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SPECIAL SUPPLEMENT

ELECTRICITY (CONSUMER SAFETY) ACT 2004

ORDER

Section 15

I, VIRGINIA JUDGE, M.P., Minister for Fair Trading, declare pursuant to section 15 of the Electricity (Consumer Safety) Act 2004, that the scheme for the approval or certification of models of declared electrical articles respectively conducted by the person specified in Schedule One to this Order is:

- (a) for a period of five years from the date of the publication of this Order in the *New South Wales Government Gazette*, a recognised external approval scheme for the purposes of Part 2 of the Act;
- (b) subject to the conditions specified in Schedule Two to this Order; and
- (c) authorised, pursuant to Clause 15 of the conditions specified in Schedule Two, to use the accepted mark specified in Schedule Three to this Order.

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

Interpretation

In this Order, "Commissioner" means the Commissioner for Fair Trading, Department of Commerce.

SCHEDULE ONE

Energy Australia trading as Testing and Certification Australia (ABN 67 505 337 385).

SCHEDULE TWO

These conditions apply to the approval of declared articles only.

- (1) The scheme shall notify the Commissioner of any changes to personnel conducting the assessment of approval applications, to signatories to approvals, and to management and directors within two weeks of any such change.
- (2) The scheme shall not authorise or otherwise permit other persons to approve an article on behalf of the scheme.
- (3) The scheme shall not approve an article (including a modification to an approved article and any renewal to that article) unless the scheme is satisfied the article complies with –
 - (a) the class specification nominated for the article (including any modifications) to that specification by order in the *New South Wales Government Gazette*; and
 - (b) any model specification nominated by the Commissioner in writing to the scheme.
applicable at the time of approval.

Note 1: In the case of a modified article, the complete article must comply with the nominated specification. This compliance is not limited to requirements associated with the modification.

Note 2: A modified article is an article that is not of the same design, materials and construction as the originally approved article. Minor modifications as detailed by an exemption issued under the Electricity (Consumer Safety) Act 2004 are exempt.

- (4) The scheme shall, where an approval has been granted, provide the applicant, by written notice, with the following particulars-
 - (a) the name of the approval holder;
 - (b) a description of the model (including marked brand or trade name);
 - (c) the fact that the scheme has approved the article;
 - (d) the date of the approval;
 - (e) the duration of the approval;
 - (f) the mark to be applied to the article to evidence that approval;
 - (g) the model reference code; and
 - (h) the declared class
- (5) The scheme shall, where an approval of a modified article has been granted, provide the applicant for that approval with written notice of the granting of that approval and of the details of the modification.
- (6) The scheme shall, where an approval has been renewed, provide the applicant for that renewal with written notice of that renewal.
- (7) The scheme shall maintain a computerised record of all approvals (including modifications and renewals). The record shall contain-
 - (a) the approval particulars listed in clause 4 above;
 - (b) details of any modified or renewed approval; and
 - (c) details of any changes in the name of the approval holder, in the model reference code or in the description of an approved article.
- (8) The scheme shall provide to the Commissioner and other relevant authorities as directed, the computerised records described in item 7 above.
- (9) The scheme shall not grant an approval period (including any renewal period) of longer than five years. A modified approval shall not alter the date of expiry of the approval.
- (10) The scheme may extend an approval but only where the Commissioner's written authorisation has been provided. The extension period is determined by the Commissioner.
- (11) The scheme shall cancel or suspend an approval within five working days of written advice from the Commissioner to cancel or suspend an approval. The scheme shall advise the approval holder and other relevant authorities as directed, in a form acceptable to the Commissioner, within five working days of a cancellation or suspension.
- (12) The scheme shall advise the Commissioner and other relevant authorities as directed, in the form acceptable to the Commissioner, within five working days, of the details where it becomes aware that an article, marked with the scheme's mark, has been sold or is on sale without the approval of the scheme.
- (13) The scheme shall advise the Commissioner and other relevant authorities as directed, in the form acceptable to the Commissioner, within 5 working days, of the details of any cancellation of an approval.
- (14) The scheme shall allow the Commissioner to make an assessment of the scheme, which may include an inspection of the premises and examination of documentation in relation to the schemes approval processes and issued approvals, as determined by the Commissioner.
- (15) The scheme shall only authorise the use of the mark accepted by the Minister or the Regulatory Compliance Mark, where the requirements of all the relevant parts of AS/NZS 4417 are fulfilled, to evidence an approval of a declared article.
- (16) The scheme shall on request provide the Commissioner with all records, including test reports and photographs, submitted to the scheme associated with an approval granted by the scheme. These records shall be maintained for at least 10 years from the date of expiry of the approval or any subsequent renewal.
- (17) The scheme agrees to pay the Commissioner in accordance with the attached "Schedule of Payment".

RECOGNISED EXTERNAL APPROVAL SCHEMES

Schedule of Payment

1. Initial application fee	\$3500
2. Annual fee payable on the anniversary of the schemes approval	\$2000
3. Annual assessment fee at \$152 per hour (See clause 14)	

SCHEDULE THREE

TCA number EA

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Order Declaring Development to be a Project under Part 3A of the Environmental Planning and Assessment Act 1979

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

Dated: Sydney, 5 February 2009.

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

SCHEDULE

The construction and operation of a new electrified passenger metro railway between the Sydney CBD and Rozelle. The project includes development for all associated or ancillary works, activities, uses, structures or facilities including (but not limited to):

1. construction (including demolition works), and operation (excluding maintenance) of the project;
2. any winning, obtaining or disposal of extractive material as part of the construction work of the project including transport of material and any associated access roads/rail tracks and sidings, conveyors, loading facilities and wharf facilities constructed for this purpose;
3. temporary batch plants, concrete casting yards, excavated material reprocessing facilities associated with construction activities;
4. access for construction, maintenance or operation of the project, including roads, access for pedestrians, cyclists, public transport and vehicles, and emergency egress/access facilities;
5. metro stations, including car parks, and associated transport interchanges (ie. bus, rail, light rail, taxi, coach, ferry, bicycle and kiss and ride facilities) and public amenities;
6. retail premises, business premises or community facilities in a metro station complex, including areas in the complex that customers use to gain access to station platforms;
7. train stabling, maintenance, administration and control facilities;
8. utilities / service installations or diversions, including power supply and protection of existing assets;
9. landscaping and public domain improvements; and
10. advertising structures.

This Order does not apply to activities comprising of:

- (a) surveys;
- (b) test drilling;
- (c) test excavations;
- (d) preliminary geotechnical investigations,
- (e) or the like, associated with the design and environmental assessments required for the development of the Project prior to the commencement of construction.

GREYHOUND RACING ACT 2002

Order

I, KEVIN GREENE, M.P., Minister for Gaming and Racing, pursuant to section 8(5) of the Greyhound Racing Act 2002, do by this my Order hereby set out below the manner in which, and the criteria on which, certain members of Greyhound Racing New South Wales are to be nominated under section 8(1) of the Act.

TAB Clubs Representative	By inviting nominations in writing from greyhound racing clubs, excluding non-TAB greyhound racing clubs, the NSW National Coursing Association and the NSW Greyhound Breeders, Owners and Trainers' Association.
Country Racing Representative	By inviting nominations in writing from greyhound racing clubs, excluding TAB greyhound racing clubs, the NSW National Coursing Association and the NSW Greyhound Breeders, Owners and Trainers' Association.
Industry Participant Representative	By the Department of Gaming and Racing advertising in the press and in a greyhound industry periodical for applications from persons involved with the greyhound racing industry wishing to be considered for appointment to this position.

In the event that there is more than one nominee for the positions of TAB Clubs Representative and Country Racing Representative respectively, the Office of Liquor, Gaming and Racing shall conduct a ballot of the relevant groups of greyhound racing clubs to determine elected representatives.

In the event that there is a tied ballot between two persons nominated for the positions of TAB Clubs Representative and Country Racing Representative respectively, the nominated representative is to be determined by the drawing of a lot.

The drawing of a lot is to be conducted by the Office of Liquor, Gaming and Racing and supervised by the Internal Audit Bureau.

Following receipt of applications for the position of Industry Participant Representative, an independent panel comprising persons nominated by the Minister for Gaming and Racing, shall select an eligible representative from the applications received.

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

EXPLANATORY NOTE

The Greyhound Racing Act 2002 provides, inter alia, that the Minister is to determine, by order published in the *New South Wales Government Gazette*, the manner in which, and the criteria on which, persons are to be nominated as members of the Board of Greyhound Racing New South Wales.

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