known)

**7 Is a coronial inquest pending?**

No

Don't know  Go to Q8

Yes

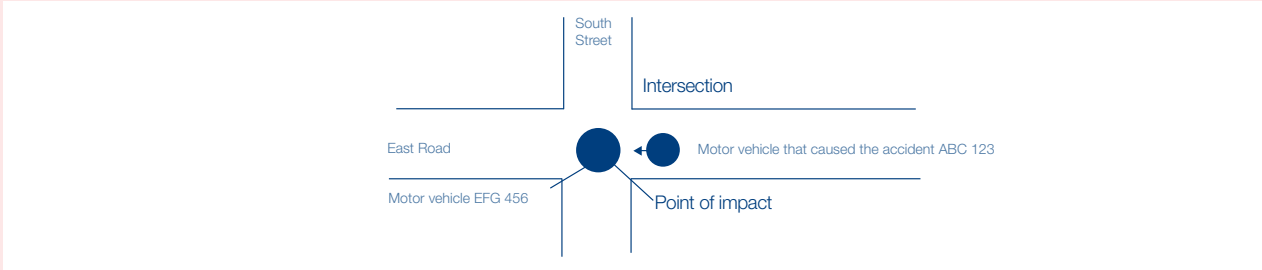
Court (if known)

Date (if known)

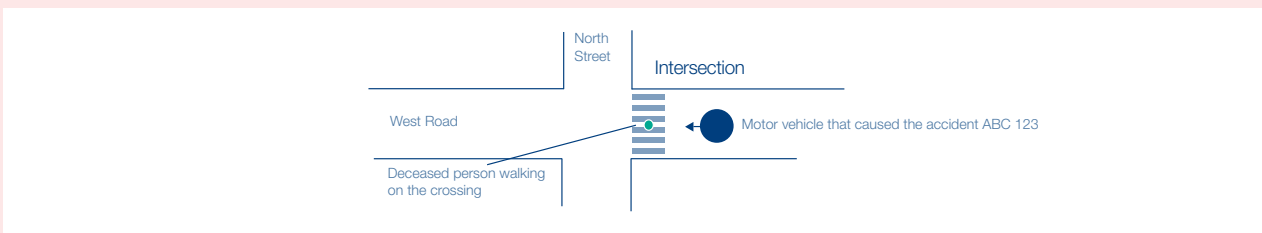


**17 Draw a diagram of the accident. Include intersections, streets, roads and their names. Show the point of impact and position of all motor vehicles.**

Example diagram for motor vehicle



Example diagram for pedestrian/cyclist



**Diagram of the accident**

Blank area for drawing the accident diagram.

**18 Description of the accident (including who you consider caused the accident and how the accident happened)**

Blank area with horizontal lines for describing the accident.

Please attach a separate page if you need to include more information.



## DETAILS OF ALL MOTOR VEHICLES INVOLVED IN THE ACCIDENT

**19** How many motor vehicles were involved in the accident?

**20** Do you know the registration number of the motor vehicle you consider caused the accident?

Yes  ▶ Go to Q22      No  ▼ If you don't know this information after contacting the police go to Q21.

**21** Applies to unidentified motor vehicles only

You have an obligation to provide evidence of steps taken to find out the registration number or the name of the person who drove the motor vehicle you consider caused the accident. Please list any actions you have taken and attach any proof such as a newspaper advertisement or account of discussions with any witnesses, etc. Fill in as many of the details at Q22 as you can.

Now fill in as many of the details in Q22 as you can

**22** Provide details of the motor vehicle you consider caused the accident

Registration number <input type="text"/>	Make or model (e.g. Toyota Camry) <input type="text"/>	Type (e.g. station wagon, sedan) <input type="text"/>
State		
Year of manufacture <input type="text"/>	Colour <input type="text"/>	Number of people in vehicle <input type="text"/>
	Including driver	Driver's licence number <input type="text"/>
		State
Briefly describe the damage caused to this vehicle (if known) <input type="text"/>		Name of property damage or comprehensive insurer, if known <input type="text"/>
Driver's surname/family name <input type="text"/>		Driver's given name(s) <input type="text"/>
Driver's home phone (    ) <input type="text"/>	Driver's work phone (    ) <input type="text"/>	Driver's mobile phone (    ) <input type="text"/>
Driver's address <input type="text"/>		
	Town/suburb	State      Postcode
Owner's surname/family name (if same as driver, write "as above") <input type="text"/>		Owner's given name(s) <input type="text"/>
(Or organisation/company name)		
Owner's home phone (    ) <input type="text"/>	Owner's work phone (    ) <input type="text"/>	Owner's mobile phone (    ) <input type="text"/>
Owner's address <input type="text"/>		
	Town/suburb	State      Postcode

**23 Was the deceased person travelling in this vehicle?** Yes  ► Go to Q25 No  ▼

**24 Provide details of the vehicle the deceased person was travelling in (if they were travelling in a vehicle)**

Registration number	Make or model (e.g. Toyota Camry)	Type (e.g. station wagon, sedan)	
<input type="text"/>	<input type="text"/>	<input type="text"/>	
Year of manufacture	Colour	Number of people in vehicle	Driver's licence number
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Briefly describe the damage caused to this vehicle (if known)		Name of property damage or comprehensive insurer, if known	
<input type="text"/>		<input type="text"/>	
Driver's surname/family name	Driver's given name(s)		
<input type="text"/>	<input type="text"/>		
Driver's home phone	Driver's work phone	Driver's mobile phone	
( )	( )	( )	
Driver's address			
<input type="text"/>			
Town/suburb		State	Postcode

**25 Provide details of any other vehicle(s) involved in the accident**

Registration number	Make or model (e.g. Toyota Camry)	Type (e.g. station wagon, sedan)	
<input type="text"/>	<input type="text"/>	<input type="text"/>	
Year of manufacture	Colour	Number of people in vehicle	Driver's licence number
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Briefly describe the damage caused to this vehicle (if known)		Name of property damage or comprehensive insurer, if known	
<input type="text"/>		<input type="text"/>	
Driver's surname/family name	Driver's given name(s)		
<input type="text"/>	<input type="text"/>		
Driver's home phone	Driver's work phone	Driver's mobile phone	
( )	( )	( )	
Driver's address			
<input type="text"/>			
Town/suburb		State	Postcode

Please attach a separate page if you need to include more information.

## DETAILS OF WITNESSES

**26 Witnesses. Provide details of witnesses (including witnesses in the same motor vehicle as the deceased person).**

**Witness 1**

Surname/family name

Given name(s)



Home address

Home phone

Work phone

Town/suburb

Mobile phone

State

Postcode




Registration number (if the witness was in a vehicle)

Relationship to deceased (if any)



State

**Witness 2**

Surname/family name

Given name(s)



Home address

Home phone

Work phone

Town/suburb

Mobile phone

State

Postcode




Registration number (if the witness was in a vehicle)

Relationship to deceased (if any)



State

**Witness 3**

Surname/family name

Given name(s)



Home address

Home phone

Work phone

Town/suburb

Mobile phone

State

Postcode




Registration number (if the witness was in a vehicle)

Relationship to deceased (if any)



State

**Witness 4**

Surname/family name

Given name(s)



Home address

Home phone

Work phone

Town/suburb

Mobile phone

State

Postcode




Registration number (if the witness was in a vehicle)

Relationship to deceased (if any)



State

Please attach a separate page if you need to include more information

## DETAILS OF FINANCIAL LOSSES

### Funeral expenses

Once liability is admitted, insurers should pay or reimburse the reasonable costs of funeral and other burial expenses (including a headstone).

#### 27 Date of funeral

 /  / 

#### Cost of funeral

#### Have the funeral expenses been paid?

Yes No 

Name and address of the person(s) who paid for the funeral

Town/suburb

State

Postcode

#### 28 Has the headstone been paid for?

Yes No 

Name and address of the person(s) who paid for the headstone

Original accounts and/or receipts for the funeral and headstone expenses must be sent to the insurer before payments can be made.

### Details of dependant persons claiming loss of financial support

Before the accident, the person who died may have been giving close relatives money and other things like food, housing and clothing or making payments to someone else on behalf of a dependant (eg. rent or mortgage payments, car or education expenses). These close relatives or "dependants" might be the deceased person's wife, husband, de facto partner, parent, child, brother, half-brother, sister or half-sister.

#### 29 Do any of the deceased person's dependants wish to claim compensation for the loss of financial support they were receiving prior to the death of their close relative?

Yes No 

▶ Statutory Declaration  
on page 22

If you or any of the close relatives are claiming compensation for loss of financial support you will need to provide the following information about yourself and the other dependants. If there are more than three dependants, write the information on a separate sheet of paper labelled "Dependant persons claiming loss of financial support" and attach it to this form.

If any dependants are under 18 years, please attach a copy of each dependant's birth certificate.

**30 Dependant 1**

Full name (title, given names, surnames)

Date of birth

 /  / 

Marital status

 never married  
 legally married

 widowed  
 de facto

 divorced  
 separated

If this person is less than 18 years please attach a copy of the birth certificate.

Home address

Town/suburb

State

Postcode

Relationship to the deceased person

**31 Was the dependant employed?**

Yes

No  ► Go to Q32

Name and address of dependant's employer

At times of relative's death

Town/suburb

State

Postcode

At present

Town/suburb

State

Postcode

Length of time at present job

Normal weekly earnings at time of relatives death

Before tax

After tax

at present

Before tax

After tax

**32 Does the dependant have any other income, eg. investments, pension, workers compensation, disability or income protection policy?**

Yes  ►

No  ► Go to Q33

Describe what kind of income the dependant receives

How much a week does the dependant receive from this other source of income?

**33 Describe how much financial support the deceased person provided the dependant each week. For example, consider things like money payments (board and allowances) food, clothing, housing, services, (eg. housekeeping and child care) rent, mortgage payments, car payments, car expenses, education expenses, health and medication expenses, utilities and entertainment etc.**

If you need more space, please attach a separate page titled "Financial support provided by the deceased".

\* The column titled Method refers to how the deceased relative paid the dependant:

- direct deposit into banking account = bank
- cash direct to dependant = cash
- cheque direct to dependant = cheque

Support	\$/week	*Method
eg. rent	eg. 100	eg. bank

**34 Dependant 2**

Full name (title, given names, surnames)

Date of birth

 /  / 

Marital status

 never married  
 legally married

 widowed  
 de facto

 divorced  
 separated

If this person is less than 18 years please attach a copy of the birth certificate.

Home address

Town/suburb

State

Postcode

Relationship to the deceased person

**35 Was the dependant employed?**

Yes

No  ► Go to Q36

Name and address of dependant's employer

At times of relative's death

Town/suburb

State

Postcode

At present

Town/suburb

State

Postcode

Length of time at present job

Normal weekly earnings at time of relatives death

Before tax

After tax

at present

Before tax

After tax

**36 Does the dependant have any other income, eg. investments, pension, workers compensation, disability or income protection policy?**

Yes  ►

No  Go to Q37

Describe what kind of income the dependant receives

How much a week does the dependant receive from this other source of income?

**37 Describe how much financial support the deceased person provided the dependant each week. For example, consider things like money payments (board and allowances) food, clothing, housing, services, (eg. housekeeping and child care) rent, mortgage payments, car payments, car expenses, education expenses, health and medication expenses, utilities and entertainment etc.**

If you need more space, please attach a separate page titled "Financial support provided by the deceased".

\* The column titled Method refers to how the deceased relative paid the dependant:

- direct deposit into banking account = bank
- cash direct to dependant = cash
- cheque direct to dependant = cheque

Support	\$/week	*Method
eg. rent	eg. 100	eg. bank

**38 Dependant 3**

Full name (title, given names, surnames)

Date of birth

 /  / 

Marital status

never married       widowed       divorced  
 legally married       de facto       separated

If this person is less than 18 years please attach a copy of the birth certificate.

Home address

Town/suburb State Postcode

Relationship to the deceased person

**39 Was the dependant employed?**

Yes  No  **▶ Go to Q40**

Name and address of dependant's employer

At times of relative's death Town/suburb State Postcode

At present Town/suburb State Postcode

Length of time in present job

Normal weekly earnings at time of relatives death

Before tax After tax

at present

Before tax After tax

**40 Does the dependant have any other income, eg. investments, pension, workers compensation, disability or income protection policy?**

Yes  **▶** No  **▶ Go to Q41**

Describe what kind of income the dependant receives

How much a week does the dependant receive from this other source of income?

**41 Describe how much financial support the deceased person provided the dependant each week. For example, consider things like money payments (board and allowances) food, clothing, housing, services, (eg. housekeeping and child care) rent, mortgage payments, car payments, car expenses, education expenses, health and medication expenses, utilities and entertainment etc.**

If you need more space, please attach a separate page titled "Financial support provided by the deceased".

\* The column titled Method refers to how the deceased relative paid the dependant:

- direct deposit into banking account = bank
- cash direct to dependant = cash
- cheque direct to dependant = cheque

Support	\$/week	*Method
eg. rent	eg. 100	eg. bank

**DETAILS OF THE RELATIONSHIP BETWEEN THE DECEASED PERSON AND THEIR SPOUSE**

42 Does the deceased person have a surviving spouse? Yes  No  ► Go to Q47

43 Was the spouse legally married to the deceased person? Yes  No  ► Go to Q44

Date of marriage

/ /

Place of marriage

A copy of the marriage certificate should be lodged with this claim form.

Go to Question 45

44 If the deceased person lived in a de facto relationship with the surviving spouse, on what date did the relationship start?

/ /

45 Before the accident, was the surviving spouse separated or divorced from the deceased person?

Yes

No

► Go to Q47

When did the separation start?

Separated

Day / Month / Year

Divorced

When did the marriage dissolve?

Day / Month / Year

46 Was there a maintenance order against the deceased person which was current at the date of death?

Yes

No

► Go to Q47

Please provide details

When did the deceased person last pay maintenance?

Day / Month / Year

Amount

\$

**DETAILS OF THE DECEASED PERSON'S EARNINGS**

47 At the date of the accident, what was the deceased person's employment status?

self-employed

home duties

retired

other

employed

full time student

unemployed

48 Was the deceased person employed at the date of the accident?

Yes

No

► Go to Q52

49 Name and address of the deceased person's employer at the time of the accident

Town/suburb

State

Postcode

Contact person's name

Contact phone number

( )

**THIS QUESTION CONTINUES ON THE NEXT PAGE**



Deceased person's usual weekly work hours

Ordinary

Overtime

Description of duties

Standard weekly earnings

Gross pay

Tax

Net pay

**50 Did the deceased person have a second paid job before the accident?** Yes  ► Go to Q51 No  ► Go to Q52

**51 Name and address of the deceased person's second employer**

Town/suburb

State

Postcode

Contact person's name

Contact phone number

(  )

Usual weekly work hours in second job

Ordinary

Overtime

Description of duties (second job)

Standard weekly earnings (second job)

Gross pay

Tax

Net pay

If the deceased person had any other jobs, please attach a page labelled "Other employment".

**52 Was the deceased person self-employed at the time of the accident?** Yes  No  ► Go to Q56

Name and nature of business

Phone number

(  )

Work place address

Town/suburb

State

Postcode

Accountant's name

Town/suburb

State

Postcode

53 Is this business still operating? Yes  No  ► Go to Q55

54 Has anyone been employed to replace the deceased person? Yes  No

55 Estimate the earnings lost as a result of the accident and give details of how you calculated the amount. You should give the insurer copies of the deceased person’s personal and business income tax returns with this claim form. If you do not have the tax returns then give them to the insurer once they are available.

If you need more space, attach a page labelled “Self employment earnings lost”

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56 Was the deceased person receiving any other form of income at the date of the accident (eg. investment, workers compensation, social security benefits, income protection payments)?

Yes  No

If the deceased person was being paid:

- a benefit, provide the social security number
- worker’s compensation, provide the insurer and claim number
- through a disability or income protection policy, provide the insurer and policy number.

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57 Before the accident, had the deceased person made any firm arrangements to start a new job, or stop work, or change duties, working hours or earnings?

Yes  No

Details should state when the new arrangements were going to start. Also, write down the name of the proposed employer. Provide a copy of any letter or other written evidence.

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## OTHER INFORMATION

58 Did the deceased person have any health problems (eg. diabetes, heart condition) before the accident?

Yes

No  ► Go to Q59

Don't know  ► Go to Q59

Please describe the problems

Four horizontal lines for text entry.

59 Were there any expenses and financial losses suffered by the deceased person resulting from the accident in the time between the accident and the date of death?

Yes

No

Describe eg. intensive care fees, lost wages

Four horizontal lines for text entry.

## STATUTORY DECLARATION

- < Please read the statutory declaration carefully before signing.
- < You must sign the statutory declaration before a justice of the peace or a solicitor.
- < The person making this claim must sign the declaration unless he/she is under 18 years or is unable to make the declaration. In this case a parent, guardian, relative or friend of the person making this claim must sign the declaration.
- < Your claim may be delayed if the statutory declaration is not properly completed and witnessed.
- < All information you have given in the claim form must be true and correct in every respect.
- < The collection, use and disclosure of personal information by licensed insurers is governed by the National Privacy Principles under the federal Privacy Act 1988.

### Declaration

I solemnly and sincerely declare that, to the best of my knowledge, the information given in the Motor Accident Compensation to Relatives Claim Form is true and correct in every respect. I authorise the Nominal Defendant or the insurer, against whom this claim is made, to: (i) contact and obtain information and documents relevant to the claim from persons specified in the authorisation; (ii) provide information and documents so obtained to persons specified in the authorisation.

Persons specified in the authorisation are:

- any doctor, ambulance service, hospital or other service provider
- any police department
- any property damage insurer
- Centrelink
- any employer or accountant of the deceased person
- any personal injury claim or workers compensation insurer
- Lifetime Care and Support Authority (LTCSA)
- Medicare Australia.

I understand that information obtained under this declaration from doctors, an ambulance service or as part of clinical notes from hospitals may include general medical information relevant to my claim.

**I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Oaths Act 1900.**

Declared before me, on Date  /  /

Signature of claimant

Name of person making declaration

Signature of solicitor or justice of the peace

Name of deceased person

Name of solicitor or justice of the peace

### This section to be completed by the solicitor or justice of the peace

Business name (if relevant)

Phone

Address

Town/suburb

State

Postcode

### This section to be completed if another person signed for the claimant

Family name

Given name(s)

Relationship to claimant

Phone

Reason why the claimant could not sign

## CHECK LIST

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**Before sending this claim form to the CTP insurer please ensure that you have completed the following steps:**

- Reported the accident to the police
- Nominated the motor vehicle and person you consider caused the accident at question 22 (page 11) and attached any relevant documents relating to how the accident happened
- Found out the CTP insurer of the motor vehicle you consider caused the accident by contacting 1300 656 919
- Signed the statutory declaration (page 22) in the presence of a solicitor or justice of the peace
- Attached proof of age if the person who died was under 16 years at the date of death
- Attached to the claim form any original accounts, receipts or invoices you may already have
- Attached copies of any relevant certificates such as death certificates or marriage certificates
- Made a copy of the claim form, certificates, accounts, invoices etc for your own record

### **Need more information?**

Contact the Claims Advisory Service on 1300 656 919 or visit [www.maa.nsw.gov.au](http://www.maa.nsw.gov.au)

# PRIVATE ADVERTISEMENTS

## COUNCIL NOTICES

### LISMORE CITY COUNCIL

Roads Act 1993, Section 162

Naming of Public Road

NOTICE is given that Lismore City Council, pursuant to the Roads Act 1993, Section 162 and Roads Regulation 2008, has named the new road described below:

<i>Location/Description</i>	<i>New Road Name</i>
Road running north off Joy Street, Goonellabah	Ethan Place

No objections to the proposed name were received. PAUL G. O'SULLIVAN, General Manager, Lismore City Council, PO Box 23A, Lismore NSW 2480. [4320]

### LIVERPOOL CITY COUNCIL

Pursuant to Section 162 of the Roads Act 1993.

LIVERPOOL CITY COUNCIL has renamed new Council roads developed and to be developed as part of the subdivision of Middleton Grange which are:

Seventeenth Avenue East between Twenty Seventh Avenue to X=300785.507924 Y=6244946.77069 to be renamed Southern Cross Avenue.

Seventeenth Avenue East between the X=300944.562548 Y=6244923.47481 and Stante Close to be renamed Hall Circuit.

Seventeenth Avenue East between the X=300944.562548 Y=6244923.47481 and M7 Motorway to be renamed Stante Close.

Sixteenth Avenue East between the X=300863.02697 Y=6244610.58705 and Twenty Seventh Ave to be renamed Flynn Avenue.

Sixteenth Avenue East between X=301057.828719 Y=6244580.86472 and the X=300863.02697 Y=6244610.58705 to be renamed Hall Circuit.

Sixteenth Avenue East between Cowpasture Road and X=301170.291585 Y=6244568.01182 to be renamed Qantas Boulevard.

The future road known as Blackbird Boulevard will be renamed Qantas Boulevard.

Second Ave between Fifteenth Avenue and McIver Ave is to be renamed Kingsford Smith Avenue.

Kelsey Avenue between the Seventeenth Avenue East and X=300148.409203 Y=6245443.17133 to be renamed Donn Street.

A map of the changes is available from Council on request. [4321]

### MIDCOAST COUNTY COUNCIL

Roads Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

MIDCOAST COUNTY COUNCIL declares with the approval of Her Excellency the Governor, that the land described in Schedule A and B below excluding the interests described in Schedule C 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 sewerage purposes. Dated at Taree, 5 August 2008. N. HANINGTON, General Manager, MidCoast County Council, PO Box 671, Taree NSW 2430.

#### SCHEDULE A

Lots 1 and 2, DP 1102425.

#### SCHEDULE B

Right of carriageway 13 wide over Lot 1.

#### SCHEDULE C

Easement for pipeline 5 Wide.

Easement for access and pipelines 10 wide and variable width. [4322]

### WOLLONGONG CITY COUNCIL

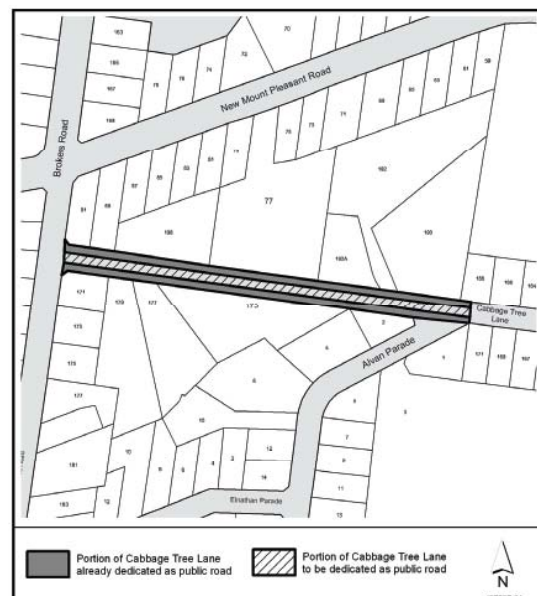
Roads Act 1993 – Section 16

Notice of Dedication of Land as Public Road

NOTICE is hereby given that pursuant to section 16 of the Roads Act 1993, the land as described in the Schedule below is hereby dedicated as public road. D. FARMER, General Manager, Wollongong City Council, Locked Bag 8821, Wollongong NSW 2500.

#### SCHEDULE

That portion of land shown hatched on the accompanying plan.



[4323]

**WOLLONGONG CITY COUNCIL**

Roads Act 1993 – Section 10

Dedication of Land as Public Road

PURSUANT to section 10 of the Roads Act 1993, Wollongong City Council hereby dedicates the land in the Schedule below as public road. D. FARMER, General Manager, Wollongong City Council, Locked Bag 8821, Wollongong NSW 2500.

**SCHEDULE**

Lot 14, DP 233280, Kennedy Road, Austinmer.

Lot 8, DP 236410, Shellharbour Road, Port Kembla.

Lot 1, DP 377675 and Lot 1, DP 375781, Lane 52, Thirroul.

Lot 12, section G, DP 2697, Monie Street, Woonona.

Lot 51, DP 1045297, Hobart Street, Bulli.

Lots 101 and 102, DP 1077361, Cordeaux Road, Figtree.

Lot 1, DP 329663 and Lot 1, DP 152891, Darkes Road, Kembla Grange.

Lot 204, DP 801956, cnr Flinders and Campbell Streets, Wollongong.

Lot 2, section E, DP 2205, Undola Road, Helensburgh.

Lot 108, DP 637512, Victoria Street, Wollongong. [4324]

**ESTATE NOTICES**

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of SHIRLEY VALERIE PICKETT, late of 28 McAuley Place, Waitara, in the state of New South Wales, who died on 7 July 2008, must send particulars of his claim to the executor, c.o. John S. Fordham, Solicitor, 12 Station Street, West Ryde NSW 2114, within one (1) calendar month from publication of this notice. After that time the executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution she has notice. Probate was granted in New South Wales on 10 November 2008. JOHN S. FORDHAM, Solicitor, 12 Station Street, West Ryde NSW 2114 (PO Box 107, West Ryde NSW 1685), (DX 27551, West Ryde), tel.: (02) 9858 1533. Reference: JSF.CT.08243. [4325]

IN the Supreme Court of New South Wales, Sydney Registry, Equity Division.—Notice of intended distribution of estate.—Any person having any claim upon the estate of RAYMOND JOHN GEORGE WILLOUGHBY late of 7 Myall Avenue, Wahroonga, in the State of New South Wales, retired company director, who died on 10 July 2008 must send particulars of the claim to the executors, Barbara Francis Willoughby, Judith Frances Willoughby and Linda Margaret Doris Dimond, care of John Townsend, Lawyer, of Suite 608, Level 6, 109 Pitt Street, Sydney NSW 2000 (ref: JRT:2008/054) within one calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executors have notice. Probate was granted in New South Wales on 17 November 2008. JOHN TOWNSEND, Lawyer, of Suite 608, Level 6, 109 Pitt Street, Sydney NSW 2000, tel.: (02) 9221 6500. [4326]

**COMPANY NOTICES**

NOTICE of final meeting of members.—In the matter of the Corporations Act 2001 and in the matter of BENWINE PTY LTD (in liquidation) ACN 056 194 604.—Notice is hereby given pursuant to section 509 of the Corporations Act 2001, that the final meeting of the Members of the abovenamed Company will be held on 14 January 2009, 9am at the office of Crosbie Warren Sinclair, cnr Pacific Highway and Warabrook Boulevard, Warabrook NSW 2304 for the purpose of having an account laid before them showing the manner in which the winding up has been conducted and the property of the Company disposed of and hearing any explanation that may be given by the Liquidator. Dated 3 December 2008. BRENT ANTONY PERKINS, Liquidator, Crosbie Warren Sinclair, PO Box 29, Hunter Region Mail Centre NSW 2310, tel: (02) 4923 4000. [4327]

NOTICE of members voluntary liquidation.—EMERGING GROWTH CAPITAL PTY LTD, ABN 16 093 677 180 (in voluntary liquidation).—Notice is hereby given in accordance with section 491 (2) of the Corporations Act 2001, that at a general meeting of the members of the abovenamed company held on 7 November 2008, the following special and ordinary resolutions respectively were passed: “That the company be wound up as a members’ voluntary liquidation and that the assets of the company be distributed in whole or in part to the members in specie should the liquidator so desire” and that Robert Harvey and Bradley Ross-Sampson be appointed as liquidators for the purpose of winding up. Dated: 27 November 2008. ROBERT HARVEY, Liquidator, c.o. Emerging Growth Capital Pty Ltd, Level 3, 1-7 Castlereagh Street, Sydney NSW 2000, tel.: (02) 9222 1991. [4328]

NOTICE of final meeting of members.—In the matter of the Corporations Act 2001 and in the matter of H V P V BUILDING CO PTY LTD (in liquidation) ACN 003 380 961.—Notice is hereby given pursuant to section 509 of the Corporations Act 2001, that the final meeting of the Members of the abovenamed Company will be held on 14 January 2009, 9am at the office of Crosbie Warren Sinclair, cnr Pacific Highway and Warabrook Boulevard, Warabrook NSW 2304 for the purpose of having an account laid before them showing the manner in which the winding up has been conducted and the property of the Company disposed of and hearing any explanation that may be given by the Liquidator. Dated: 3 December 2008. BRENT ANTONY PERKINS, Liquidator, Crosbie Warren Sinclair, PO Box 29, Hunter Region Mail Centre NSW 2310, tel: (02) 4923 4000. [4329]

NOTICE of the voluntary winding-up.—MK & JA ROCHE PTY LIMITED (in voluntary liquidation), ACN 076 529 952.—Notice is hereby given that at an extraordinary general meeting of members of the abovenamed company, duly convened and held at Level 1, 10 Spring Street, Sydney NSW on 3 December 2008, the following special resolution was duly passed: “That the company be wound up voluntarily”. It was further resolved that Mr Richard Elliott be appointed liquidator of the company for the purposes of winding up the affairs and distributing the assets of the company. Dated: 3 December 2008. RICHARD ELLIOTT, Liquidator, Brooks, Deane & Powne, Chartered Accountants, Level 1, 10 Spring Street, Sydney NSW 2000. [4330]

NOTICE of voluntary liquidation.—THE SILK JOURNEY PTY LIMITED, ACN 118 781 436.—In the matter of the Corporations Law and in the matter of the abovenamed company that at a general meeting convened and held at Unit 7, 89-91 Dangar Street, Randwick, on 20 November 2008, the following was duly passed as a special resolution in accordance with a recommendation by Directors: “That the company be wound up voluntarily and that Kevin Stevens and Bernard Bouchard be appointed liquidators”. Dated 20 November 2008. KEVEN STEVENS and BERNARD BOUCHARD, Liquidators, c.o. Dawson & Partners, Chartered Accountants, 92 Cooper Street (PO Box 201), Cootamundra NSW 2590, tel.: (02) 6942 1711. [4331]

## OTHER NOTICES

### INTEGRAL ENERGY AUSTRALIA

Electricity Supply Act 1995

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Easement

INTEGRAL ENERGY AUSTRALIA declares, with the approval of Her Excellency the Governor and the Executive Council, that the interest in land described in Schedule 1 of this notice affecting the land described in Schedule 2 of this notice is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of the Electricity Supply Act 1995.

In so far as any Native Title rights and interests may exist over any of the Land (in Schedule 2), the “non-extinguishment principle” as defined in section 238 of the Native Title Act 1993 (Cth) applies to the acquisition.

Dated at Huntingwood, this 5th day of December 2008.

ALAN FLETT,  
General Manager,  
Network Asset Operations

Integral Energy Australia,  
51 Huntingwood Drive, Huntingwood NSW 2148.  
IE Ref: UUL0060.

#### SCHEDULE 1

An easement for overhead power lines incorporating the rights set out in Memorandum No. 9262884 filed at Land and Property Information (NSW). For the purpose of this notice, in Memorandum No. 9262884 “lot burdened” means Lot 4, DP 1068566.

#### SCHEDULE 2

All that piece or parcel of land at Gerroa, in the local government area of Kiama, Parish of Coolangatta and County of Camden, being the site of the proposed easement for overhead power lines 9 wide designated (A) in DP1068566 affecting Lot 4, DP 1068566.

The land is said to be Crown Reserve 83972 for public recreation, owned by the Crown and managed by Kiama Municipal Council as Reserve Trustee. [4332]

### ENERGY AUSTRALIA

Electricity Supply Act 1995

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Easement,  
Anna Bay and Bobs Farm

ENERGY AUSTRALIA declares, with the approval of Her Excellency the Governor and the Executive Council, that the interest in land described in Schedule 1 of this notice affecting the land described in Schedule 2 of this notice is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of the Electricity Supply Act 1995. In so far as any Native Title rights and interests may exist over any of the Land described in Schedule 2 the ‘non-extinguishment principle’ as defined in section 238 of the Native Title Act 1993 (Cth) applies to the acquisition.

Dated at Sydney this 26th day of November 2008.

Signed for and on behalf of EnergyAustralia of 570 George Street, Sydney, by KATHERINE MARGARET GUNTON its duly constituted Attorney pursuant to Power of Attorney registered Book 4528, No. 401.

#### SCHEDULE 1

Easement for electricity transmission lines and access thereto on the terms set out in Memorandum No. AC 289041 filed at Land and Property Information New South Wales as if the easement was an “easement for electricity and other purposes” referred to in that Memorandum.

#### SCHEDULE 2

All that piece or parcel of land at Anna Bay and Bobs Farm in the local government area of Port Stephens, Parish of Tomaree and County of Gloucester, being the site of the proposed easement for electricity transmission lines and access thereto of variable width affecting that part of Lot 1, DP 446235, that part of Lot 17, DP 852410 and within vacant crown land designated (A) and (B) on DP 1066223, (A) (B) (C) (D) (E) and (J) on DP 1052037 and (A) on DP 1052002. [4333]