



Government Gazette

OF THE STATE OF
NEW SOUTH WALES

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LEGISLATION

Online notification of the making of statutory instruments

Week beginning 22 June 2009

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

Proclamations commencing Acts

[Children \(Criminal Proceedings\) Amendment \(Youth Conduct Orders\) Act 2008 No 85](#) (2009-251) — published LW 26 June 2009

[Children Legislation Amendment \(Wood Inquiry Recommendations\) Act 2009 No 13](#) (2009-252) — published LW 26 June 2009

[Classification \(Publications, Films and Computer Games\) Enforcement Amendment \(Advertising\) Act 2008 No 76](#) (2009-289) — published LW 26 June 2009

[Contaminated Land Management Amendment Act 2008 No 111](#) (2009-253) — published LW 26 June 2009

[Environmental Planning and Assessment Amendment Act 2008 No 36](#) (2009-254) — published LW 26 June 2009

[Environmental Planning and Assessment Amendment Act 2008 No 36](#) (2009-255) — published LW 26 June 2009

[Gas Supply Amendment \(Ombudsman Scheme\) Act 2009 No 18](#) (2009-256) — published LW 26 June 2009

[Greyhound Racing Act 2009 No 19](#) (2009-290) — published LW 26 June 2009

[Harness Racing Act 2009 No 20](#) (2009-291) — published LW 26 June 2009

[Motor Accidents Compensation Amendment Act 2009 No 26](#) (2009-257) — published LW 26 June 2009

[Public Health \(Tobacco\) Act 2008 No 94](#) (2009-292) — published LW 26 June 2009

[Racing Legislation Amendment Act 2009 No 21](#) (2009-293) — published LW 26 June 2009

[Water Management Amendment Act 2008 No 73](#) (2009-258) — published LW 26 June 2009

Regulations and other statutory instruments

- [Births, Deaths and Marriages Registration Amendment \(Fees\) Regulation 2009](#) (2009-259) — published LW 26 June 2009
- [Charitable Fundraising Amendment \(Exempt Religious Body or Organisation\) Regulation 2009](#) (2009-260) — published LW 26 June 2009
- [Children \(Criminal Proceedings\) Amendment \(Youth Conduct Orders\) Regulation 2009](#) (2009-261) — published LW 26 June 2009
- [Civil Procedure Further Amendment \(Fees\) Regulation 2009](#) (2009-262) — published LW 26 June 2009
- [Competition Policy Reform \(New South Wales\) Amendment Regulation 2009](#) (2009-263) — published LW 26 June 2009
- [Contaminated Land Management Amendment Regulation 2009](#) (2009-264) — published LW 26 June 2009
- [Driving Instructors Amendment \(Fees\) Regulation 2009](#) (2009-265) — published LW 26 June 2009
- [Electricity Supply \(General\) Amendment \(Energy Savings\) Regulation 2009](#) (2009-266) — published LW 26 June 2009
- [Energy and Utilities Administration Amendment \(Minimum Energy Performance Standards\) Regulation 2009](#) (2009-267) — published LW 26 June 2009
- [Environmental Planning and Assessment Amendment \(Plan Making\) Regulation 2009](#) (2009-268) — published LW 26 June 2009
- [Environmental Planning and Assessment Amendment \(Regional Panels\) Regulation 2009](#) (2009-269) — published LW 26 June 2009
- [Fisheries Management \(Aquaculture\) Amendment Regulation 2009](#) (2009-270) — published LW 26 June 2009
- [Fisheries Management Legislation Amendment \(Fees, Charges and Contributions\) Regulation 2009](#) (2009-302) — published LW 26 June 2009
- [Food Amendment \(Food Authority Maximum Amount and Application Fee\) Regulation 2009](#) (2009-271) — published LW 26 June 2009
- [Industrial Relations \(General\) Amendment \(Fees\) Regulation 2009](#) (2009-272) — published LW 26 June 2009
- [Institute of Teachers Amendment \(Miscellaneous\) Regulation 2009](#) (2009-273) — published LW 26 June 2009
- [Land and Environment Court Rules \(Amendment No 1\) 2009](#) (2009-274) — published LW 26 June 2009
- [Photo Card Amendment \(Fees and Penalty Notice Offences\) Regulation 2009](#) (2009-275) — published LW 26 June 2009
- [Ports and Maritime Administration Amendment \(Access Rules\) Regulation 2009](#) (2009-276) — published LW 26 June 2009
- [Public Health \(Tobacco\) Regulation 2009](#) (2009-294) — published LW 26 June 2009
- [Road Transport \(Driver Licensing\) Amendment \(Fees\) Regulation 2009](#) (2009-277) — published LW 26 June 2009
- [Road Transport \(Driver Licensing\) Amendment \(Speeding Offences\) Regulation 2009](#) (2009-295) — published LW 26 June 2009
- [Road Transport \(General\) Amendment \(Speeding Offences\) Regulation 2009](#) (2009-296) — published LW 26 June 2009
- [Road Transport \(Safety and Traffic Management\) Amendment \(Tow-away Charge\) Regulation 2009](#) (2009-279) — published LW 26 June 2009

[Road Transport \(Vehicle Registration\) Amendment \(Fees\) Regulation 2009](#) (2009-280) —
published LW 26 June 2009

[Road Transport Legislation Amendment \(Penalty Levels and Fees\) Regulation 2009](#) (2009-278) —
published LW 26 June 2009

[Roads Amendment \(Penalty Notice Offences\) Regulation 2009](#) (2009-281) — published LW 26 June 2009

[Smoke-free Environment Amendment Regulation 2009](#) (2009-297) — published LW 26 June 2009

[Water Management \(General\) Amendment \(Miscellaneous\) Regulation 2009](#) (2009-282) —
published LW 26 June 2009

Environmental Planning Instruments

[Ballina Local Environmental Plan 1987 \(Amendment No 110\)](#) (2009-286) — published LW 26 June 2009

[Coffs Harbour City Local Environmental Plan 2000 \(Amendment No 37\)](#) (2009-287) —
published LW 26 June 2009

[Coolah Local Environmental Plan 2000 \(Amendment No 1\)](#) (2009-288) — published LW 26 June 2009

[State Environmental Planning Policy \(Major Projects\) Amendment \(Caritas\) 2009](#) (2009-283) —
published LW 26 June 2009

[State Environmental Planning Policy \(Major Projects\) Amendment \(Joint Regional Planning Panels\) 2009](#)
(2009-284) — published LW 26 June 2009

[State Environmental Planning Policy \(Repeal of REP Provisions\) 2009](#) (2009-285) —
published LW 26 June 2009

Assents to Acts

ACTS OF PARLIAMENT ASSENTED TO

Legislative Council Office Sydney 26 June 2009

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

Act No. 42, 2009 - An Act to repeal the Rookwood Necropolis Act 1901 and to make consequential amendments to the Crown Lands Act 1989 and to other Acts and instruments. [Rookwood Necropolis Repeal Act 2009].

LYNN LOVELOCK,
Clerk of the Parliaments

ACTS OF PARLIAMENT ASSENTED TO

Legislative Assembly Office, Sydney 26 June 2009

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

Act No. 43 2009 – An Act to appropriate out of the Consolidated Fund sums for the recurrent services and capital works and services of the Government for the year 2009-10. [Appropriation Bill].

Act No. 44 2009 – An Act to appropriate out of the Consolidated Fund sums for the recurrent services and capital works and services of the Legislature for the year 2009-10. [Appropriation (Parliament) Bill].

Act No. 45 2009 – An Act to appropriate out of the Consolidated Fund sums for the recurrent services and capital works and services of certain offices for the year 2009-10. [Appropriation (Special Offices) Bill].

Act No. 46 2009 – An Act to amend certain State revenue legislation in connection with the Budget for the year 2009-2010. [State Revenue Legislation Amendment Bill].

Act No. 47 2009 – An Act to amend the Crimes (Administration of Sentences) Act 1999 in relation to the management of inmates. [Crimes (Administration of Sentences) Amendment Bill].

Act No. 48 2009 – An Act to amend the Casino Control Act 1992 to make further provision with respect to the casino established under that Act and the control of its operations; and for other purposes. [Casino Control Amendment Bill].

Act No. 49 2009 – An Act to constitute the NSW Trustee and Guardian; to confer on it functions as a trustee, executor or administrator and functions relating to the financial and other management of estates; to repeal the Public Trustee Act 1913 and the Protected Estates Act 1983; and for other purposes. [NSW Trustee and Guardian Bill].

Act No. 50 2009 – An Act to amend the Road Transport (Safety and Traffic Management) Act 1999 and certain other legislation to make further provision with respect to the detection of speeding offences by heavy vehicles and the detection of certain other traffic offences. [Road Transport Legislation Amendment (Traffic Offence Detection) Bill].

Act No. 51 2009 – An Act to make miscellaneous changes to certain State revenue and other legislation. [State Revenue Legislation Further Amendment Bill].

Act No. 52 2009 – An Act to facilitate public access to government information. [Government Information (Public Access) Bill].

Act No. 53 2009 – An Act to create the office of Information Commissioner; and for other purposes. [Government Information (Information Commissioner) Bill].

Act No. 54 2009 – An Act to amend various laws as a consequence of the enactment of the Government Information (Public Access) Act 2009; to repeal the Freedom of Information Act 1989; and for other purposes. [Government Information (Public Access) (Consequential Amendments and Repeal) Bill].

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

Orders



New South Wales

State Authorities Non-contributory Superannuation Amendment (Greyhound Racing NSW and Harness Racing NSW) Order 2009

under the

State Authorities Non-contributory Superannuation Act 1987

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 27 of the *State Authorities Non-contributory Superannuation Act 1987*, make the following Order. Dated, this 1st day of July 2009.

By Her Excellency's Command,

JOSEPH TRIPODI, M.P.,
Minister for Finance

Explanatory note

On 1 July 2009, the Greyhound and Harness Racing Regulatory Authority is dissolved.

The object of this Order is to amend Schedule 1 to the *State Authorities Non-contributory Superannuation Act 1987* to add Greyhound Racing New South Wales and Harness Racing New South Wales to the employers listed in Part 1 of that Schedule, but only in respect of those employees who, immediately before 1 July 2009, were employees of the Greyhound and Harness Racing Regulatory Authority. The amendment ensures that those employees retain membership of the State Authorities Non-contributory Superannuation Scheme.

This Order is made under section 27 of the *State Authorities Non-contributory Superannuation Act 1987*.

Clause 1 State Authorities Non-contributory Superannuation Amendment
(Greyhound Racing NSW and Harness Racing NSW) Order 2009

State Authorities Non-contributory Superannuation Amendment (Greyhound Racing NSW and Harness Racing NSW) Order 2009

under the

State Authorities Non-contributory Superannuation Act 1987

1 Name of Order

This Order is the *State Authorities Non-contributory Superannuation Amendment (Greyhound Racing NSW and Harness Racing NSW) Order 2009*.

2 Commencement

This Order commences, or is taken to have commenced, on 1 July 2009.

3 Amendment of State Authorities Non-Contributory Superannuation Act 1987 No 212

Schedule 1 Employers

Insert at the end of Part 1 of the Schedule:

Greyhound Racing New South Wales (limited to persons who, immediately before 1 July 2009, were employees of the Greyhound and Harness Racing Regulatory Authority)

Harness Racing New South Wales (limited to persons who, immediately before 1 July 2009, were employees of the Greyhound and Harness Racing Regulatory Authority)



New South Wales

State Authorities Superannuation Amendment (Greyhound Racing NSW and Harness Racing NSW) Order 2009

under the

State Authorities Superannuation Act 1987

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 46 of the *State Authorities Superannuation Act 1987*, make the following Order.

Dated, this 1st day of July 2009.

By Her Excellency's Command,

JOSEPH TRIPODI, M.P.,
Minister for Finance

Explanatory note

On 1 July 2009, the Greyhound and Harness Racing Regulatory Authority is dissolved.

The object of this Order is to amend Schedule 1 to the *State Authorities Superannuation Act 1987* to add Greyhound Racing New South Wales and Harness Racing New South Wales to the employers listed in Part 1 of that Schedule, but only in respect of those employees who, immediately before 1 July 2009, were employees of the Greyhound and Harness Racing Regulatory Authority. The amendment ensures that those employees retain membership of the State Authorities Superannuation Scheme.

This Order is made under section 46 of the *State Authorities Superannuation Act 1987*.

Clause 1 State Authorities Superannuation Amendment (Greyhound Racing NSW and Harness Racing NSW) Order 2009

State Authorities Superannuation Amendment (Greyhound Racing NSW and Harness Racing NSW) Order 2009

under the

State Authorities Superannuation Act 1987

1 Name of Order

This Order is the *State Authorities Superannuation Amendment (Greyhound Racing NSW and Harness Racing NSW) Order 2009*.

2 Commencement

This Order commences, or is taken to have commenced, on 1 July 2009.

3 Amendment of State Authorities Superannuation Act 1987 No 211

Schedule 1 Employers

Insert at the end of Part 1 of the Schedule:

Greyhound Racing New South Wales (limited to persons who, immediately before 1 July 2009, were employees of the Greyhound and Harness Racing Regulatory Authority)

Harness Racing New South Wales (limited to persons who, immediately before 1 July 2009, were employees of the Greyhound and Harness Racing Regulatory Authority)

OFFICIAL NOTICES

Appointments

CHARLES STURT UNIVERSITY ACT 1989

Notification of Appointment to the Council

I, Verity Firth, Minister for Education and Training, in pursuance of sections 9(1)(b) and 9(4) of the Charles Sturt University Act 1989, appoint the following persons as members of the Council of Charles Sturt University:

- Ms Patricia Murphy - for a term of office commencing on 1 April 2009 and expiring on 31 March 2013
- Mr Gerard Martin MP - for a term of office commencing on 1 April 2009 and expiring on 31 March 2013
- The Hon Tony Catanzariti MLC - for a term of office commencing on 1 July 2009 and expiring on 30 June 2013

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

Her Excellency the Governor, with the advice of the Executive Council, pursuant to Schedule 1, section 8(1) of the Sydney Cricket and Sports Ground Act 1978 has re-appointed Mr Rodney Cavalier AO as Chairperson.

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

**SYDNEY CRICKET AND SPORTS GROUND ACT
1978**

Appointment of Trustees

HER Excellency the Governor, with the advice of the Executive Council, pursuant to section 6(1)(a) of the Sydney Cricket and Sports Ground Act 1978, has appointed the persons listed below as members of the Sydney Cricket and Sports Ground Trust for a term commencing on 14 July 2009 and terminating on 13 July 2013:

Department of the Arts, Sport and Recreation
Mr Rodney Mark Cavalier AO
Mr Alan Belford Jones AO
Mr Paul Howard Warren
Mr John Anthony McCarthy QC
Ms Kaye Schofield
Mr Anthony Francis Shepherd
Mr Stephen Rodger Waugh

Department of Lands

ARMIDALE OFFICE
108 Faulkner Street (PO Box 199A), Armidale NSW 2350
Phone: (02) 6770 3100 Fax (02) 6771 5348

NOTIFICATION OF CLOSING OF ROAD

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

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

Description

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

Road Closed: Lot 1, DP 1136765 at Ashford, Parish Ashford, County Arrawatta.

File No.: AE06 H 105.

Schedule

On closing, the land within Lot 1, DP 1136765 remains vested in the State of New South Wales as Crown Land.

Description

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

Road Closed: Lot 1, DP 1138080 at Ashford, Parish Chapman, County Arrawatta.

File No.: AE06 H 110.

Schedule

On closing, the land within Lot 1, DP 1138080 remains vested in the State of New South Wales as Crown Land.

Description

Land District – Armidale; L.G.A. – Uralla

Road Closed: Lot 12, DP 1140018 at Saumarez Ponds, Parish Elton, County Sandon.

File No.: 07/2290.

Schedule

On closing, the land within Lot 12, DP 1140018 remains vested in the Uralla Shire Council as Operational Land.

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

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

 Tony Kelly, M.L.C.,
 Minister for Lands

Description

*Parish – Dolondundale; County – Dampier;
 Land District – Cooma; L.G.A. – Cooma-Monaro Shire*

Lot: 1 DP 1137220 (not being land under the Real Property Act).

File No.: 09/04098.KW.

Notes: On closing, the title for the land in Lot 1, DP 1137220 remains vested in Cooma-Monaro Shire Council as operational land.

In accordance with section 44 of the Roads Act 1993, the Crown consents to the land in Lot 1, DP 1137220 being vested in the Cooma-Monaro Shire Council as operational land, to be given by the Council as compensation for other land acquired by the Council for the purpose of the Roads Act.

NOTIFICATION OF CLOSING OF A ROAD

IN pursuance of the provisions of the Roads Act 1993, the roads hereunder described are closed and the lands comprised therein cease to be public roads and the rights of passage and access that previously existed in relation to the roads are extinguished. Upon closing, titles to the lands, comprising the former public roads, vests in the body specified in the Schedules hereunder.

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

SCHEDULE 1

Description

*Parish – Googong; County – Murray;
 Land District – Queanbeyan; L.G.A. – Queanbeyan City*

Lot 1, DP 1138818 (not being land under the Real Property Act).

File No.: GB01 H 359:JK.

Note: On closing, the title for the land in Lot 1, DP 1138818 remains vested in the State of New South Wales as Crown Land.

SCHEDULE 2

Description

*Parish – Bunton; County – King;
 Land District – Crookwell; L.G.A. – Upper Lachlan*

Lots 1, 2, 3 and 4, DP 1138491 (not being land under the Real Property Act).

File No.: GB05 H 115:JK.

Note: On closing, the titles for the land in Lots 1, 2, 3 and 4, DP 1138491 remain vested in the State of New South Wales as Crown Land.

SCHEDULE 3

Description

*Parish – Big Badja; County – Beresford;
 Land District – Cooma; L.G.A. – Cooma-Monaro*

Lots 1, 2 and 3, DP 1138820 (not being land under the Real Property Act).

File No.: GB05 H 148:JK.

Note: On closing, the title for the land in Lots 1, 2 and 3, DP 1138820 remains vested in the State of New South Wales as Crown Land.

SCHEDULE 4

Description

*Parish – Wilkie; County – Harden;
 Land District – Young; L.G.A. – Harden*

Lots 1 and 2, DP 1138878 (not being land under the Real Property Act).

File No.: GB05 H 193:JK.

Note: On closing, the title for the land in Lots 1 and 2, DP 1138878 remains vested in the State of New South Wales as Crown Land.

SCHEDULE 5

Description

*Parish – Burra; County – Murray;
 Land District – Queanbeyan;
 L.G.A. – Queanbeyan and Palerang*

Lot 1, DP 1136266 (not being land under the Real Property Act).

File No.: 07/5630:JK.

Note: On closing, the title for the land in Lot 1, DP 1136266 remains vested in the State of New South Wales 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 Schedules 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 Schedules.

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

SCHEDULE 1

| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|--|-----------------------------|---|
| Andrew Allan JARROTT (re-appointment), William Maurice WEST (re-appointment), Brian Angus McNAIR (re-appointment), Stephen HUNTER (re-appointment), John Edward SWEENEY (re-appointment), Rodney DEBRITT (new member). | Bribbaree Showground Trust. | Reserve No.: 60242. Public Purpose: Showground, racecourse, and public recreation. Notified: 6 January 1928. File No.: GB80 R 182/6. |

Term of Office

For a term commencing 17 July 2009 and expiring 16 July 2014.

SCHEDULE 2

| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|---|-------------------------|--|
| Graham JONES (new member), Darce CORSIE (new member). | Towrang Stockade Trust. | Reserve No.: 79119. Public Purpose: Preservation of graves. Notified: 30 November 1956. Reserve No.: 79121. Public Purpose: Memorial. Notified: 30 November 1956. File No.: GB80 R 58/4. |

Term of Office

For a term commencing the date of this notice and expiring 18 December 2013.

SCHEDULE 3

| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|------------------------------------|------------------------------------|---|
| Brian Joseph MOLONEY (new member). | Taralga Golf Course Reserve Trust. | Reserve No.: 1017409. Public Purpose: Public recreation. Notified: 20 February 2009. File No.: 09/03119/1. |

Term of Office

For a term commencing the date of this notice and expiring 30 April 2014.

SCHEDULE 4

| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|--|---|--|
| Sarah Kathleen DARMODY (new member), Graeme Peter TAYLOR (re-appointment), Gregory James DARMODY (re-appointment), David John TAYLOR (re-appointment). | Bungendore Rodeo and Equestrian Sports and Recreation Ground Trust. | Reserve No.: 91204. Public Purpose: Public recreation. Notified: 28 July 1978. File No.: GB82 R 13/2. |

Term of Office

For a term commencing 20 August 2009 and expiring 19 August 2014.

SCHEDULE 5

| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|--|-------------------------|--|
| The person for the time being holding the office of President, Young Harness Racing Club Inc. (ex-officio member). The person for the time being holding the office of Councillor, Young Shire Council (ex-officio member). The person for the time being holding the office of Patron, Young Pastoral and Agricultural Association (ex-officio member). Olga PERKINS (new member), Colin GRIMSON (new member), John William Arthur DALY (re-appointment), Raymond Paterson BLACKWOOD (re-appointment), Patricia Emily FLETCHER (re-appointment). | Young Showground Trust. | Dedication No.: 530011. Public Purpose: Showground. Notified: 6 April 1895. File No.: GB80 R 181/6. |

Term of Office

For a term commencing 1 October 2009 and expiring 30 September 2014.

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: Goulburn. Local Government Area: Goulburn Mulwaree. Locality: Brayton. Reserve No.: 750053. Public Purpose: Future public requirements. Notified: 29 June 2007. File No.: 08/4514/1. | The part being Lot 1, DP 1141071 (closed road vide gazette 4 October 1911, Folio 5386), within Lot 14, DP 1123374, Parish Uringalla, County Argyle, of an area of 9613 square metres and affected by pipeline easement. |

Note: It is intended to sell the revoked part being closed road to the adjoining land owner.

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

ERRATUM

Land District – Bellingen; Council – Bellingen

THE notification appearing in the *New South Wales Government Gazette* of 26 June 2009, folio 3592, under the heading “Dissolution of Reserve Trust” in respect of trust, in the note, replace “North Coast Accommodation Trust ” with, “Bellinger Heads Holiday Parks Trust”.

File No.: GF81 R 381/3.

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

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> |
|---------------------------------|---|
| Jamberoo Cemetery Reserve Trust | Dedication No. 1010050 Public Purpose: General Cemetery Notified: 11 October 1895 File Reference: NA99 R 22/1 |

APPOINTMENT OF CORPORATION TO MANAGE RESERVE TRUST

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

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

SCHEDULE

| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|-------------------------|---------------------------------|--|
| Kiama Municipal Council | Jamberoo Cemetery Reserve Trust | Dedication No. 1010050 Public Purpose: General Cemetery Notified: 11 October 1895 File Ref.: NA99 R 22/1 |

For a term commencing the date of this notice

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 – Grafton; L.G.A. – Clarence Valley

Road Closed: Lot 6, DP 1131026 at Stockyard Creek, Parish Chapman, County Clarence.

File No.: 08/2229.

Schedule

On closing, the land within Lot 6, DP 1131026 remains vested in the State of New South Wales 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, 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> |
|--|--------------------------------|--|
| Ian MURRAY (new member), Jill Mary LEMESSURIER (re-appointment), Denis Bede MATTHEWS (re-appointment), Robyn ANDREWS (re-appointment), Thomas Ralph WOODFORD (re-appointment). | Dorrobbee Grass Reserve Trust. | Reserve No.: 58949. Public Purpose: Public recreation. Notified: 18 June 1926. Reserve No.: 54361. Public Purpose: Quarantine. Notified: 14 January 1921. File No.: GF03 R 26. |

Term of Office

For a term commencing the date of this notice and expiring 2 July 2014.

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

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> |
|--|---|---|
| Evan CLARKE (new member), Philip Frederick HILL (re-appointment), Paul NORTHEY (re-appointment). | Kikoira Public Recreation (R71567) and Kikoira Public Hall (R64091) Reserve Trust. | Reserve No.: 71567. Public Purpose: Public recreation. Notified: 29 June 1945. Reserve No.: 64091. Public Purpose: Public hall. Notified: 4 August 1933. File No.: GH89 R 131/3. |

Term of Office

For a term commencing the date of this notice and expiring
 2 July 2014.

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

NOTIFICATION OF CLOSING OF ROAD

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

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

Description

Parish – Tyraman; County – Durham;
Land District – Maitland;
Local Government Area – Dungog

Road Closed: Lot 1, DP 1136613 at Lambs Valley.

File No.: MD05 H 130.

Note: On closing, the land within Lot 1, DP 1136613 will remain vested in the Crown as Crown Land.

SCHEDULE

| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|---|--|---|
| Central Coast Marine Discovery Centre Inc | Terrigal Community (R1018548) Reserve Trust | Reserve No. 1018548 Public Purpose: Community Purposes, Tourist Facilities Facilities and Services Notified: This day File Reference: 09/5391 |

For a term commencing this day.

NOTIFICATION OF CLOSING OF ROAD

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

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

Description

Parish – Wallarah;
County – Northumberland;
Land District – Gosford;
Local Government Area – Lake Macquarie

Road Closed: Lot 1, DP 1138514 at Swansea.

File Reference: 07/1124.

Schedule

On closing, the land within Lot 1, DP 1138514 remains vested in Lake Macquarie City Council as operational land for the purposes of the Local Government Act 1993. Council's Reference: F2007/01050.

ERRATUM

IN the notification appearing in the *New South Wales Government Gazette* of 29 May 2009 (Folio 2363), under the heading "Transfer of a Crown Road to a Council", Parish of Kincumber, County of Northumberland, in the description "Lot 7, DP 873969" should be replaced with "Lot 7 DP 876102".

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> |
|--|---|
| Terrigal Community (R1018548) Reserve Trust | Reserve No. 1018548 Public Purpose: Community Purposes, Tourist Facilities and Services Notified: This Day File Reference: 09/5391 |

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

PURSUANT to section 117, Crown Lands Act 1989, the person specified in Column 1 of the Schedules 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 Schedules.

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

SCHEDULE 1

| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|-----------------|--|---|
| Wendy MENZ. | Mangrove Mountain Recreation Reserve Trust. | Reserve No.: 71118. Public Purpose: Public recreation. Notified: 24 December 1943. File No.: MD96 R 15/1. |

For a term commencing the date of this notice and expiring 1 January 2010.

**APPOINTMENT OF CORPORATION TO MANAGE
RESERVE TRUST**

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

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

SCHEDULE 2

| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|-----------------|--|---|
| Wendy MENZ. | Mangrove Creek Recreation Reserve Trust. | Reserve No.: 37386. Public Purpose: Public recreation. Notified: 12 March 1904. File No.: MD83 R 14/4. |

For a term commencing the date of this notice and expiring 1 January 2010.

MOREE OFFICE

Frome Street (PO Box 388), Moree NSW 2400
Phone: (02) 6750 6400 Fax: (02) 6752 1707

NOTIFICATION OF CLOSING OF ROAD

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

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

Description

Land District – Moree; Council – Moree Plains Shire;
Parish – Limebon; County – Staphylton

Road Closed: Lot 1 in DP 1140087.

File No.: ME05 H 337.

Note: On closing, the land within Lot 1 in DP 1140087 remains vested in the State of New South Wales as Crown Land.

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

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> |
|--|---------------------------------|--|
| Graham Clifford PARR (re-appointment), Richard TARLINTON (re-appointment), Margaret Patricia SALWAY (re-appointment), Margaret Marie JESSOP (re-appointment), Gregory Laurence HOLLAND (re-appointment), Beryl Jean SCHAEFER (re-appointment), Anthony John ALLEN (re-appointment). | Cobargo Showground Trust. | Dedication No.: 580107. Public Purpose: Showground. Notified: 20 December 1887. File No.: NA80 R 173/6. |

Term of Office

For a term commencing 19 July 2009 and expiring 18 July 2014.

NOTICE OF INTENTION TO GRANT A LICENCE OVER A CROWN RESERVE

PURSUANT to section 34A (2) (b) of the Crown Lands Act 1989, it is notified that the Minister for Lands intends to grant a licence for the purpose specified in Column 1 of the Schedule to the party specified in Column 2 of the Schedule in respect of the Reserve specified in Column 3 of the Schedule.

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

SCHEDULE 1

| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|-----------------|--------------------|--|
| Access | Peter John FINUCAN | Reserve No.: 1022 Public Purpose: Public Recreation Notified: 14 November 1883 File Reference: 08/2842 |

NOTIFICATION OF CLOSING OF ROAD

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

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

Description

Parish – Tanja;
ounty – Dampier;
Land District – Bega;
Local Government Area – Bega Valley

Road Closed: Lot 1, DP 1138044 at Tanja. File Reference: NA05 H 206.

Parish – Termeil;
County – St Vincent;
Land District – Nowra;
Local Government Area – Shoalhaven

Road Closed: Lot 1, DP 1139435 at Termeil. File Reference: 07/6101.

Parish – Ulladulla;
County – St Vincent;
Land District – Nowra;
Local Government Area – Shoalhaven

Road Closed: Lot 1, DP 1138810 at Ulladulla, subject to easement for Right of Carriageway created by DP 1138810. File Reference: NA07 H 44.

Parish – Narooma;
County – Dampier;
Land District – Moruya;
Local Government Area – Eurobodalla

Road Closed: Lot 1, DP 1138130 at Akolele. File Reference: NA07 H 171

Schedule

On closing, the lands remain vested in the State of New South Wales as Crown land.

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

NOTIFICATION OF CLOSING OF ROAD

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

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

Description

Land District – Cowra; L.G.A. – Cowra

Road Closed: Lot 1, DP 1138408 at Cowra, Parish Merriganowry, County Forbes.

File No.: CL/00072.

Schedule

On closing, the land within Lot 1, DP 1138408 remains vested in the State of New South Wales as Crown Land.

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

NOTIFICATION OF CLOSING OF ROAD

IN pursuance of the provisions of the Roads Act 1993, the roads hereunder specified are closed and the roads cease to be public roads and the rights 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 – Metropolitan; L.G.A. – Sutherland

Lot 421, DP 1138461 at GyMEA Bay, Parish Sutherland, County Cumberland.

File No.: MN05 H 83.

Note: On closing, title for the land in Lot 421 remains vested in Sutherland Shire Council as operational land.

ADDITION TO RESERVED CROWN LAND

PURSUANT to section 88 of the Crown Lands Act 1989, the Crown Land specified in Column 1 of the Schedule hereunder, is added to the reserved land 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: Metropolitan. | Reserve No.: 82928. |
| Local Government Area: City of Canada Bay Council. | Public Purpose: Public recreation. |
| Locality: Cabarita. | Notified: 25 November 1960. |
| Lot 459, DP No. 752023, Parish Concord, County Cumberland. | Lot 7029, DP No. 93783, Parish Concord, County Cumberland. |
| Area: 1454 square metres. | New Area: 1.748 hectares. |
| File No.: MN80 H 2615. | |

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 reserves 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> |
|---|--|---|
| John Francis WALKER (re-appointment), Russell Stuart McLAY (re-appointment), Stelios COUDOUNARIS (re-appointment), Aaron Ron GREENSTEIN (re-appointment), John Douglas MORRISON (re-appointment), Elizabeth FITZSIMMONS (re-appointment), Rod NEVILLE (re-appointment). | Botany General Cemetery and Eastern Suburbs Crematorium Trust. | Area at Matraville, dedicated for the public purpose of general cemetery in the <i>New South Wales Government Gazettes</i> of 10 January 1888, 4 October 1968 (addn) and 29 January 1999 (addn) (Dedication No. 500600) and R66305 for the public purpose of cemetery (addition), notified in the <i>New South Wales Government Gazette</i> of 9 October 1936 and R77444 for the public purpose of cemetery (addition), notified in the <i>New South Wales Government Gazettes</i> of 11 February 1955, 21 November 1969 (addn), 22 November 1996 (addn) and 1 May 1998 (addn). File No.: MN84 R 94. |

Term of Office

For a term commencing 19 July 2009 and expiring 18 July 2014.

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 – Kelvin; Land District – Gunnedah;
L.G.A. – Gunnedah Shire*

Road Closed: Lots 1 and 2 in Deposited Plan 1138387,
Parishes Yarrari and Gunnenbeme, County Nandewar.

File No.: TH05 H 274.

Note: On closing, title to the land comprised in Lots 1 and 2 will remain vested in the State of New South Wales as Crown Land.

Description

*Locality – Emerald Hill; Land District – Gunnedah;
L.G.A. – Gunnedah*

Road Closed: Lot 1 in Deposited Plan 1138403, Parish
Dubbleda, County Pottinger.

File No.: 07/0726.

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

*Localities – Boggabri and Willala;
Land District – Gunnedah;
L.G.A. – Gunnedah Shire Council and
Narrabri Shire Council*

Road Closed: Lot 1 in Deposited Plan 1132322, Parish
Walla Walla West, County Pottinger.

File No.: TH06 H 54.

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 – Goolhi; Land District – Gunnedah;
L.G.A. – Warrumbungle*

Road Closed: Lots 1-2 in Deposited Plan 1133485, Parish
Brigalow, County Pottinger.

File No.: TH06 H 74.

Note: On closing, title to the land comprised in Lots 1 and 2 will remain vested in the State of New South Wales as Crown Land.

Description

*Localities – Yannergee and Coomoo Coomoo;
Land District – Gunnedah; L.G.A. – Gunnedah Shire*

Road Closed: Lots 1-5 in Deposited Plan 1138386,
Parishes Pringle and Mema, County Pottinger.

File No.: TH05 H 284.

Note: On closing, title to the land comprised in Lots 1-5 will remain vested in the State of New South Wales as Crown Land.

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

**APPOINTMENT OF MEMBERS OF LOCAL LAND
BOARDS**

PURSUANT to the provisions of the Crown Lands Act 1989, the undermentioned persons have been appointed as members of the Local Land Board for the Land Districts particularised hereunder for the term 1 July 2009 to 30 June 2011.

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

SCHEDULE

| <i>Member</i> | <i>Land District</i> |
|------------------------------|----------------------|
| William Alan RADFORD | Gloucester |
| Denver Mordaunt WEBB | Gloucester |
| Julia Yvonne MARTIN | Taree |
| Douglas James Cowan DAVIDSON | Taree |
| Roderick Murgha MACK | Port Macquarie |
| Desmond Peter DALEY | Port Macquarie |
| John Richard TRANT-FISCHER | Kempsey |
| Rodney Jay HOLMES | Bellingen |
| Philip Lester PARBERRY | Bellingen |
| John ADAMS | Grafton |
| Unwin Gaine CARTMILL | Grafton |
| Peter Alexander CARLILL | Casino |
| Robert Dunbar LOWREY | Casino |
| Selwyn Trevor BRYANT | Lismore |
| James William SNEESBY | Lismore |
| John Kenny McDONALD | Murwillumbah |
| Maryn Joanne WAGSTAFF | Murwillumbah |

ROADS ACT 1993

ORDER

Transfer of Crown Road to a Council

IN pursuance of the provisions of section 151, Roads Act 1993, the Crown road 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 road specified in Schedule 1 cease to be a Crown road.

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

SCHEDULE 1

*Parish – Queenslake; County – Macquarie;
Local Government Area – Port Macquarie Hastings Council;
Land District – Port Macquarie*

Crown public road being road between western boundary Lot 1, DP 386987 and eastern boundary Lot 106, DP 754444.

SCHEDULE 2

Roads Authority: Port Macquarie Hastings Council.
File No.: TE03 H 108.

SCHEDULE 1

*Parish – Queenslake; County – Macquarie;
Local Government Area – Port Macquarie Hastings Council;
Land District – Port Macquarie*

Crown public road being road between western boundary Lot 1, DP 386987 and eastern boundary Lot 106, DP 754444.

SCHEDULE 2

Roads Authority: Port Macquarie Hastings Council.
File No.: TE03 H 108.

NOTIFICATION OF CLOSING OF ROAD

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

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

Description

Land District – Taree; L.G.A. – Great Lakes

Road Closed: Lots 1-5, DP 1138418 at Bunyah, Parish Kyle, County Gloucester.

File No.: TE05 H 241.

Schedule

On closing, the land within Lots 1-5, DP 1138418 remains vested in the State of New South Wales as Crown Land.

Description

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

Road Closed: Lot 1, DP 1138788 at Bowman, Parish Craven, County Gloucester.

File No.: TE05 H 251.

Schedule

On closing, the land within Lot 1, DP 1138788 remains vested in the State of New South Wales as Crown Land.

Description

Land District – Taree; L.G.A. – Greater Taree

Road Closed: Lot 1, DP 1137870 at Rainbow Flat, Parish Beryan, County Gloucester.

File No.: TE05 H 126.

Schedule

On closing, the land within Lot 1, DP 1137870 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 – Woomahrigong; County – Wynyard;
Land District – Wagga Wagga; City – Wagga Wagga*

Road Closed: Lot 1 in DP 1139511 at Gregadoo.

File No.: WA05 H 501.

Note: On closing, the land within Lot 1 in DP 1139511 remains vested in the State of New South Wales as Crown Land.

Description

*Parishes – Buraja and Corowa; County – Hume;
Land District – Albury; Shire – Corowa*

Road Closed: Lot 1 in DP 1140122 at Lowesdale.

File No.: WA06 H 371.

Note: On closing, the land within Lot 1 in DP 1140122 remains vested in the State of New South Wales 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 Schedules 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 Schedules.

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

SCHEDULE 1

| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|--|---|---|
| Adam Gregory JENKINS (re-appointment), Peter HULL (re-appointment), John Barry MEYERS (re-appointment), Stuart DONALDSON (re-appointment), Robert Douglas BRUCKNER (re-appointment). | Collingullie Soldiers' Memorial Hall Trust. | Dedication No.: 620050. Public Purpose: War Memorial (hall site). Notified: 18 October 1946. File No.: WA80 R 171/2. |

Term of Office

For a term commencing 19 July 2009 and expiring 18 July 2014.

SCHEDULE 2

| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|--|-----------------------------------|--|
| Robert PIPER (re-appointment), David John McGRUER (re-appointment), Kevin John ANNETTS (re-appointment). | Brungle Recreation Reserve Trust. | Reserve No.: 7891. Public Purpose: Public recreation. Notified: 8 December 1888. File No.: WA82 R 98/1. |

Term of Office

For a term commencing 19 July 2009 and expiring 18 July 2014.

SCHEDULE 3

| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|---|------------------------|---|
| The person for the time being holding the office of Chairman, Riverina Schoolboys Football Carnival (ex-officio member), Martin St John HONNER (re-appointment), Patrick Lindsay FOLEY (re-appointment), Patrick Richard KEAST (re-appointment), Colin John RANDALL (re-appointment), Leslie Dalmain EISENHAEUER (re-appointment), Allan George HARPLEY (re-appointment). | June Showground Trust. | Dedication No.: 620056. Public Purpose: Public recreation and showground. Notified: 8 June 1934. File No.: WA80 R 122/3. |

Term of Office

For a term commencing 19 July 2009 and expiring 18 July 2014.

SCHEDULE 4

| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|--|-------------------------------------|---|
| Jill Elizabeth MIDDLETON (new member), Trevor HOWARD (re-appointment), Peter Campbell LAWSON (re-appointment). | Book Book Recreation Reserve Trust. | Reserve No.: 55051. Public Purpose: Public recreation. Notified: 23 December 1921. File No.: WA79 R 8/2. |

Term of Office

For a term commencing 19 July 2009 and expiring 18 July 2014.

ROADS ACT 1993

ORDER

Transfer of Crown Road to a 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 road.

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

SCHEDULE 1

*Parishes – Kyeamba and Umutbee; County – Wynyard;
Land District – Wagga Wagga; City – Wagga Wagga*

Crown public road variable width described as Lot 6, DP 1128283 and Lot 60, DP 1132211.

SCHEDULE 2

Roads Authority: Wagga Wagga City Council.

File No.: 09/2138.

SCHEDULE 1

*Parish – Murraguldrie; County – Wynyard;
Land District – Wagga Wagga; City – Wagga Wagga*

Crown public road variable width described as Lot 11, DP 1120589.

SCHEDULE 2

Roads Authority: Wagga Wagga City Council.

File No.: 08/5088.

RESERVATION OF CROWN LAND

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

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

SCHEDULE

Column 1

Land District: Wagga Wagga.
Local Government Area:
Wagga Wagga City Council.
Locality: Wagga Wagga.
Lot: Lot 1, section 39,
DP 759031.

Parish: South Wagga Wagga.

County: Wynyard.

Area: About 5137 square metres.

File No.: 08/6426.

Column 2

Reserve No.: 1019528.

Public Purpose of government
purposes (public buildings).

WESTERN REGION OFFICE
45 Wingewarra Street (PO Box 1840), Dubbo NSW 2830
Phone: (02) 6883 5400 Fax: (02) 6884 2067

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 1st April of each year.

The Conditions and Reservations annexed to such leases are those Conditions published in the *New South Wales 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

SCHEDULE

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

| WLL No. | Name of Lessee | File No. | Folio Identifier | Area (m2) | Term of Lease | |
|-----------|-------------------------------------|-----------|------------------|-----------|---------------|--------------|
| | | | | | From | To |
| WLL 14565 | Raino Juhani KINNUNEN | WLL 14565 | 69/1057617 | 2218 | 29 June 2009 | 28 June 2029 |
| WLL 14964 | Steven John KENNEDY | 07/4119 | 254/1076808 | 3507 | 29 June 2009 | 28 June 2029 |
| WLL 15064 | Lorraine Gai CLAYTON | 08/0827 | 32/1057617 | 2284 | 29 June 2009 | 28 June 2029 |
| WLL 16047 | William Frederick WATSON | 08/4182 | 3001/1123921 | 2588 | 29 June 2009 | 28 June 2029 |
| WLL 16093 | Stojanka PETKOVSKA and Vesna KRSTIC | 08/5107 | 73/1120765 | 1822 | 29 June 2009 | 28 June 2029 |
| WLL 16311 | Josef KRKOSKA | 09/01155 | 111/1120765 | 2646 | 29 June 2009 | 28 June 2029 |
| WLL 16303 | Neil MORRIS | 09/01039 | 97/1120765 | 2478 | 29 June 2009 | 28 June 2029 |
| WLL 16298 | Marie WILDE | 09/01038 | 373/1076808 | 2296 | 29 June 2009 | 28 June 2029 |
| WLL 16144 | Robert TIPPING | 08/6068 | 124/1120765 | 2964 | 29 June 2009 | 28 June 2029 |
| WLL 16237 | Radosav ZURKIC | 08/10013 | 142/1120765 | 1714 | 29 June 2009 | 28 June 2029 |
| WLL 16302 | Lyn KELLY | 09/00865 | 38/1057617 | 2123 | 29 June 2009 | 28 June 2029 |
| WLL 16283 | Ivica John MATANOVIC | 08/11559 | 406/1076808 | 1772 | 1 July 2009 | 30 June 2029 |

ADDITION TO A WESTERN LANDS LEASE

IT is hereby notified that in pursuance of section 35C of the Western Lands Act 1901, the land particularised hereunder has been added to the undermentioned Western Lands Lease.

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

SCHEDULE

Western Lands Lease No.: 6020.

Name of Lessee: William Luke KUERSCHENER.

Area Added: Lot 78, DP 752519, Parish of Milparinka, County of Evelyn, of 4.047 hectares (Folio Identifier 78/752519).

Total Area Following Addition: Lot 1804, DP 764151; Lot 3557, DP 765909; Lot 4805, DP 769020; Lot 78, DP 752519, Parish of Milparinka, County of Evelyn, of 29029 hectares (Folio Identifiers 1804/764151, 3557/765909, 4805/769020 and 78/752519).

Date of Addition: 29 June 2009.

Administrative District: Milparinka.

Shire: Unincorporated Area.

ERRATUM

IN the notification appearing in the *New South Wales Government Gazette* of 26 June 2009, Folio 3599, appearing under the heading "Granting of a Western Lands Lease", the Name of Lessee of Western Lands Lease 16264 should read "Ljiljana TAKAC and Maria JAKUPEC".

Department of Primary Industries

DEPARTMENT OF MINERAL RESOURCES

NOTICE is given that the following applications have been received:

EXPLORATION LICENCE APPLICATIONS

(T09-0117)

No. 3728, CULLEN EXPLORATION PTY LIMITED (ACN 077 371 165), area of 72 units, for Group 1, dated 22 June 2009. (Broken Hill Mining Division).

(T09-0118)

No. 3729, CULLEN EXPLORATION PTY LIMITED (ACN 077 371 165), area of 96 units, for Group 1, dated 22 June 2009. (Broken Hill Mining Division).

(T09-0119)

No. 3730, ALPHADALE PTY LIMITED (ACN 050 409 008), area of 40 units, for Group 1, dated 24 June 2009. (Armidale Mining Division).

(T09-0120)

No. 3731, OZ EXPLORATION PTY LTD (ACN 137 626 914), area of 62 units, for Group 1, dated 24 June 2009. (Cobar Mining Division).

(T09-0121)

No. 3732, OZ EXPLORATION PTY LTD (ACN 137 626 914), area of 80 units, for Group 1, dated 24 June 2009. (Cobar Mining Division).

(T09-0122)

No. 3733, OZ EXPLORATION PTY LTD (ACN 137 626 914), area of 39 units, for Group 1, dated 24 June 2009. (Cobar Mining Division).

(T09-0123)

No. 3734, OZ EXPLORATION PTY LTD (ACN 137 626 914), area of 85 units, for Group 1, dated 24 June 2009. (Cobar Mining Division).

(T09-0124)

No. 3735, OZ EXPLORATION PTY LTD (ACN 137 626 914), area of 146 units, for Group 1, dated 24 June 2009. (Orange Mining Division).

(T09-0125)

No. 3736, OZ EXPLORATION PTY LTD (ACN 137 626 914), area of 140 units, for Group 1, dated 24 June 2009. (Orange Mining Division).

(T09-0126)

No. 3737, OZ EXPLORATION PTY LTD (ACN 137 626 914), area of 121 units, for Group 1, dated 24 June 2009. (Orange Mining Division).

(T09-0127)

No. 3738, WEDDARLA PTY LTD (ACN 002 086 964), area of 40 units, for Group 1, dated 28 June 2009. (Cobar Mining Division).

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

(07-6654)

Exploration Licence No. 5337, NEWCASTLE COAL COMPANY PTY LTD (ACN 074 900 208), area of 2379 hectares. Application for renewal received 30 June 2009.

(07-4677)

Exploration Licence No. 5878, TRI ORIGIN MINERALS LTD (ACN 062 002 475), area of 16 units. Application for renewal received 24 June 2009.

(T01-0102)

Exploration Licence No. 5879, PERILYA BROKEN HILL LIMITED (ACN 099 761 289), area of 5 units. Application for renewal received 26 June 2009.

(T01-0109)

Exploration Licence No. 5880, RIMFIRE PACIFIC MINING NL (ACN 006 911 744), area of 2 units. Application for renewal received 26 June 2009.

(T03-0040)

Exploration Licence No. 6102, GATEWAY MINING NL (ACN 008 402 391), area of 1 units. Application for renewal received 26 June 2009.

(T02-0412)

Exploration Licence No. 6104, DRONVISA PTY LIMITED (ACN 002 070 680), area of 2 units. Application for renewal received 24 June 2009.

(T02-0366)

Exploration Licence No. 6106, RIMFIRE PACIFIC MINING NL (ACN 006 911 744), area of 69 units. Application for renewal received 26 June 2009.

(T03-0059)

Exploration Licence No. 6111, LFB RESOURCES NL (ACN 073 478 574), area of 13 units. Application for renewal received 30 June 2009.

(04-4117)

Exploration Licence No. 6317, CENTENNIAL MANDALONG PTY LIMITED (ACN 101 508 892), area of 4466.5 hectares. Application for renewal received 26 June 2009.

(05-2395)

Exploration Licence No. 6604, CURLEWIS COAL & COKE PTY LIMITED (ACN 113 968 737), area of 1749 hectares. Application for renewal received 24 June, 2009.

(06-7082)

Exploration Licence No. 6845, TEMPLAR RESOURCES PTY LTD (ACN 085 644 944), area of 113 units. Application for renewal received 30 June 2009.

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

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

RENEWAL OF CERTAIN AUTHORITIES

NOTICE is given that the following authorities have been renewed:

(C02-0677)

Authorisation No. 459, COAL AND ALLIED OPERATIONS PTY LIMITED (ACN 000 023 656), County of Brisbane, Map Sheet (9033), area of 3320 hectares, for a further term until 8 April 2012. Renewal effective on and from 22 June 2009.

(05-2170)

Exploration Licence No. 6023, ILUKA RESOURCES LIMITED (ACN 008 675 018), County of Tara, Map Sheet (7130), area of 26 units, for a further term until 17 November 2010. Renewal effective on and from 30 June 2009.

(04-0612)

Exploration Licence No. 6404, PLATSEARCH NL (ACN 003 254 395), Counties of Farnell and Yancowinna, Map Sheet (7134), area of 99 units, for a further term until 19 April 2011. Renewal effective on and from 26 June 2009.

(04-0655)

Exploration Licence No. 6408, AUZEX RESOURCES LIMITED (ACN 106 444 606), Counties of Clive and Gough, Map Sheets (9238, 9239, 9338, 9339), area of 47 units, for a further term until 2 May 2011. Renewal effective on and from 26 June 2009.

(06-0121)

Exploration Licence No. 6579, ILUKA RESOURCES LIMITED (ACN 008 675 018), Counties of Caira and Wakool, Map Sheets (7528, 7627, 7628), area of 1283 units, for a further term until 22 June 2010. Renewal effective on and from 30 June 2009.

(06-0221)

Exploration Licence No. 6659, PREMIER MINING PTY LIMITED (ACN 119 897 335), County of Raleigh, Map Sheet (9436), area of 3 units, for a further term until 8 November 2010. Renewal effective on and from 26 June 2009.

(06-4094)

Exploration Licence No. 6669, ILUKA RESOURCES LIMITED (ACN 008 675 018), Counties of Caira and Taila, Map Sheet (7529), area of 46 units, for a further term until 28 November 2010. Renewal effective on and from 30 June 2009.

(06-4097)

Exploration Licence No. 6704, AUZEX RESOURCES LIMITED (ACN 106 444 606), County of Clive, Map Sheets (9338, 9339), area of 14 units, for a further term until 17 January 2011. Renewal effective on and from 23 June 2009.

(06-4104)

Exploration Licence No. 6738, AUSTRALIAN GEMSTONE RESOURCES PTY LTD (ACN 121 034 811), Counties of Denham and Finch, Map Sheets (8538, 8638, 8639), area of 136 units, for a further term until 13 March 2011. Renewal effective on and from 23 June 2009.

(07-0103)

Exploration Licence No. 6768, NEW SOUTH RESOURCES LIMITED (ACN 119 557 416), County of Clarendon, Map Sheet (8428), area of 14 units, for a further

term until 1 May 2011. Renewal effective on and from 23 June 2009.

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

CANCELLATION OF AUTHORITIES AT REQUEST OF HOLDERS

NOTICE is given that the following authorities have been cancelled:

(T02-0038)

Exploration Licence No. 5986, OMYA AUSTRALIA PTY LIMITED (ACN 001 682 533), County of Argyle, Map Sheet (8828), area of 5 units. Cancellation took effect on 27 January 2009.

(05-5707)

Exploration Licence No. 6585, WHITEHAVEN COAL MINING LIMITED (ACN 086 426 253), County of Arrawatta, Map Sheet (9139), area of 2000 hectares. Cancellation took effect on 23 June 2009.

(05-5710)

Exploration Licence No. 6586, WHITEHAVEN COAL MINING LIMITED (ACN 086 426 253), County of Arrawatta, Map Sheet (9139), area of 1000 hectares. Cancellation took effect on 23 June 2009.

(07-0106)

Exploration Licence No. 6819, HIGHLAKE RESOURCES PTY LTD (ACN 062 487 585), County of Urana, Map Sheet (8027), area of 50 units. Cancellation took effect on 30 June 2009.

(07-0107)

Exploration Licence No. 6820, HIGHLAKE RESOURCES PTY LTD (ACN 062 487 585), County of Urana, Map Sheet (8027), area of 72 units. Cancellation took effect on 30 June 2009.

(07-0109)

Exploration Licence No. 6881, HIGHLAKE RESOURCES PTY LTD (ACN 062 487 585), County of Urana, Map Sheet (8027), area of 68 units. Cancellation took effect on 30 June 2009.

(07-0227)

Exploration Licence No. 6889, NEW SOUTHERN MINING PTY LTD (ACN 126 494 871), County of Bland, County of Bourke and County of Clarendon, Map Sheets (8328, 8329, 8428, 8429), area of 68 units. Cancellation took effect on 30 June 2009.

(07-0222)

Exploration Licence No. 6890, NEW SOUTHERN MINING PTY LTD (ACN 126 494 871), County of Beresford, Map Sheet (8725), area of 25 units. Cancellation took effect on 30 June 2009.

(07-0220)

Exploration Licence No. 6891, NEW SOUTHERN MINING PTY LTD (ACN 126 494 871), County of Argyle, Map Sheet (8828), area of 23 units. Cancellation took effect on 30 June 2009.

(07-0221)

Exploration Licence No. 6895, NEW SOUTHERN MINING PTY LTD (ACN 126 494 871), County of Argyle, Map Sheets (8827, 8828), area of 25 units. Cancellation took effect on 30 June 2009.

(07-0223)

Exploration Licence No. 6896, NEW SOUTHERN MINING PTY LTD (ACN 126 494 871), County of King and County of Murray, Map Sheets (8628, 8727, 8728), area of 100 units. Cancellation took effect on 30 June 2009.

(07-0224)

Exploration Licence No. 6898, NEW SOUTHERN MINING PTY LTD (ACN 126 494 871), County of Murray, Map Sheet (8727), area of 49 units. Cancellation took effect on 30 June 2009.

(07-0225)

Exploration Licence No. 6899, NEW SOUTHERN MINING PTY LTD (ACN 126 494 871), County of Murray, Map Sheet (8727), area of 79 units. Cancellation took effect on 30 June 2009.

(07-0228)

Exploration Licence No. 6900, NEW SOUTHERN MINING PTY LTD (ACN 126 494 871), County of Clarendon and County of Harden, Map Sheets (8428, 8528), area of 48 units. Cancellation took effect on 30 June 2009.

(07-0330)

Exploration Licence No. 6924, NICKEL ONLINE PTY LTD (ACN 126 718 456), County of Macquarie, Map Sheets (9434, 9435), area of 30 units. Cancellation took effect on 30 June 2009.

(07-0332)

Exploration Licence No. 7092, EAST COAST MOLYBDENUM PTY LTD (ACN 126 611 827), County of Clive and County of Drake, Map Sheet (9339), area of 20 units. Cancellation took effect on 30 June 2009.

(07-0331)

Exploration Licence No. 7094, EAST COAST MOLYBDENUM PTY LTD (ACN 126 611 827), County of Goulburn, Map Sheet (8326), area of 24 units. Cancellation took effect on 30 June 2009.

(07-0283)

Exploration Licence No. 7138, EAST COAST MOLYBDENUM PTY LTD (ACN 126 611 827), County of Clive and County of Gough, Map Sheet (9238, 9239), area of 67 units. Cancellation took effect on 30 June 2009.

(T96-0287)

Mining Purposes Lease No. 218 (Act 1973), MINERAL DEPOSITS (OPERATIONS) PTY LTD (ACN 083 091 963), Parish of Fens, County of Gloucester; and Parish of Fens, County of Gloucester, Map Sheets (9332-4-S, 9332-4-S), area of 1.209 hectares. Cancellation took effect on 20 April 2009.

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

TRANSFER

(05-5233)

Exploration Licence No. 6740, formerly held by WATERFLEA PTY LTD (ACN 105 608 106) has been transferred to NEAR SURFACE GEOTHERMAL ENERGY PTY LIMITED. The transfer was registered on 24 June 2009.

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

NOXIOUS WEEDS ACT 1993

Appointment of Member
to Noxious Weeds Advisory Committee

I, IAN MACDONALD MLC, Minister for Primary Industries, pursuant to section 58 of the Noxious Weeds Act 1993, have determined that Mr Alexander Jock LAURIE be re-appointed to the Noxious Weeds Advisory Committee from the date hereof until 31 May 2011.

Dated this 10th day of June 2009.

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

PLANT DISEASES ACT 1924

Proclamation P202

PROCLAMATION to regulate the importation, introduction and bringing into New South Wales of the pest and regulated items that are likely to introduce the pest green snail (*Cantareus apertus*).

Her Excellency Professor
MARIE BASHIR, A.C., C.V.O., Governor

I, Professor MARIE BASHIR, A.C., C.V.O., Governor of the State of New South Wales, with the advice of the Executive Council pursuant to section 4 (1) of the Plant Diseases Act 1924 and being of the opinion that the items specified in sub-clause (1) are likely to introduce the pest green snail into New South Wales, hereby regulate the importation, introduction or bringing of such items as follows:

1. Importation, introduction and bringing into New South Wales of the following regulated items is prohibited:
 - (a) the pest green snail (*Cantareus apertus*) or anything infested with the pest; and
 - (b) any green snail host plant material which originates from or has moved through a state or territory where an infestation of green snail is known to exist; and
 - (c) used packaging; and
 - (d) soil.
2. Sub-clause (1) does not apply if:
 - (a) the host plant material was grown and sourced and packed on a property located in a state or territory, or part of a state or territory, for which an Area Freedom Certificate is currently in force; or
 - (b) the consignment is accompanied by a Plant Health Certificate or Plant Health Assurance Certificate certifying that the host plant material is imported, introduced or brought into New South Wales according to the written conditions of movement, as approved from time to time by a designated Director, New South Wales Department of Primary Industries; or

- (c) a specific written approval was issued by a designated Director, New South Wales Department of Primary Industries, and the regulated item is imported, introduced or brought into New South Wales in compliance with any conditions specified in that approval; and
3. The Plant Health Certificate or the Plant Health Assurance Certificate must be produced on demand to an inspector appointed under section 11 of the Plant Diseases Act 1924.

Definitions

“a designated Director, New South Wales Department of Primary Industries” means the person occupying or acting in the position Director, Animal and Plant Biosecurity; or Director, Compliance Operations; or Director, Compliance Standards and Livestock Health & Pest Authorities Alliance.

“Area Freedom Certificate” means a certificate issued by the Chief Plant Health Manager responsible for quarantine in the state or territory, declaring that the state or territory or part thereof is free from the pest green snail, *Cantareus apertus*.

“business” means the legal entity responsible for the operation of the facility and Interstate Certification Assurance arrangement detailed in the business’s Application for Accreditation.

“green snail host plant material” means any leafy vegetable, cutting, potted plant, turf, bare rooted plant, mature tree, cut flower, foliage, hay and straw, but excludes plants in tissue culture.

“Interstate Certification Assurance” means a system of Certification Assurance developed to meet the requirements of state or territory governments for certification of produce for interstate and intrastate quarantine purposes.

“Plant Health Certificate” means an official certificate issued by a person authorised to do so by the primary industries’ department in the relevant state or territory certifying that the regulated item has been introduced, imported or brought into New South Wales in compliance with sub-clause (2).

“Plant Health Assurance Certificate” means a certificate issued by a business accredited under an accreditation scheme authorised by the primary industries’ department of the relevant state or territory, certifying that the regulated item has been introduced, imported or brought into New South Wales in compliance with sub-clause (2).

“soil” means any natural or artificial medium in which plants are grown or supported.

“used packaging” means any package which has contained any soil or any green snail host plant material.

Note: NSW Department of Primary Industries reference is P202.

For further information contact the Department on (02) 6391 3575 or (02) 6391 3593.

Signed and sealed at Sydney this 1st day of July 2009.

By Her Excellency’s Command,

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

GOD SAVE THE QUEEN!

PLANT DISEASES ACT 1924

Proclamation P207

PROCLAMATION to regulate the importation, introduction and bringing into New South Wales of the pest and regulated items that are likely to introduce the pest Mediterranean fruit fly (*Ceratitidis capitata*).

Her Excellency Professor
MARIE BASHIR, A.C., C.V.O., Governor

I, Professor MARIE BASHIR, A.C., C.V.O., Governor of the State of New South Wales, with the advice of the Executive Council pursuant to section 4(1) of the Plant Diseases Act 1924 and being of the opinion that the items specified in sub-clause (1) are likely to introduce the pest Mediterranean fruit fly into New South Wales, hereby regulate the importation, introduction or bringing of such items as follows:

- (1) Importation, introduction and bringing into New South Wales of the following regulated items is prohibited:
 - (a) the pest Mediterranean fruit fly (*Ceratitidis capitata*) or anything infested with the pest; and
 - (b) any host fruit, including that listed in Schedule 1 which originates from or has moved through a state or territory where an infestation of Mediterranean fruit fly is known to exist; and
 - (c) used packaging; and
 - (d) soil.
- (2) Sub-clause (1) does not apply if:
 - (a) the host fruit was grown and sourced and packed on a property located in a state or territory, or part of a state or territory, for which an Area Freedom Certificate is currently in force; or
 - (b) the consignment is accompanied by a Plant Health Certificate or Plant Health Assurance Certificate certifying that the host fruit is imported, introduced or brought into New South Wales according to the written conditions of movement, as approved from time to time by a designated Director, New South Wales Department of Primary Industries; or
 - (c) a specific written approval was issued by a designated Director, New South Wales Department of Primary Industries, and the regulated item is imported, introduced or brought into New South Wales in compliance with any conditions specified in that approval; and
- (3) The Plant Health Certificate or the Plant Health Assurance Certificate must be produced on demand to an inspector appointed under section 11 of the Plant Diseases Act 1924.

Definitions

“a designated Director, New South Wales Department of Primary Industries” means the person occupying or acting in the position Director, Animal and Plant Biosecurity; or Director, Compliance Operations; or Director, Compliance Standards and Livestock Health & Pest Authorities Alliance.

“Area Freedom Certificate” means a certificate issued by the Chief Plant Health Manager responsible for quarantine in the state or territory, declaring that the state or territory or part thereof is free from the pest Mediterranean fruit fly *Ceratitidis capitata*.

“**business**” means the legal entity responsible for the operation of the facility and Interstate Certification Assurance arrangement detailed in the business’s Application for Accreditation.

“**host fruit**” means fruit identified in Schedule 1.

“Interstate Certification Assurance” means a system of Certification Assurance developed to meet the requirements of state or territory governments for certification of produce for interstate and intrastate quarantine purposes.

“**Plant Health Certificate**” means an official certificate issued by a person authorised to do so by the primary industries’ department in the relevant state or territory certifying that the regulated item has been introduced, imported or brought into New South Wales in compliance with sub-clause (2).

“**Plant Health Assurance Certificate**” means a certificate issued by a business accredited under an accreditation scheme authorised by the primary industries’ department of the relevant state or territory, certifying that the regulated item has been introduced, imported or brought into New South Wales in compliance with sub-clause (2).

“**soil**” means any natural or artificial medium in which plants are grown or supported.

“**used packaging**” means any package which has contained any soil or any host plant or plant product identified in Schedule 1.

SCHEDULE 1 – HOST FRUIT

| | | |
|----------------------|---------------|------------------------|
| Abiu | | |
| Acerola | | |
| Apple | | |
| Apricot | Feijoa | Passionfruit |
| Avocado | Fig | Pawpaw |
| Babaco | Granadilla | Peach |
| Banana | Grape | Peacharine |
| Black sapote | Grapefruit | Pear |
| Blackberry | Grumichama | Pepino |
| Blueberry | Guava | Persimmon |
| Boysenberry | Hog plum | Plum |
| Brazil cherry | Jaboticaba | Plumcot |
| Breadfruit | Jackfruit | Pomegranate |
| Caimito [Star apple] | Jew plum | Prickly pear |
| Cape gooseberry | Ju jube | Pummelo |
| Capsicum | Kiwifruit | Quince |
| Carambola | Lemon | Rambutan |
| [Starfruit] | Lime | Raspberry |
| Cashew apple | Loganberry | Rollinia |
| Casimiro | Longan | Santol |
| [White sapote] | Loquat | Sapodilla |
| Cherimoya | Lychee | Shaddock |
| Cherry | Mandarin | Soursop |
| Chilli | Mango | Sweetsop [Sugar apple] |
| Citron | Mangosteen | Tamarillo |
| Coffee berry | Medlar | Tangelo |
| Cumquat | Miracle fruit | Tomato |
| Custard apple | Monstera | Wax jambu |
| Date | Mulberry | [Rose apple] |
| Dragon fruit | Nashi | |
| [Than lung] | Nectarine | |
| Durian | Olive | |
| Eggplant | Orange | |

Note: NSW Department of Primary Industries reference is P207.

For further information contact the Department on
(02) 6391 3575 (02) 6391 3593.

Signed and sealed at Sydney this 1st day of July 2009.

By Her Excellency’s Command,

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

GOD SAVE THE QUEEN!

PLANT DISEASES ACT 1924

Proclamation P199

PROCLAMATION to regulate the importation, introduction and bringing into New South Wales of regulated items that are likely to introduce Orange Stem Pitting Strain of Tristeza Virus.

Her Excellency Professor
MARIE BASHIR, A.C., C.V.O.,
Governor

I, Professor MARIE BASHIR, A.C., C.V.O., Governor of the State of New South Wales, with the advice of the Executive Council pursuant to section 4(1) of the Plant Diseases Act 1924 and being of the opinion that the items specified in sub-clause (1) are likely to introduce the Orange Stem Pitting Strain of Tristeza Virus into New South Wales, hereby regulate the importation, introduction or bringing of such items as follows:

- (1) Importation, introduction and bringing into New South Wales of the following regulated items is prohibited:
 - (a) Orange stem pitting strain of tristeza virus or anything infected with the virus; and
 - (b) plants and parts of plants, including tissue culture plants, but excluding fruit, of the genera *Citrus* and *Fortunella*.
- (2) Sub-clause (1) does not apply if:
 - (a) the regulated item was grown on a property located in a state or territory, or part of a state or territory, for which an Area Freedom Certificate is currently in force; or
 - (b) the consignment is accompanied by a Plant Health Certificate or Plant Health Assurance Certificate certifying that the regulated item is imported, introduced or brought into New South Wales according to the written conditions of movement, as approved from time to time by a designated Director, New South Wales Department of Primary Industries; or
 - (c) a specific written approval was issued by a designated Director, New South Wales Department of Primary Industries, and the regulated item is imported, introduced or brought into New South Wales in compliance with any conditions specified in that approval; and
- (3) The Plant Health Certificate or the Plant Health Assurance Certificate must be produced on demand to an inspector appointed under section 11 of the Plant Diseases Act 1924.

Definitions

“**a designated Director, New South Wales Department of Primary Industries**” means the person occupying or acting in the position Director, Animal and Plant Biosecurity; or Director, Compliance Operations; or Director, Compliance Standards and Livestock Health & Pest Authorities Alliance.

“**Area Freedom Certificate**” means a certificate issued by the Chief Plant Health Manager responsible for quarantine in the state or territory, declaring that the state or territory or part thereof is free from orange stem pitting strain of *tristeza* virus.

“**business**” means the legal entity responsible for the operation of the facility and Interstate Certification Assurance arrangement detailed in the business’s Application for Accreditation.

“**Interstate Certification Assurance**” means the system of Certification Assurance developed to meet the requirements of state or territory governments for certification of produce for interstate and intrastate quarantine purposes.

“**Plant Health Certificate**” means an official certificate issued by a person authorised to do so by the primary industries’ department in the relevant state or territory certifying that the regulated item has been introduced, imported or brought into New South Wales in compliance with sub-clause (2).

“**Plant Health Assurance Certificate**” means a certificate issued by a business accredited under an accreditation scheme authorised by the primary industries’ department of the relevant state or territory, certifying that the regulated item has been introduced, imported or brought into New South Wales in compliance with sub-clause (2).

Note: NSW Department of Primary Industries reference is P199.

For further information contact the Department on (02) 6391 3575 or (02) 6391 3593.

Signed and sealed at Sydney this 1st day of July 2009.

By Her Excellency’s Command,

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

GOD SAVE THE QUEEN!

PLANT DISEASES ACT 1924

Proclamation P208R

PROCLAMATION to revoke P131, P181, P185, P186, P189 and P190 that regulated the importation, introduction and bringing into specified parts of New South Wales of certain fruit, which had originated from or moved through other specified parts of New South Wales, on account of outbreaks of Queensland fruit fly.

Her Excellency Professor
MARIE BASHIR AC, CVO,
Governor

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

Schedule 1

| <i>Proclamation</i> | <i>Edition of NSW Government Gazette and publication date</i> | <i>Page numbers</i> |
|---------------------|---|---------------------|
| P131 | No. 33 of 31 January 2003 | 671 - 672 |
| P181 | No. 81 of 22 June 2007 | 3834 - 3835 |
| P185 | No. 48 of 2 May 2008 | 2998 - 2999 |
| P186 | No. 48 of 2 May 2008 | 2999 - 3000 |
| P189 | No. 48 of 2 May 2008 | 3003 - 3004 |
| P190 | No. 48 of 2 May 2008 | 3004 - 3005 |

Signed and sealed at Sydney this 1st day of July 2009

By Her Excellency’s Command

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

GOD SAVE THE QUEEN!

PLANT DISEASES ACT 1924

Proclamation P155R

PROCLAMATION to revoke Proclamation P155 which regulated the importation, introduction and bringing into New South Wales of plants, parts of plants including fruit of plants of the family Rutaceae, certain agricultural equipment and other things from Queensland that are likely to introduce the diseases Citrus Canker and Orange Stem Pitting Strain of *Tristeza* Virus.

Her Excellency Professor
MARIE BASHIR, A.C., C.V.O.,
Governor

I, Professor MARIE BASHIR AC, CVO, Governor of the State of New South Wales with the advice of the Executive Council, and pursuant to sections 3 (2) (a) and 4(1) of the Plant Diseases Act 1924 revoke Proclamation P155 titled “Citrus canker and Orange

Stem Pitting Strain of *Tristeza* Virus” published in the Government Gazette No. 116 of 7 July 2004 at pages 5763-5764 and any Proclamation revived as a result of that revocation.

Note: NSW Department of Primary Industries reference is P155R.

For further information contact the Department on (02) 6391 3575 or (02) 6391 3593.

Signed and sealed at Sydney this 1st day of July 2009.

By Her Excellency’s Command,

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

GOD SAVE THE QUEEN!

RICE MARKETING ACT 1983

Proclamation

I, Professor MARIE BASHIR, A.C., C.V.O., Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of clause 27 of the Marketing of Primary Products Regulation 2005, do, by this my Proclamation, direct that an election be held for members of the Rice Marketing Board.

Signed and sealed at Sydney, this 1st day of July 2009.

By Her Excellency’s Command,

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

FISHERIES MANAGEMENT ACT 1994

Section 8 and Section 11 Notification - Fishing Closure

Caulerpa – Wallagoot Lake

I, DELIA DRAY, Acting Executive Director, Biosecurity, Compliance and Mine Safety, NSW Department of Primary Industries, with the delegated authority of the Minister for Primary Industries and the Director-General of the NSW Department of Primary Industries pursuant to section s227 and 228 of the Fisheries Management Act 1994 (“the Act”) do by this notification:

1. pursuant to section 11 of the Act, revoke the notification titled “Wallagoot Lake – Caulerpa taxifolia” published in the Government Gazette No. 185 of 23 December 2007 at page 10483 (and any notification revived as a result of this revocation);
2. pursuant to section 8 of the Act, prohibit the taking of all species of fish by all commercial and recreational fishers by the methods of fishing specified in Column 1 of the Schedule to this notification, from the waters described opposite in Column 2, of that Schedule.

This closure is effective for a period of five (5) years from the date of publication unless sooner amended or revoked.

SCHEDULE

Wallagoot Lake

*Column 1
Methods*

*Column 2
Waters*

By means of nets of every description other than

1. All waters between and to the south west of the line a landing net as prescribed by the Fisheries Management (General) Regulation 2002. -36.793); as identified as Caulerpa taxifolia closure area in the map at Attachment 1 to this notification.

Note: GPS coordinates are in GDA94.

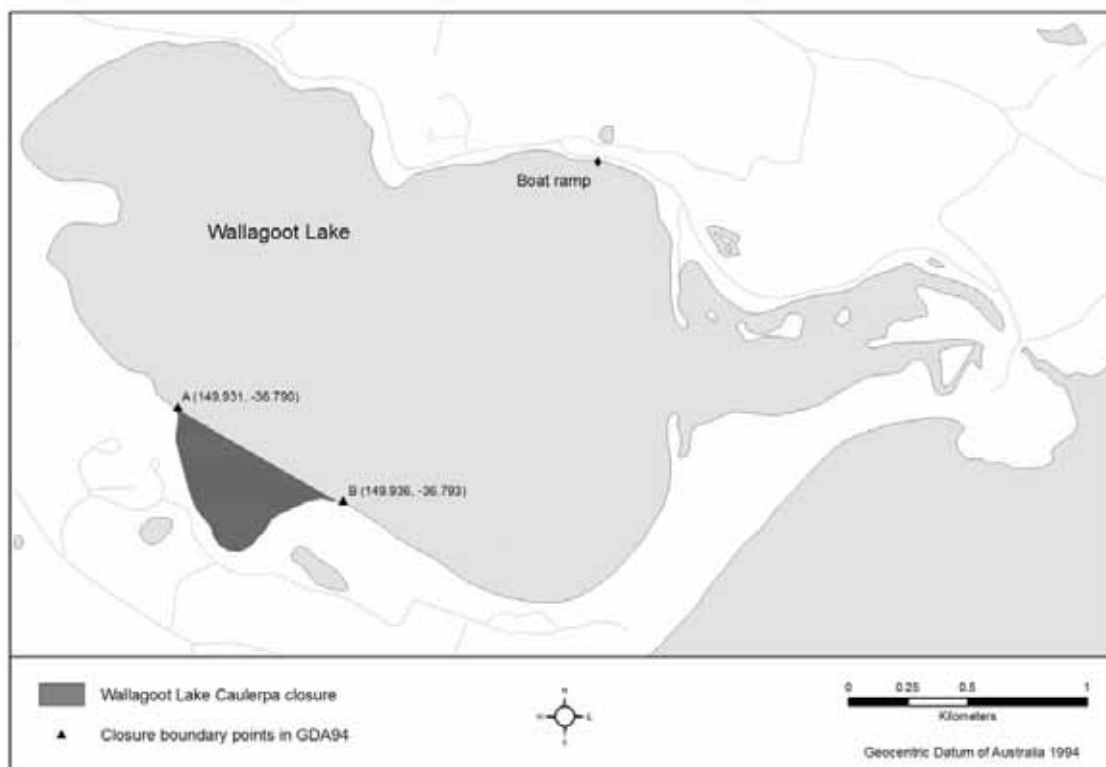
Note 1: The map in this notification is also displayed at the nearest office of NSW Department of Primary Industries, on the NSW DPI website at www.dpi.nsw.gov.au/fisheries, and at the nearest local council office.

Note 2: This closure is in addition to the Caulerpa Closure published in NSW Government Gazette No 37 of 13.2.09 at pages 1006-1007.

Dated this 29th day of June 2009.

DELIA DRAY,
Acting Executive Director
Biosecurity, Compliance and Mine Safety
NSW Department of Primary Industries

Attachment 1



Roads and Traffic Authority

ROAD TRANSPORT (GENERAL) ACT 2005

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

PARKES 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.

ALAN MCCORMACK,
General Manager,
Parkes Shire Council
(by delegation from the Minister for Roads)
Dated: 25 June 2009.

SCHEDULE

1. Citation

This Notice may be cited as Parkes Shire 25 metre B-Double Notice No. 2/2009.

2. Commencement

This Notice takes effect on the date of Gazettal.

3. Effect

This Notice remains in force until Friday 10 July 2009 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

| Type | Road No | Road Name | Starting Point | Finishing Point | Conditions |
|------|---------|------------------------|--------------------|-----------------|---|
| 25 | 37 | London Road, Parkes | Blaxland Street | Ackroyd Street | 1. Travel not permitted on school days between 8am and 9am and between 3.30pm and 4.30pm 2. 50km/h speed limit applies |

ROADS ACT 1993

Notice of Dedication of Land as Public Road at Baulkham Hills and Bella Vista in the The Hills Shire Council area

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

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

SCHEDULE

ALL those pieces or parcels of land situated in the The Hills Shire Council area, Parish of Castle Hill and County of Cumberland, shown as:

Lots 7 to 10 inclusive Deposited Plan 858790;

Lots 2 and 3 Deposited Plan 237042; and

Lots 3 and 4 Deposited Plan 1076684.

(RTA Papers: FPP 40.1206; RO 40.1206)

ROADS ACT 1993

Notice of Dedication of Land as Public Road at Seven Hills, Kings Langley, Parklea and Glenwood in the Blacktown City Council area

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

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

SCHEDULE

ALL those pieces or parcels of land situated in the Blacktown City Council area, Parishes of Prospect and Gidley, County of Cumberland, shown as:

Lots 116 and 117 Deposited Plan 231157;

Lot 17 Deposited Plan 237042;

Lots 7, 8 and 9 Deposited Plan 1036602;

Lots 3 and 4 Deposited Plan 1074875;

Lots 1 and 3 Deposited Plan 590982;

Lot 8 Deposited Plan 860529;

Lot 189 Deposited Plan 1007801;

Lot 2 Deposited Plan 1032672; and

Lot 12 Deposited Plan 1084455.

(RTA Papers: FPP 40.1206; RO 40.1206)

Department of Water and Energy

WATER ACT 1912

APPLICATIONS under Part 2 within a Proclaimed (declared) Local Area under Section 5(4) of the Water Act, 1912. Applications for a licence under Section 10 for works within a proclaimed (declared) local area as generally described hereunder have been received from:

Murrumbidgee Valley

Ian, Helen Marguerite Reading and Antony Iain CATHLES for a pump on Goodradigbee River, Lot 7 DP865559, Parish Micalong, County Cowley for irrigation purposes. New Licence – permanent transfer. (Ref.40SL71174)

Peter Lindsay and Neil Gordon CAREY for a pump on Goodradigbee River, Lot 22 DP751821, Parish Micalong, County Cowley for irrigation purposes. New Licence – permanent transfer. (Ref.40SL71175).

Any inquiries regarding the above should be directed to the undersigned on (02) 6953 0700. Written objections, from any local occupier or statutory authority, specifying grounds and how their interests are affected, must be lodged with the Department of Water and Energy, PO Box 156, Leeton NSW 2705, within 28 days of the date of this publication. GA2:530520.

S.F. WEBB,
Licensing Manager

APPLICATION for a licence under Part 2 of the Water Act 1912 being within a Proclaimed (declared) Local Area under section 5(4) of the Act. An Application for a licence Under Section 10 of Part 2 of the Water Act, has been received as follows;

Lachlan River Valley

CADIA HOLDINGS PTY LTD, for 1 pumping station and pipeline on Belubula River, on Lot 141 DP1082789, Lots 21 & 22 DP1038104, road adjacent to Lot 21 DP1038104, Lot 201 DP1037198, Lots 25, 24, 64, 152, DP750362, Lot 1 DP731180, Lot 21 DP825426, Lot 1 DP816924, Lots 155, 151, 192, 241, 193, 240 DP750415, Lots 2 & 6 DP47552 & Lot 101 DP576778 Parishes Blake, Carlton and Waldegrave, County Ashburnham, for mining purposes (replacement licence – increase in pump capacity and to authorise conveyance works, no increase in entitlement) (Ref: 70SL091130).

Any inquiries regarding the above should be directed to the undersigned on (02) 6850 2800. Written objections, from any local occupier or statutory authority, specifying grounds and how their interests are affected, must be lodged with the Department of Water and Energy, PO Box 291, Forbes NSW 2871, within 28 days of the date of this publication. GA2:530521.

VIV RUSSELL,
Licensing Manager

APPLICATION for a licence under Part 2 of the Water Act 1912 being within a Proclaimed (declared) Local Area under section 5(4) of the Act. An Application for a licence Under Section 10 of Part 2 of the Water Act, has been received as follows:

Lachlan River Valley

CADIA HOLDINGS PTY LTD, for a dam on Rodds Creek and pipeline and pump on Cadiangullong Creek, on Lot 23 DP1078095, Lots 251, 20, 275, 151, 241, 240, DP750415,

Lot 102 DP1040753, Lots 1 & 2 DP816924, Lots 5 & 2 DP47552, Lots 6 & 3 DP47533, Lots 100 & 101 DP576778, Lot 6 DP865599 and Lot 10 DP252284, Parishes Blake, Clarendon and Waldegrave, County Ashburnham, for mining purposes (replacement licence – increase in dam capacity and to authorise conveyance works, no increase in entitlement) (Ref: 70SL091131).

Any inquiries regarding the above should be directed to the undersigned on (02) 6850 2800. Written objections, from any local occupier or statutory authority, specifying grounds and how their interests are affected, must be lodged with the Department of Water and Energy, PO Box 291, Forbes NSW 2871, within 28 days of the date of this publication. GA2:530522

VIV RUSSELL,
Licensing Manager

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

KOGARAH COUNCIL for a proposed weir and pump on Kogarah Bay Creek (stormwater canal – 1st order stream) on Part Lot 3 DP260626 and Lot 20 DP527191, Parish of St George, County of Cumberland for the conservation of water and water supply for industrial (concrete batching) purposes (Ref:10SL56849).

Any inquiries regarding the above should be directed to the undersigned on (02) 9895 7194. Written objections, from any local occupier or statutory authority, specifying grounds and how their interests are affected, must be lodged with the Department of Water and Energy, PO Box 3720, Parramatta NSW 2124, within 28 days of the date of this publication. GA2:530523.

WAYNE CONNERS,
Licensing Officer

AN application for an Authority, under the Section 20 of Part 2 of the Water Act, 1912, as amended, has been received as follows:

Robert George John JEFFERY & others for a pump on the Brogo River being Part Lot 272 DP862394 Parish of Bega County of Auckland for water supply for stock and domestic purposes. Replacement Authority due to increase in holders. No increase in entitlement or purpose. (Not subject to the Brogo River catchment embargo)(Ref:10SA002546).

Any inquiries regarding the above should be directed to the undersigned on (02) 4429 4442. Written objections, from any local occupier or statutory authority, specifying grounds and how their interests are affected, must be lodged with the Department of Water and Energy, PO Box 309, Nowra NSW 2541, within 28 days of the date of this publication. GA2:530524.

WAYNE RYAN,
Licensing Officer

Energy Saving Rule of 2009
Effective from 1 July 2009

ELECTRICITY SUPPLY ACT 1995

Notice of Approval of Energy Savings Scheme Rule 2009

Notice of Energy Savings Scheme Rule by the Minister for Energy under Part 9, Division 13 of the Electricity Supply Act 1995.

I, Ian Michael Macdonald, Minister for Energy, pursuant to Part 9, Division 13 of the *Electricity Supply Act 1995*, hereby give notice of approval of Energy Savings Scheme Rule 2009. The Rule is set out in Schedule 1 of the notice hereto.

The Rule takes effect from 1 July 2009.

A copy of the Energy Savings Scheme Rule 2009 may also be obtained through the Department of Water and Energy's website at www.dwe.nsw.gov.au.

Dated at Sydney, this 24th day of June 2009.

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

SCHEDULE 1

Energy Savings Scheme Rule of 2009

Ian Michael Macdonald, MLC
Minister for Energy

1 Name and commencement

- 1.1 This Rule is the *Energy Savings Scheme Rule of 2009* and commences on 1 July 2009.
- 1.2 Without limiting the circumstances in which this Rule applies, this Rule applies to:
- (a) the accreditation of Accredited Certificate Providers after the commencement of this Rule (regardless of the date of application for accreditation);
 - (b) the calculation and creation of Energy Savings Certificates registered after the commencement of this Rule (regardless of the date of accreditation of the Accredited Certificate Provider); and
 - (c) the ongoing eligibility of a person to remain accredited as an Accredited Certificate Provider accredited 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 Accredited Certificate Provider

2 Objects of the Rule

The object of this Rule is to provide specific arrangements for the creation and calculation of Energy Savings Certificates where energy is saved through increased efficiency of electricity consumption, or reduction in electricity consumption where there is no negative effect on production or service levels. The Rule aims to save energy through measures that improve electricity end-use efficiency.

3 Application of the Rule

Without limiting the persons to whom this Rule applies, this Rule applies to Accredited Certificate Providers accredited to create Energy Savings Certificates in respect of Recognised Energy Savings Activities in accordance with Part 9 Division 8 of the Act, the Regulations and this Rule.

4 Status and Operation of the Rule

This Rule is an Energy Savings Scheme Rule made under Part 9 Division 13 of the Act.

5 Eligibility to be an Accredited Certificate Provider

- 5.1 A person is eligible to be accredited as an Accredited Certificate Provider under this Rule if:
- (a) the person is an Energy Saver, and
 - (b) the accreditation is in respect of one or more Recognised Energy Savings Activities.

Energy Saving Rule of 2009
Effective from 1 July 2009

Note: Under the Regulations, a person must also have record keeping arrangements with respect to the Recognised Energy Savings 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) Recognised Energy Savings Activity.

5.2 An Energy Saver is:

- (a) the person who is contractually liable (or otherwise liable if there is no contract) to pay for the energy consumed by the End-User Equipment at the Site that is the subject of a Recognised Energy Savings Activity at the relevant Implementation Date; or

Note: Where confusion exists, the Energy Saver in (a) 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) where the method used to quantify the Energy Savings is the NABERS Method under clause 8.8 of this Rule, the person who is the NABERS Rating Holder during the period for which the Energy Savings Certificates are being claimed; or
- (c) a person nominated (“nominee”), to the satisfaction of the Scheme Administrator, to be the Energy Saver in respect of the Recognised Energy Savings Activity by one of the following persons (“nominator”):
- (i) the person in (a) or (b); or
- (ii) a person previously nominated to be the Energy Saver,
- provided that:
- (iii) the nominator has not previously nominated another person to be the Energy Saver, or if the nominator has done so, that previous nomination is not still effective;
- (iv) the nomination is in writing in a form approved by the Scheme Administrator and signed by the nominator via a process approved by the Scheme Administrator; and
- (v) the nominee consents to the nomination; or
- (d) 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 Energy Savings Certificates unless that person satisfies the criteria in clause 5.2 (a) or (b), at the relevant Implementation Date (in the case of (a)), or at the time of Energy Savings Certificate creation (in the case of (b)).
- (e) Without limiting clause 5.2(c), in relation to a Recognised Energy Savings Activity in which the person seeking accreditation proposes to be nominated by multiple persons to be the Energy Saver in relation to multiple End-User Equipment at multiple Sites, the person is eligible to be accredited in respect of that Recognised Energy Savings Activity even if not all of the nominations have been made as at the date of accreditation, provided that:
- (i) the Scheme Administrator approves the form of the nomination and the process by which nomination forms are signed; and

Energy Saving Rule of 2009
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- (ii) the accreditation in relation to each End-User Equipment does not come into effect until each respective nomination has been made.

Note: Section 143(1) in Division 9 of the Act provides that the creation of an Energy Savings Certificate must be registered with the Scheme Administrator for the Energy Savings Certificate to have effect. Section 143(4) provides that the person creating the Energy Savings Certificates and registered in the register as the owner is the owner.

5.3 A Recognised Energy Savings Activity is defined as:

- (a) Specific activities implemented by an Energy Saver that increase the efficiency of electricity consumption or reduce electricity consumption, by:
- (i) modifying End-User Equipment or usage of End-User Equipment (including installing additional components) resulting in a reduction in the consumption of electricity compared to what would have otherwise been consumed;
 - (ii) replacing End-User Equipment other End-User Equipment that consume less electricity;
 - (iii) installing New End-User Equipment that consumes less electricity than other End-User Equipment of the same type, function, output or service; or
 - (iv) removing End-User Equipment that results in reduced electricity consumption, where there is no negative effect on production or service levels,
- and where those activities have no negative effect on production or service levels
- (b) The activities specified in clause 5.3(a) must have been implemented on or after 1 July 2008 (subject to section 53 of Schedule 6 Part 9 of the Act) at a Site or Sites in New South Wales or another jurisdiction in which an *Approved Corresponding Scheme* is in operation.

5.4 Recognised Energy Savings Activities do not include:

- (a) the installation of End-User Equipment where the installation is undertaken in order to comply with any Statutory Requirement;

Note: This is intended to exclude from this Rule the creation of Energy Savings Certificates for Energy Savings undertaken for the purpose of meeting any mandatory legal requirement imposed through a statutory or regulatory instrument of any originating jurisdiction, including but not limited to compliance with BASIX and Building Code of Australia requirements.

- (b) the supply of electricity by a retail supplier, or electricity purchases 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; or

Note: This is intended to exclude from this Rule the creation of Energy Savings Certificates because of the purchase of electricity under "Green Power" accredited or similar schemes that is eligible to create certificates or RECs at the point of generation.

- (c) activities 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 does not qualify as a Recognised Energy Savings Activity. 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 a Recognised Energy Savings Activity.

Reducing electricity consumption where there is no negative effect on production or service levels (e.g. reduction of excessive lighting, removal of redundant installed capacity or the installation of more energy efficient equipment) is a Recognised Energy Savings Activity and is not excluded by this clause.

- 5.5 For the purposes of clause 5.3, the Scheme Administrator may in its discretion determine whether a Recognised Energy Savings Activity that involves changes to multiple End-User Equipment or occurs across multiple Sites constitutes one or more Recognised Energy Savings Activities.

6 Creation of Energy Savings Certificates

- 6.1 Only Accredited Certificate Providers accredited for the purpose set out in clause 5 may create Energy Savings Certificates under the Act, the Regulation and this Rule.
- 6.2 Accredited Certificate Providers may not create Energy Savings Certificates in respect of any Energy Savings where that Energy Savings occur:
- (a) before 1 July 2009; and
 - (b) in respect of an application for accreditation - subject to clause 6.3, before the date on which the accredited certificate provider lodged with the Scheme Administrator an application for its accreditation (completed to the satisfaction of, and in a form acceptable to, the Scheme Administrator) in respect of a Recognised Energy Savings Activity; and
 - (c) in respect of a subsequent Recognised Energy Savings Activity after accreditation - the date on which the Accredited Certificate Provider lodged with the Scheme Administrator an application to amend its accreditation for a subsequent Recognised Energy Savings Activity (completed to the satisfaction of, and in a form acceptable to, the Scheme Administrator)
- 6.3 Notwithstanding clause 6.2(b), for any applications lodged in calendar year 2009 for accreditation as an Accredited Certificate Provider ("Application Date"), the Accredited Certificate Provider may create Energy Savings Certificates for any Energy Savings occurring on or after 1 July 2009 but before the Application Date.
- 6.4 A person may not create Energy Savings Certificates in respect of any Energy Savings if that person or another person has previously validly created Energy Savings Certificates in respect of the same Energy Savings under the Act, the Regulation or this Rule (including previous versions of it).
- 6.5 The Accredited Certificate Provider may create Energy Savings Certificates for any Energy Savings by using:
- (a) the Project Impact Assessment Method;

- (b) the Metered Baseline Method; or
- (c) the Deemed Energy Savings Method.

to calculate the Number of Certificates provided that:

- (d) the Scheme Administrator approves the method used (being one of the methods in (a) to (c)) before any Energy Savings Certificates are created using that method (which approval may be conditional upon applying the method in a particular manner that is permitted under this Rule);
- (e) the method used must produce a result reasonably reflecting (to the satisfaction of the Scheme Administrator) the extent of the Energy Savings from the relevant Recognised Energy Savings Activity;
- (f) the assumptions used in the calculation of the Number of Certificates are reasonable (to the satisfaction of the Scheme Administrator) and follow common engineering practice;
- (g) those Energy Savings Certificates are reasonably attributable (to the satisfaction of the Scheme Administrator) to the Energy Savings in respect of which the calculation is made;
- (h) in the case of the Project Impact Assessment Method (other than in the case of Energy Savings Certificates brought forward under clause 7.4), or the Metered Baseline Method, the time period over which those Energy Savings Certificates are calculated must reasonably reflect to the satisfaction of the Scheme Administrator the time period for the Energy Savings in respect of which the calculation is made; and
- (i) in the case of Energy Savings Certificates brought forward under clause 7.4, the Scheme Administrator considers that the Energy Savings for which those Energy Savings Certificates are created is reasonably likely to occur during the time period by reference to which those Energy Savings Certificates were calculated.

6.7 New End-User Equipment (other than New NABERS Buildings) to be better than existing End-User Equipment

For New End-User Equipment (other than New NABERS Buildings), before being entitled to create Energy Savings Certificates under clause 6, an Accredited Certificate Provider must demonstrate to the Scheme Administrator's satisfaction that the New End-User Equipment has the lowest energy consumption of any comparable New End-User Equipment by reference to:

- (a) any benchmarking or performance indicators established and published by a body recognised by the Scheme Administrator, including industry associations
- (b) any Default Savings Factors for New End-User Equipment listed in Tables 5, 6 or 8;
- (c) the type of equipment, process, or system and level of consumption considered typical for New End-User Equipment, taking into account recent End-User Equipment of this type of equipment, process, or system and Australian and global developments in technology; and
- (d) the type of improved equipment, process, or system proposed to be installed and the level of energy consumption,

taking into account all existing comparable End-User Equipment having the same function, output or service:

- (e) in New South Wales or in an *Approved Corresponding Scheme*; or
- (f) if there is no such End-User Equipment in New South Wales or on an *Approved Corresponding Scheme*, in Australia; or
- (g) if there is no value that can be determined under (e) or (f), a level of electricity consumption determined by the Scheme Administrator.

7 Project Impact Assessment Method

Note: The Project Impact Assessment Method determines the number of Energy Savings Certificates an Accredited 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 Energy Savings.

The Project Impact Assessment Method is most appropriate when Energy Savings 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.

7.1 Number of Certificates under the Project Impact Assessment Method

Using the Project Impact Assessment Method, Number of Certificates is calculated using **Equation 1**.

Equation 1

Number of Certificates = Energy Savings x Certificate Conversion Factor

Where:

- *Number of Certificates* is in tCO₂-e
- *Energy Savings* (in MWh) is calculated in **Equation 2** for Energy Savings calculated on an annual basis and **Equation 3** for Energy Savings brought forward using clause 7.4.

Equation 2

Energy Savings = *Reduced Electricity Consumption* x *Confidence Factor*

Where:

- *Reduced Electricity Consumption* is the extent to which the electricity consumption of the equipment, process, or system is as a consequence of the Recognised Energy Savings Activity is different to what it otherwise would have been and is to be calculated in accordance with the engineering assessment in clause 7.2.
- *Confidence Factor* depends on the type of engineering assessment performed under clause 7.2 and is assigned to the calculation according to clause 7.3

7.2 Engineering assessment of reduced electricity consumption

Accredited Certificate Providers choosing to use the Project Impact Assessment Method in respect of any Recognised Energy Savings Activity, are to calculate the reduced electricity consumption of only the equipment, process, or system that is the subject of the Recognised Energy Savings Activity 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 Recognised Energy Savings Activity are chosen by the Accredited Certificate Provider, but the assessment is assigned a Confidence Factor under clause 7.3 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 6.7 a typical New End-User Equipment thereof that represents better than recent existing End-User Equipment 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 Savings Factors set out in Tables 1 to 15 of Schedule A to this Rule if the variable that the value represents is relevant to the assessment or, if the Accredited Certificate Provider proposes to use a different value for the same purpose, that value is acceptable to the Scheme Administrator.

7.3 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 End-User Equipment such as:
 - (i) hours of operation for the End-User Equipment 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 End-User Equipment 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 End-User Equipment determined from measurements or other logged data, or a simpler method where this yields an equivalent level of accuracy;

- (iv) End-User Equipment 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 End-User Equipment 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 any of Tables 1 to 15 of Schedule A to this Rule),

or,

- (b) 0.9, if the engineering assessment determines energy consumption to a lesser level of accuracy from that described in clause 7.3(a), based on estimations from logged data, records or equivalent data such as:
 - (i) hours of operation for the End-User Equipment 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 End-User Equipment 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 End-User Equipment from records or average measurements, or a simpler method where this yields an equivalent level of accuracy;
 - (iv) End-User Equipment 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 End-User Equipment over time using manufacturers' or other representative degradation characteristics, or a simpler method where this yields an equivalent level of accuracy,

or,

- (c) 0.8, or another value approved by the Scheme Administrator, if the engineering assessment does not meet the level of accuracy set out in clause 7.3(b).

7.4 Creation of Certificates able to be brought forward using the Project Impact Assessment Method

Note: Section 131(1) of Division 7 of the Act provides that Energy Savings Certificates may be created in respect of the Energy Savings arising from a Recognised Energy Savings Activity immediately after those Energy Savings occur. Therefore each Energy Savings Certificate may be created immediately after the occurrence of the Energy Savings.

However, section 131(4) and (5) provides that in certain circumstances the date Energy Savings are deemed to have occurred (for the purpose of Energy Savings Certificate creation) can be brought forward. To reduce transaction costs associated with creating Energy Savings Certificates the Regulations or the Rule may allow Energy Savings Certificates to be created in respect of an activity that has ongoing Energy Saving effects, as soon as the activity is commenced.

If the creation of Energy Savings Certificates is brought forward due to the deemed Energy Savings from future Energy Savings, the Number of Certificates will be subject to discount factors. This is to mitigate the risks of some of the future Energy Savings not being realised. This may occur due to the End-User Equipment being removed or replaced, or the facility closing down.

This section does not prevent claims for Energy Savings Certificates for Energy Savings that have already occurred.

- 7.4.1 For the purposes of section 131 of Division 7 of the Act, the Accredited Certificate Provider may, subject to clause 6.5, elect for the Energy Savings that give rise to the entitlement to create Energy Savings Certificates under the Project Impact Assessment Method determined in accordance with clause 7.4.2 to be deemed to have occurred (for the purpose of the entitlement to create Energy Savings Certificates but not for any other purpose) on a date determined in accordance with clause 7.4.3, and subject to the application of the discount factor in accordance with clause 7.4.4.
- 7.4.2 The maximum time period for which Energy Savings Certificate creation can be brought forward as a result of future Energy Savings being deemed to have occurred on a date determined under clause 7.4.3 is the lesser of:
- (a) 5 years; or
 - (b) the life of the Recognised Energy Savings Activity (in years) determined by the Accredited Certificate Provider, to the satisfaction of the Scheme Administrator, with reference to:
 - (i) the number of Energy Savings Certificates 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 End-User Equipment that will tend to result in Energy Savings in one period being lower than Energy Savings in preceding periods of equal duration; and
 - (iii) the expected lifetime of the End-User Equipment, taking into account its characteristics, its usage, typical frequency of replacement, and the use of the Site and End-User Equipment remaining the same.
- 7.4.3 The date on which the Energy Savings are deemed to occur under clause 7.4.1 is the later of:
- (a) 1 July 2009;
 - (b) the Implementation Date; or
 - (c) the first date by which all the Energy Savings previously brought forward under clause 7.4.1 to create Energy Savings Certificates in respect of the same Recognised Energy Savings Activity has actually occurred.
- 7.4.4 The number of Energy Savings Certificates able to be brought forward must be calculated by applying the Discount Factor to the Number of Certificates entitled to be created for each future year as set out in **Equation 3**.

Equation 3

$$\text{Energy Savings} = \sum_n \frac{\text{Reduced Electricity Consumption}_n \times \text{Confidence Factor} \times \text{Discount Factor}_n}{\text{Factor}_n}$$

Where:

- *Reduced Electricity Consumption* is the extent to which the electricity consumption of the equipment, process, or system is, as a consequence of the Recognised Energy Savings Activity, different to what it otherwise would have been in year n ;
- *Confidence Factor* depends on the type of engineering assessment performed under clause 7.2 and is assigned to the calculation according to clause 7.3
- *Discount Factor* is set out in Table 16 of Schedule A of this Rule in year n ;
- n is the year from 1 (the first year of Energy Savings claimed) to 5.

7.4.5 At the end of the maximum time period as determined in clause 7.4.2, the Accredited Certificate Provider may create an additional Number of Certificates equal to:

- (a) the Energy Savings for each year in the maximum time period other than the first year as calculated using **Equation 2**, less
- (b) the Energy Savings for each year in the maximum time period other than the first year as calculated for the relevant year in **Equation 3**, and
- (c) multiplied by the Certificate Conversion Factor,

provided the Accredited Certificate Provider establishes, to the satisfaction of the Scheme Administrator, that the Energy Savings calculated in clause 7.4.5(a) have actually occurred.

7.4.6 For the purposes of section 131(4) of Division 7 of the Act, the Energy Savings in respect to the Number of Certificates are to be created in accordance with clause 7.4.5 are deemed to occur on the date on which the maximum time period as determined in clause 7.4.2 ends.

8 Metered Baseline Method

Note: The Metered Baseline Method uses measurements of electricity consumption “before” the Recognised Energy Savings Activity takes place to establish a “baseline” electricity consumption standard for the Site being considered. The same measurements performed “after” the Recognised Energy Savings Activity has commenced will establish new levels of electricity consumption, with the difference representing the impact of the Recognised Energy Savings Activity.

Energy Savings are adjusted by a confidence factor that is calculated based on the size of the Energy Savings 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 Recognised Energy Savings Activity was implemented. Where changes at the Site, other than those that constitute the Recognised Energy Savings Activity will affect metered consumption per unit of output or service, the results will not reasonably reflect the Energy Savings due to the Recognised Energy Savings Activity, and Energy Savings Certificates cannot be created using the Metered Baseline Method.

Consequently, the Metered Baseline Method should not be used where changes other than the Recognised Energy Savings Activity have taken place during the baseline period, or are anticipated during the life of the Recognised Energy Savings Activity for which Energy Savings Certificates will be claimed.

This also does not prevent additional Recognised Energy Savings Activities at the same Site from being implemented and assessed against the original baseline.

- 8.1 The Metered Baseline Method in this clause 8 may only be used to calculate Number of Certificates if measurements made pursuant to this clause 8 are of a standard and duration enabling the Number of Certificates to be determined to a level of accuracy satisfactory to the Scheme Administrator.
- 8.2 Using the Metered Baseline Method, Number of Certificates is calculated under:
- (a) clause 8.5, using a baseline per unit of output;
 - (b) clause 8.6, using a baseline unaffected by output;
 - (c) clause 8.7, using a normalised baseline; or
 - (d) clause 8.8, using a baseline normalised by means of a methodology adapted from the National Australian Built Environment Rating System,

provided that all Energy Savings Certificates that the Accredited Certificate Provider seeks to create for the Energy Savings can reasonably (to the satisfaction of the Scheme Administrator) be attributed to the corresponding Recognised Energy Savings Activity.

- 8.3 The period over which any baseline is determined under this clause 8, using electricity measurements before the Implementation Date of the Recognised Energy Savings Activity, must include one or more periods preceding the Implementation Date, 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.
- 8.4 The Accredited 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 Energy Savings relative to the baseline and hence the Confidence Factor.

8.5 **Baseline per unit of output**

Note: This Metered Baseline Method is most appropriate where electricity 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.

Number of Certificates may be calculated using Method 1, provided that:

- (a) the electricity consumption for the Site is a linear function of output;

- (b) fixed electricity consumption, which is the electricity 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 electricity baseline was measured, and
- (d) the variable electricity baseline is calculated using data from periods immediately preceding the Implementation Date, up to a maximum of 5 years, excluding any periods after the Implementation Date that are not representative of the 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 electricity on the Site, an integer multiple of the period of that cycle.

Step (2) Determine Energy Savings by completing steps (2A) to (2G), and for each time period T_a by reference to which the Accredited Certificate Provider seeks to create Energy Savings Certificates by repeating Steps (2E) to (3) for each such period.

Step (2A)

The *fixed electricity consumption* (in MWh) is the consumption of electricity 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 Energy Savings calculations that are reasonable, and
- over a period T_b before Energy Savings commences and the duration of which is equal to the measurement period.

Step (2B)

Calculate *variable consumption* $_{T_b}$ (in MWh / unit of output) for n time periods T_b :

$$\text{variable consumption}_{T_b} = (\text{total consumption}_{T_b} - \text{fixed electricity consumption}) / \text{output}_{T_b}$$

Where:

- T_b denotes a time period, before the Implementation Date, 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* $_{T_b}$ (in MWh) is the consumption of electricity for the Site measured by metering that consumption over each time period T_b
- *Output* $_{T_b}$ is the number of units of output during each time period T_b

- n is the number of time periods, T_b , where n must be at least 1

Step (2C) Calculate *variable electricity baseline* (in MWh / unit of output):

$$\text{Variable electricity baseline} = \left\{ \sum_{T=1}^n \text{Variable consumption}_{T_b} \right\} / n$$

Step (2D) Calculate *Baseline variability* (in MWh / unit of output), which is the unexplained variance in the baseline, as:

- where $n > 2$:

$$\text{Baseline variability} = (\text{Maximum variable consumption}_{T_b} - \text{Minimum variable consumption}_{T_b}) / 2$$

Where:

- *Maximum variable consumption_{T_b}* is the maximum value of variable consumption_{T_b} over n time periods T_b
- *Minimum variable consumption_{T_b}* is the least value of variable consumption_{T_b} over n time periods T_b

- where $n \leq 2$:

$$\text{Baseline variability} = 10\% \text{ of Variable electricity baseline}$$

Step (2E) Calculate *reduced electricity consumption* (in MWh) for each time period T_a (after the Implementation Date) by reference to which the Accredited Certificate Provider seeks to create Energy Savings Certificates:

$$\text{reduced electricity consumption} = (\text{Output}_{T_a} \times \text{Variable electricity baseline} + \text{fixed electricity consumption}) - \text{Total consumption}_{T_a}$$

Where:

- T_a denotes a time period, after the Implementation Date, the duration of which is equal to the *Measurement Period*
- *Total consumption_{T_a}* (in MWh) is the consumption of electricity for the Site measured by metering that consumption over a time period T_a
- *Output_{T_a}* is the number of units of output during the time period T_a .

Step (2F) Calculate *Confidence Factor*:

$$\text{Confidence Factor} = 1 - (\text{Baseline variability} / \text{Variable electricity baseline})$$

Step (2G) Calculate *Energy Savings* (in MWh) for each time period T_a by reference to which the Accredited Certificate Provider seeks to create Energy Savings Certificates:

$$\text{Energy Savings} = \text{Reduced electricity consumption} \times \text{confidence factor}$$

Step (3) Calculate *Number of Certificates* (in t CO₂-e) for each time period T_a by reference to which the Accredited Certificate Provider seeks to create Energy Savings Certificates:

If Energy Savings ≥ 0 :

Number of Certificates = Energy Savings x Certificate Conversion Factor

or

If Energy Savings < 0:

Number of Certificates = 0

8.6 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 Certificates 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 *Electricity Baseline* is calculated using data from periods immediately preceding the Implementation Date of the Recognised Energy Saving Activity, to a maximum duration of 5 years, 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 electricity on the Site, an integer multiple of the period of that cycle.

Step (2) Determine *Energy Savings* by completing steps (2A) to (2E), and for each time period T_a by reference to which the Accredited Certificate Provider seeks to create Energy Savings Certificates by repeating Steps (2C) to (3) for each such period.

Step (2A) Calculate *Electricity Baseline* (in MWh or GJ):

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

Where:

- Tb denotes a time period, before the Implementation Date, the duration of which is equal to the Measurement Period, and where each time period is mutually exclusive with each other such time period
- $\text{Total Consumption}_{Tb}$ (in MWh) is the consumption of electricity 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 $n > 1$:

Baseline Variability = (maximum total consumption_{Tb} – minimum total consumption_{Tb}) / 2

Where:

- *Maximum total consumption_{Tb}* is the maximum value of *total consumption_{Tb}* over *n* time periods *Tb*
- *Minimum total consumption_{Tb}* is the least value of *total consumption_{Tb}* over *n* time periods *Tb*

where $n = 1$:

Baseline variability = 10% of electricity baseline

Step (2C) Calculate *reduced electricity consumption* (in MWh) for each time period T_a by reference to which the energy saver seeks to create Certificates:

Reduced electricity consumption = *Electricity Baseline* – *Total consumption_{Ta}*

Where:

- T_a denotes a time period, after the Implementation Date of the Energy Saving project, the duration of which is equal to the measurement period
- *Total consumption_{Ta}* (in MWh) is the consumption of electricity for the Site measured by metering that consumption over a time period T_a

Step (2D) Calculate *Confidence factor*:

Confidence factor = 1 - (*Baseline variability* / *ElectricityBbaseline*)

Step (2E) Calculate *Energy Savings* (in MWh) for each time period T_a by reference to which the Accredited Certificate Provider seeks to create Energy Savings Certificates:

- *Energy Savings* = *Reduced electricity consumption* x *Confidence Factor*

Step (3) Calculate *Number of Certificates* (in t CO₂-e) for each time period T_a by reference to which the Accredited Certificate Provider seeks to create Energy Savings Certificates:

If *Energy Savings* ≥ 0 :

Number of Certificates = *Energy Savings* x *Certificate Conversion Factor*

or

If *Energy Savings* < 0 :

Number of Certificates = 0

8.7 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 Certificates 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 the specific activities 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, to a maximum duration of 5 years, and excluding any periods that are not representative of long term Site consumption due to circumstances such as 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 electricity on the Site, an integer multiple of the period of that cycle.

Step (2) Determine Energy Savings resulting from the Recognised Energy Savings Activity by completing Steps (2A) to (2F) for each time period T_a by reference to which the Accredited Certificate Provider seeks to create Energy Savings Certificates by repeating Steps (2D) to (3) for each such period.

Step (2A) Calculate *Normalised consumption* _{T_b} (in MWh) for n time periods T_b by normalising the *total consumption* _{T_b} to determine the consumption that would have occurred for period T_b had the conditions at time T_a existed, using:

- (a) a set of normalisation coefficients, which are one or more coefficients calculated to account for the variation in *total consumption* _{T_b} per unit of change for each corresponding normalisation variable used in (b); and
- (b) a set of values, which are the difference between the values of the normalisation variables for each time period T_b , and the values of the normalisation variables for one time period T_a , determined by measurements or other data sources.

Where:

- T_b denotes a time period, before the Implementation Date, the duration of which is equal to the Measurement Period, and where each time period is

- mutually exclusive with each other such time period
- T_a denotes a time period, after the Implementation Date, the duration of which is equal to the Measurement Period
- $Total\ consumption_{T_b}$ (in MWh) is the consumption of electricity for the Site measured by metering that consumption over each time period T_b
- n is the number of time periods, T_b , where n must be at least 1
- $Normalisation\ Variables$ are the variables in respect of which the $Total\ Consumption_{T_b}$ is normalised and must correspond to factors that are a reason for change in $Total\ Consumption_{T_b}$

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

$$Normalised\ Energy\ Baseline = \left\{ \sum_{T=1}^n Normalised\ Consumption_{T_b} \right\} / n$$

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

where $n > 1$:

$$Baseline\ Variability = (Maximum\ Normalised\ Consumption_{T_b} - Minimum\ Normalised\ Consumption_{T_b}) / 2$$

Where:

- $Maximum\ Normalised\ Consumption_{T_b}$ is the maximum value of $Normalised\ Consumption_{T_b}$ over n time periods T_b
- $Minimum\ Normalised\ Consumption_{T_b}$ is the least value of $Normalised\ Consumption_{T_b}$ over n time periods T_b

where $n = 1$:

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

Step (2D) Calculate *reduced electricity consumption* (in MWh for each time period T_a by reference to which the energy saver seeks to create Certificates:

$$Reduced\ electricity\ consumption = normalised\ electricity\ baseline - total\ consumption_{T_a}$$

Where:

- T_a denotes a time period, after the Implementation Date, the duration of which is equal to the Measurement Period
- $Total\ Consumption_{T_a}$ (in MWh) is the consumption of electricity for the Site measured by metering that consumption over a time period T_a

Step (2E) Calculate *Confidence Factor*:

$$Confidence\ Factor = 1 - (Baseline\ Variability / Normalised\ electricity\ baseline)$$

Step (2F) Calculate *Energy Savings* (in MWh) for each time period T_a by reference to which the Accredited Certificate Provider seeks to create Energy Savings Certificates:

Energy Savings = reduced electricity consumption x confidence factor

Step (3) Calculate *Number of Certificates* (in t CO₂-e) for each time period T_a by reference to which the Accredited Certificate Provider seeks to create Energy Savings Certificates:

If Energy Savings ≥ 0:

$$\text{Number of Certificates} = \text{Energy Savings} \times \text{Certificate Conversion Factor}$$

or

If Energy Savings < 0:

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

8.8 National Australian Built Environment Rating System baseline

Note: This Metered Baseline Method is one acceptable method for normalising baselines for New NABERS Buildings or Existing NABERS Buildings – which use the National Australian Built Environment Rating System (NABERS) for measuring building energy performance.

8.8.1 Number of Certificates may be calculated using **Method 4a** only for Existing NABERS Buildings or **Method 4b** New NABERS Buildings.

Method 4a – Existing Buildings

Step (1) The *Measurement Period* is the duration of time over which all measurements in this Method will be taken and is twelve months.

The *Abatement period Ta* denotes a time period, after the Implementation Date, the duration of which is equal to the Measurement Period.

The *Baseline period Tb* denotes a time period, before the Implementation Date, the duration of which is equal to the Measurement Period.

Step (2) *Emissions Baseline EB_{Ta}* for the *Abatement Period Ta* (in kg CO₂-e / Common Unit) is calculated as

$$EB_{Ta} = GE_{Tb} * (GE_{Ta} / NE_{Ta}) / (GE_{Tb} / NE_{Tb}) - \text{for offices}$$

$$EB_{Ta} = GE_{Tb} * (PM_{Ta} / PM_{Tb}) - \text{for other building types}$$

Where:

The *Common Unit CU_{Tx}* in *Measurement Period Tx* is:

- For Offices: Area (m²) of rated floor area as assessed under NABERS Energy for Offices, based on Net Lettable Area, in *Measurement Period Tx*;
- For Hotels: Number of guest rooms as assessed under NABERS Energy for Hotels in *Measurement Period Tx*;

- For Shopping Centres: Area (m²) of the shopping centre as assessed under NABERS Energy for Shopping Centres, based on Gross Lettable Area, in *Measurement Period Tx*

The *Gross Emissions GE_{Tx}* is the gross emissions per common unit in *Measurement Period Tx* calculated using the relevant NABERS calculator with all electricity counted as grid electricity corrected to use the *Certificate Conversion Factor* instead of the NABERS default emission factor and with no discount for GreenPower and all other fuel uses included using the applicable NABERS default emissions factors.

The *Normalised Emissions NE_{Tx}* is the gross emissions per common unit in *Measurement Period Tx* calculated using the relevant NABERS Office calculator with all electricity counted as grid electricity corrected to use the *Certificate Conversion Factor* instead of the NABERS default emission factor and with no discount for GreenPower and all other fuel uses included using the applicable NABERS default emissions factors.

The *Predicted Mean Emissions PM_{Tx}* is the predicted mean emissions for the site from the NABERS Calculator with all electricity counted as grid electricity corrected to use the *Certificate Conversion Factor* instead of the NABERS default emission factor and all other fuel uses included using the applicable NABERS default emissions factors, using the input data relevant to *Measurement Period Tx*.

Step (3) Calculate the Energy Savings ES_{Ta} in MWh the *Abatement Period Ta* as:

$$ES_{Ta} = (EB_{Ta} - GE_{Ta}) / (1000 * \text{Certificate Conversion Factor})$$

Step (4) Set *Confidence Factor CF* = 0.95

Step (5) Calculate *Number of Certificates* (in t CO₂-e):

If Energy Savings ≥ 0 :

$$\text{Number of Certificates} = ES_{Ta} \cdot CU_{Ta} \cdot CF \cdot (\text{Certificate Conversion Factor})$$

or

If Energy Savings < 0 :

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

Method 4b New Buildings

Step (1) The *Measurement Period* is the duration of time over which all measurements in this Method will be taken and is twelve months.

The *Abatement period Ta* denotes a time period, after the Implementation Date, the duration of which is equal to the Measurement Period, and where each time period is mutually exclusive with each other such time period

Step (2) *Emissions Baseline EB_{Ta}* for the *Abatement Period Ta* (in kg CO₂-e / Common Unit) is

- For offices: $EB_{Ta} = NE_{\text{target}} * (GE_{Ta} / NE_{Ta}) * (GE_{Ta} / GED_{Ta})$

- For other building types: $EB_{Ta} = GE_{target}$

Where the *target* star rating is the higher of:

- NABERS 4 star; or
- The NABERS rating required for the building by a consent authority, as that term is defined in the *Environmental Planning and Assessment Act 1979*,

Where:

The *Common Unit* CU_{Tx} in *Measurement Period Tx* is:

- For Offices: Area (m²) of rated floor area as assessed under NABERS Energy for Offices, based on Net Lettable Area, in *Measurement Period Tx*;
- For Hotels: Number of guest rooms as assessed under NABERS Energy for Hotels in *Measurement Period Tx*;
- For Shopping Centres: Area (m²) of the shopping centre as assessed under NABERS Energy for Shopping Centres, based on Gross Lettable Area, in *Measurement Period Tx*

The *Gross Emissions* GE_{Tx} is the gross emissions per common unit in *Measurement Period Tx* calculated using the relevant NABERS calculator with all electricity counted as grid electricity corrected to use the *Certificate Conversion Factor* instead of the NABERS default emission factor and with no discount for GreenPower and all other fuel uses included using the applicable NABERS default emissions factors.

The *Gross Emissions (Default)* GED_{Tx} is the gross emissions per common unit in *Measurement Period Tx* calculated using the relevant NABERS calculator with all other fuel uses included using the applicable NABERS default emissions factors but with no discount for GreenPower and.

The *Normalised Emissions* NE_{Tx} is the normalised emissions per common unit in *Measurement Period Tx* calculated using the relevant NABERS Office calculator with all electricity counted as grid electricity corrected to use the *Certificate Conversion Factor* instead of the NABERS default emission factor and with no discount for GreenPower and all other fuel uses included using the applicable NABERS default emissions factors.

The *Normalised Emissions Default for “target” stars* NE_{target} is the threshold (highest normalised emissions per m²) for a “target” star rating for an office calculated using the relevant NABERS Office calculator with the applicable NABERS default emissions factors.

The *Gross Emissions for “target” stars* GE_{target} is the threshold (highest emissions per m²) for a “target” star rating for buildings other than offices, calculated using the relevant NABERS calculator with all electricity counted as grid electricity corrected to use the *Certificate Conversion Factor* instead of the NABERS default emission factor and with no discount for GreenPower and all other fuel uses included using the applicable NABERS default emissions factors.

Step (3) Calculate the Energy Savings ES_{Ta} in MWh the *Abatement Period Ta* as:

$$ES_{Ta} = (EB_{Ta} - GE_{Ta}) / (1000 * \text{Certificate Conversion Factor})$$

Step (4) Calculate *Number of Certificates* (in t CO₂-e):

If Energy Savings \geq 0:

$$\text{Number of Certificates} = ES_{Ta} \cdot CU_{Ta} \cdot (\text{Certificate Conversion Factor})$$

or

If Energy Savings $<$ 0:

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

- 8.8.2 For the purposes of section 131(4) of Division 7 of the Act, the Energy Savings in respect to the Number of Certificates as calculated in clause 8.8.1 are deemed to have occurred at the time that the relevant NABERS rating was completed (“Deemed Time”), provided that the rating was completed with three months of the end of the Measurement Period Tx for which energy savings is being claimed.

Note: Due to clause 8.8.2, an Accredited Certificate Provider may create Energy Savings Certificate within 6 months of the end of the year in which the Deemed Time occurred.

- 8.8.3 For the purposes of clause 8.8.2, the Scheme Administrator may in its discretion determine when a NABERS rating is considered to have been completed.

9 Deemed Energy Savings Method

Note: The Deemed Energy Savings Method can be used for the installation of common End-User Equipment such as refrigerators and certain electric motors. A program of installing multiple End-User Equipment of the same type is considered a single Recognised Energy Savings Activity.

The Deemed Energy Savings in Tables 1 to 15 in Schedule A take account of failures or removal of an item after the Implementation Date and before the end of its normal service life.

- 9.1 Using the Deemed Energy Savings Method, Number of Certificates is calculated under:
- clause 9.3, using Default Savings Factors;
 - clause 9.4, using the Commercial Lighting Energy Savings Formula;
 - clause 9.5, using the High Efficiency Motor Energy Savings Formula; or
 - clause 9.6, using the Power Factor Correction Energy Savings Formula;
- provided that all of the Energy Savings Certificates that the Accredited Certificate Provider seeks to create in respect of Recognised Energy Savings Activity can reasonably be attributed to the corresponding Energy Savings.
- 9.2 Where the Number of Certificates is calculated using the Deemed Energy Savings Method in this clause 9, the Energy Savings that is the subject of that calculation is deemed to have taken

place (for the purpose of the entitlement to create Certificates but not for any other purpose) on the later of:

- (a) 1 July 2009; and
- (b) the relevant Implementation Date

9.3 Default Savings Factors

Note: This default Deemed Energy Savings Method for Recognised Energy Savings Activities that involve the installation or supply of End-User Equipment types listed in Tables 1 to 8 of Schedule A. This includes the replacement of halogen down-lights with energy efficient alternatives; the sale or purchase of energy efficient clothes washers, dishwashers, fridges or freezers, retirement of old spare fridges and freezers, and installation of low flow shower roses.

The Number of Certificates may be calculated using **Equation 4**, provided that:

- (a) the End-User Equipment or activity is
 - (i) of a class of End-User Equipment or activity listed in Tables 4, 5, 6, 7, or 8; and
 - (ii) the Scheme Administrator is satisfied that the specific End-User Equipment meets the requirements for the relevant class of End-User Equipment or activity, or.
- (b) the End-User Equipment or activity is
 - (i) of a class of End-User Equipment or activity listed in Tables 1, 2 or 3; and
 - (ii) the Scheme Administrator is satisfied that for any activity involving the replacement of 50W ELV halogen lamps with another type of Lamp or Luminaire, each type of replacement Lamp or Luminaire shall have an initial light output of ≥ 500 lumens and minimum Lumen Maintenance of 80% as determined by testing using a method approved by the Scheme Administrator (note that in the case of replacements for 50W ELV halogen reflector Lamps, light output refers only to Downward Light); and
 - (iii) if the activity involves the modification or replacement of electrical wiring, the activity is performed by an electrician.

Equation 4

$$\text{Number of Certificates} = \text{Number of End-User Equipment or activities} \times \text{Default Savings Factor} \times \text{Installation Discount Factor} \times \text{Certificate Conversion Factor}$$

Where:

- *Number of Certificates* is in t CO₂-e
- *Number of End-User Equipment or activities* is the quantity of a certain type of End-User Equipment that has been installed or activities that have been undertaken
- *Default Savings Factor* is the Default Energy Savings Factor corresponding to that type of End-User Equipment or activity in **Table 1 to 8** 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 End-User Equipment may not be installed,

and is:

- 1.0, if the Scheme Administrator is satisfied that the End-User Equipment has 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 purchased and has taken possession of the End-User Equipment for the purposes of being installed, but does not have sufficient evidence to be satisfied that the End-User Equipment has been installed the Installation Discount Factor is the Sales Discount Factor for the activity set out in Tables 1 to 8; or
- 0.0, if the Scheme Administrator is satisfied that the End-User Equipment was provided free of charge, but does not have sufficient evidence to be satisfied that the End-User Equipment has been installed; or
- another value approved by the Scheme Administrator.
- An *Installation Discount Factor* value approved by the Scheme Administrator for the above purpose applies in the circumstances specified by the Scheme Administrator; and may be submitted by an applicant or Accredited Certificate Provider, or determined and imposed by the Scheme Administrator of its own volition.
- In this Equation, a reference to the risk of End-User Equipment not being installed means the risk of the item not being installed either at all or for the End-User Equipment to be installed in New South Wales, not installed in New South Wales or for the End-User Equipment to be installed in another jurisdiction under an *Approved Corresponding Scheme*, not installed in that jurisdiction.

9.4 Commercial Lighting Energy Savings Formula

Notes: This default Deemed Energy Savings Method is for Recognised Energy Savings Activities that only involve Energy Savings attributable to commercial lighting upgrades.

This method cannot be used in conjunction with the Project Impact Assessment or the Metered Baseline Method. As outlined in the Act, Energy Savings Certificates cannot be created for the same activity more than once.

For example, if End-User Equipment is the subject of a Recognised Energy Savings Activity under the Metered Baseline Method which results in Energy Savings due to a commercial lighting upgrade, Energy Savings Certificates can only be calculated using the Metered Baseline Method.

Accredited Certificate Providers will not have to manually calculate the Number of Certificates using the below Equations. These Equations and the default inputs in Tables 9 and 10 will be incorporated into an electronic Commercial Lighting Calculation Tool which will be made available on a public website. This Commercial Lighting Calculation Tool will enable the simple calculation of the Number of Certificates from Energy Savings.

The Number of Certificates may be calculated using **Equations 5, 6, 9** and either **Equations 7 or 8** as appropriate, provided that the End-User Equipment or activity is listed in Table 9.

Equation 5

Number of Certificates = Energy Savings x Certificate Conversion Factor

Where:

- *Number of Certificates* is in t CO₂-e
- *Energy Savings* is in MWh, and is calculated using **Equation 6**

Equation 6

Energy Savings = *Baseline Energy Consumption* - *Upgrade Energy Consumption*

Where:

- *Baseline Energy Consumption* is in MWh, and is calculated using **Equation 7**, if the lighting upgrade is part of a site refurbishment that is not required to comply with the Building Code of Australia Part J6, or using **Equation 8** if the lighting upgrade is part of a refurbishment that is required to comply with the Building Code of Australia Part J6
- *Upgrade Energy Consumption* is in MWh, and is calculated using **Equation 9**

Equation 7

Baseline Energy Consumption (MWh) =

$$\sum_{\text{Each Incumbent Lamp}} \left(LCP \times \text{Asset Lifetime} \times \text{Annual Operating Hours} \times CM \times AM \right) \div 10^6$$

Where:

- *Each Incumbent Lamp* means each lamp and control gear in the pre-existing lighting system.
- *LCP* is the default lamp circuit power (Watts) Factor corresponding to that Type of Lamp and Control Gear for that End-User Equipment or activity as in **Table 9** of Schedule A to this Rule, representing the power drawn by the lamp, plus the losses of its control gear (which are pro-rata if the control gear supplies multiple lamps).
- *Asset Lifetime* is the default lifetime of the lighting upgrade in years for the relevant End-User Equipment or activity as in **Table 10** of Schedule A to this Rule,
- *Annual Operating Hours* is the default number of hours per annum that the upgraded lighting system is expected to operate for the relevant End-User Equipment or activity as in **Table 10** of Schedule A to this Rule.
- *CM* is the control multiplier. If the lamp is connected to a control system, the factor for the control multiplier shall be applied for the relevant End-User Equipment or activity as in **Table 10** of Schedule A to this Rule, otherwise CM = 1.0.
- *AM* is the air conditioning multiplier. If the lamp is installed in an air-conditioned space, a multiplier of 1.3 shall be applied, otherwise AM = 1.0.

Equation 8

Baseline Energy Consumption (MWh)=

$$\sum_{\text{Each Space}} (IPD \times Area \times Asset Lifetime \times Annual Operating Hours \times CM \times AM) \div 10^6$$

Where:

- *Each Space* means each portion of space within the site requiring a different illumination power density (IPD) as defined in Part J6 of the Building Code of Australia.
- *IPD* is the maximum allowable illumination power density for each space (in Watts/m²), as required by Table J6.2b of the Building Code of Australia. For simplicity, the Scheme Administrator may aggregate similar IPDs in the Commercial Lighting Energy Savings Formula. The IPD should not be adjusted by the adjustment factors tabled in Table 6.2c of the Building Code of Australia.
- *Area* is the area of Each Space in m².
- *Asset Lifetime* is the default lifetime of the lighting upgrade in years for the relevant End-User Equipment or activity as in **Table 10** of Schedule A to this Rule.
- *Annual Operating Hours* is the default number of hours per annum that the upgraded lighting system is expected to operate for the relevant End-User Equipment or activity as in **Table 10** of Schedule A to this Rule.
- *CM* is the control multiplier. If the lamp is connected to a control system, the factor for the control multiplier shall be applied for the relevant End-User Equipment or activity as in **Table 10** of Schedule A to this Rule, otherwise CM = 1.0.
- *AM* is the air conditioning multiplier. If the lamp is installed in an air-conditioned space, a multiplier of 1.3 shall be applied, otherwise AM = 1.0.

Equation 9

Upgrade Energy Consumption (MWh) =

$$\sum_{\text{Each Upgrade Lamp}} (LCP \times Asset Lifetime \times Annual Operating Hours \times CM \times AM) \div 10^6$$

Where:

- *Each Upgrade Lamp* means each lamp and control gear in the upgraded lighting system.
- *LCP* is the default lamp circuit power (Watts) Factor corresponding to that Type of Lamp and Control Gear for that End-User Equipment or activity as in **Table 9** of Schedule A to this Rule, representing the power drawn by the lamp, plus the losses of its control gear (which are pro-rata if the control gear supplies multiple lamps).
- *Asset Lifetime* is the default the lifetime of the lighting upgrade in years for the

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relevant End-User Equipment or activity as in **Table 10** of Schedule A to this Rule.

- *Annual Operating Hours* is the default the number of hours per annum that the upgraded lighting system is expected to operate for the relevant End-User Equipment or activity as in **Table 10** of Schedule A to this Rule.
- *CM* is the control multiplier. If the lamp is connected to a control system, the factor for the control multiplier shall be applied for the relevant End-User Equipment or activity as in **Table 10** of Schedule A to this Rule, otherwise $CM = 1.0$.

AM is the air conditioning multiplier. If the lamp is installed in an air-conditioned space, a multiplier of 1.3 shall be applied, otherwise $AM = 1.0$.

9.5 High Efficiency Motor Energy Savings Formula

Note: This default Deemed Energy Savings Method is for Recognised Energy Savings Activities that only involve Energy Savings attributable to the sale or installation of one or more High Efficiency Motors.

This method can not be used in conjunction with the Project Impact Assessment or the Metered Baseline Method. As outlined in the Act, Energy Savings Certificates cannot be created for the same activity more than once. For example, if an End-User Equipment is the subject of a Recognised Energy Savings Activity under the Metered Baseline Method, which results in Energy Savings due to a commercial lighting upgrade, Energy Savings Certificates can only calculated using the Metered Baseline Method.

The Number of Certificates may be calculated using **Equation 10** and **Equation 11**, provided that the motor is a High Efficiency Motor.

Equation 10

Number of Certificates = Energy Savings x Certificate Conversion Factor

Where:

- *Number of Certificates* is in t CO₂-e
- *Energy Savings* is in MWh, and is calculated using **Equation 11**

Equation 11

Energy Savings = $P \times LUF \times DEI \times t \times 8766 \div 1000$

Where:

- *P* is the rated output of the High Efficiency Motor (kW)
- *LUF* is the combined load and utilisation factors (including confidence factors) for the relevant High Efficiency Motor as in **Table 12** or **Table 13** of Schedule A to this Rule
- *DEI* is the default efficiency improvement (as a fraction, not as a percentage) for the relevant High Efficiency Motor as in **Table 11** of Schedule A to this Rule
- *t* is the lifetime of the High Efficiency Motor (years) as set out in **Table 14** for the corresponding Rated Output of the High Efficiency Motor.

9.6 Power Factor Correction Energy Savings Formula

Note: This default Deemed Energy Savings Method is for Recognised Energy Savings Activities that only involve Energy Savings attributable to the reduced losses from the installation of Power Factor Correction (PFC) equipment.

The Electricity Service and Installation Rules of NSW require the power factor of a site to be a minimum of 0.9 lagging. As such, certificates can be generated only by the implementation of PFC which increases the power factor of a site above 0.9 to a maximum of 0.98.

The Number of Certificates created through the implementation of power factor correction at a site may be calculated using **Equation 12 and Equation 13**.

Equation 12

Number of Certificates = Energy Savings x Certificate Conversion Factor

Where:

- *Number of Certificates* is in t CO₂-e
- *Energy Savings* are the savings in MWh occurring over the default lifetime of the PFC equipment calculated using **Equation 14**

Equation 13

$$\text{Energy Savings} = (0.1205 \times (1.2346 - (1/(\text{Power Factor after installation of PFC capacitors})^2) - 0.0042) \times (\text{Rating of installed capacitors}))$$

Where:

- *Energy Savings* is in MWh per annum
- *Rating of Installed PFC Capacitors* is in kVAr and is rating of capacitors (PFC) installed to improve the power factor of the Site from 0.9 up to a maximum of 0.98 provided PFC is:
 - Not being installed as part of a mandatory program or installation
 - A central or global based PFC installation
 - A new installation
 - Installed on the low voltage distribution network
 - Not a replacement of old equipment
- *Default lifetime* of equipment is 10 years
- *Power Factor after installation of PFC capacitors* is the calculated power factor based on the measured maximum demand of the installation (kW) and the reactive power still required to bring the power factor of the installation to unity after installation of the PFC capacitors.

Note: The Default Lifetime for which Energy Savings may be claimed commences from the date the PFC equipment is installed. For example, where an application concerning a PFC installation is lodged 2 years after the PFC equipment was installed, only 8 years of Energy Savings may be claimed.

10 Definitions and Interpretation

10.1 In this Rule:

“**Accredited Certificate Provider**” means a person accredited to create Energy Savings Certificates under clause 5 of this Rule.

“**Act**” means the *Electricity Supply Act 1995*.

“**Approved Corresponding Scheme**” means and Approved Corresponding Scheme as defined in section 127 of the Act.

“**AS/NZS 1359.5-2004**” means the Standard set out in the most recent published version of the *Australian Standard 1359 - Rotating electrical machines—General requirements, Part 5 - Three-phase cage induction motors—High efficiency and minimum energy performance standards requirements*, as amended from time to time.

“**Ballast EEP**” means the ballast energy efficiency index as defined in AS/NZS 4783.2

“**CCFL**” means a cold cathode compact fluorescent lamp.

“**Certificate Conversion Factor**” is defined in section 130 of the Act.

“**CFL**” means compact fluorescent lamp.

“**CFLi**”: means a compact fluorescent lamp with integral ballast.

“**CFLn**” means a compact fluorescent lamp with non-integral ballast.

“**CMH:**” means a ceramic metal halide lamp.

“**Control Gear**” means the lighting ballast or transformer.

“**Control System**” means a system for controlling the light output of a Luminaire, including:

- (a) occupancy sensor;
- (b) daylight-linked control;
- (c) programmable dimming; and
- (d) manual dimming.

“**Daylight-Linked Control**” means Luminaire light output varied automatically by a photoelectric cell to compensate for the availability of daylight. Luminaire must be located close to a significant source of daylight.

“**Default Load Utilisation Factor**” is a composite of a deemed load factor and a deemed utilisation factor for HEMs, as set out in Table 12 or Table 13 of this Rule.

“**Distribution System**” means a “distribution system” (as that term is defined in the National Electricity Law) in respect of which a person is registered as a “Network Service Provider” under the National Electricity Law.

“**Downward light**” means the light output (measured in lumens) emitted in the downwards direction; i.e. this is equivalent to the light output from a Lamp or Luminaire when installed flush with a ceiling.

“**DSF**” means Default Savings Factor, as per clause 9.3 of this Rule

“**EI**” means the ballast energy efficiency index as defined in AS/NZS 4783.2

“**ELV**” means extra low voltage, typically not exceeding 50 V AC.

“**End-User Equipment**” means electricity consuming equipment, processes, or systems, including the equipment directly consuming electricity, and other equipment that causes, controls or influences the consumption of electricity, and includes (in the context of clause 8.8) a New NABERS Building.

“**Energy Savings**” means the amount of electricity consumption reduction arising from the undertaking of a Recognised Energy Savings Activity as calculated by the approved calculation method in clauses 7, 8 or 9 of this Rule.

“**Energy Savings Certificate**” is a transferable Certificate under part 9 of the Act, which is created in accordance with this Rule.

“**Energy Star Rating**” means an Energy Star Rating as defined in:

- (a) the standard set out in the most recent published version of the *Australian Standard AS/NZS 4474.2-2009* for refrigerators and freezers;
- (b) the standard set out in the most recent published version of the *Australian Standard AS/NZS2040.2-2005* for clothes washers; or
- (c) the standard set out in the most recent published version of the *Australian Standard AS/NZS2007.2-2005* for dishwashers.

“**Existing NABERS Building**” means an NABERS Building which was first occupied prior 1 July 2009.

“**Group**” in the context of Table 8 in Schedule A of this Rule, means a class of refrigerator or freezer as defined in AS/NZS 4474.1-2007.

“**High Efficiency Motor**” (HEM) is an electric motor meeting the high efficiency requirements of AS/NZS 1359.5 (0.73 to <185kW).

“**HPS**” means a high pressure sodium lamp.

“**Implementation Date**” means the date on which the Energy Savings from the Recognised Energy Savings Activity commences or occurs. In the case of a single Recognised Energy Savings Activity that involves multiple End-User Equipment or occurs across multiple Sites, it means the date on which the Energy Savings resulting from the first End-User Equipment at the first Site commences or the Energy Savings at the first Site occurs. And in relation to any particular End-User Equipment forming part of a Recognised Energy Savings Activity where the Number of Certificates is calculated using the Deemed Energy Savings Method, the following date (as relevant):

- (a) in the case of an Installation Discount Factor of 1.0, the date on which the End-User Equipment was installed;

-
- (b) in the case of an Installation Discount Factor of less than 1.0, the date on which the End-User Equipment is sold to or otherwise received by an end-user who intends to install it or ensure that it is installed.

“**IPD**” means the illumination power density as defined in the Building Code of Australia part J6.

“**Lamp**” means the source of artificial optical radiation.

“**Lamp Life**” means the lifetime of the lamp, expressed in hours, as determined by testing using a method approved by the Scheme Administrator.

“**LCP**” means lamp circuit power. The power drawn by a single lamp and its associated Control Gear. Control Gear losses are pro-rata if the control gear supplies multiple lamps.

“**LED**” means light emitting diode.

“**LUF**” means Default Load Utilisation Factor

“**Lumen maintenance**” means the ratio of maintained light output (measured after 2000 hours of operation) to initial light output (measured after 100 hours of operation). Note that in the case of replacements for 50W ELV halogen reflector lamps, light output refers only to Downward Light.

“**Luminaire**” means the apparatus which distributes, filters or transforms the light transmitted from a light source, including lamp(s), control gear and all components necessary for fixing and protecting the lamps.

“**Luminous Flux**” means the light power emitted by a source, as defined by the International Commission on Illumination (CIE).

“**Manual Dimming**” means Luminaire light output controlled by a knob, slider or other mechanism or where pre-selected light levels (scenes) are manually selected.

“**NABERS**” means the National Australian Built Environment Rating System methodology.

“**NABERS Building**” means a building that can be rated under NABERS, as determined by the NABERS National Administrator.

“**NABERS Rating Holder**” means the person who is the customer in respect of the rating for a NABERS Building as determined by the NABERS National Administrator.

“**New End-User Equipment**” means End-User Equipment where no End-User Equipment 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 existing End-User Equipment), but (in the context of clause 8.8) does not include a New NABERS Building.

“**New NABERS Building**” means an NABERS Building which was first occupied on or after 1 July 2009.

“**Nominal Lamp Power**” means the manufacturer’s rated value for power drawn by a single lamp

“**NLP**” means nominal lamp power.

“**NSW Electricity Network**” means all electricity Transmission Systems and Distribution Systems located in New South Wales.

“Number of Certificates” means the number of Energy Savings Certificates to be created by an Accredited Certificate Provider for Energy Savings calculated in accordance with the methods sets out in clause 7, 8 or 9 (as the case may be).

“Occupancy sensor” means Luminaires switched on and off by a motion sensor that detects the presence of occupants. Each occupancy sensor to must control a maximum of 6 Luminaires.

“Programmable Dimming” means Luminaire light output controlled by pre-selected light levels (scenes) which are automatically selected according to time of day, photoelectric cell or occupancy sensor. Scenes must reduce lighting power.

“Project Impact Assessment Method” means the method in clause 7

“REC” means a renewable energy certificate as defined in s 97AB of the Act.

“Recognised Energy Savings Activity” has the meaning given to that term in clause 5.3 and excludes the activities listed in clause 5.4.

“Regulations” means regulations made pursuant to Part 9 of the Act.

“Scheme Administrator” is defined in Part 9 Division 11 of the Act.

“Site” means all End-User Equipment for which the electricity consumed 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 Energy Savings. In this case, the Site would become only that part of the End-User Equipment 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.

“Statutory Requirement” means any mandatory legal requirement imposed through a statutory or regulatory instrument of any originating jurisdiction, including but not limited to compliance with BASIX and Building Code of Australia requirements.

“T5 Adaptor” is a kit that will modify a T8 or T12 Luminaire to suit a T5 lamp without the need for internal re-wiring of the Luminaire.

“Transmission System” is a “transmission system” (as that term is defined in the National Electricity Law) in respect of which a person is registered as a “Network Service Provider” under the National Electricity Law.

“VRU”: means voltage reduction unit, used to reduce voltage to a lighting system.

“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.

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- 10.2 Notes in this Rule do not form part of the Rule.
- 10.3 In the event that the Number of Certificates is not a whole number, the Number of Certificates is taken to be rounded down to a whole number.
- 10.4 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 9 of the Act, except the terms that are expressly defined in this Rule.
- 10.5 A reference to accreditation in respect of a Recognised Energy Savings Activity means accreditation in respect of Energy Savings from that Recognised Energy Savings Activity.
- 10.6 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.

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Schedule A – Default Savings Factors and supporting information

Table 1: Replacement of 50W ELV halogen lamp with 35W halogen lamp

| Activity | Lamp Life of Replacement Lamp (hours) | DSF (MWh) | Sales Discount Factor |
|---|---------------------------------------|-----------|-----------------------|
| Replacement of 50W ELV halogen lamp with 35W ELV halogen lamp | 4000 | 0.07 | 0.8 |
| | 5000 | 0.09 | 0.8 |
| | 6000 | 0.11 | 0.8 |
| | 10000 | 0.17 | 0.8 |

Table 2: Replacement of 50W ELV halogen lamp and magnetic transformer with 35W ELV halogen lamp and electronic transformer

| Activity | Lamp Life of Replacement Lamp (hours) | DSF (MWh) | Sales Discount Factor |
|---|---------------------------------------|-----------|-----------------------|
| Replacement of 50W ELV halogen lamp and magnetic transformer with 35W ELV halogen lamp and electronic transformer – Residential | 4000 | 0.15 | 0.8 |
| | 5000 | 0.17 | 0.8 |
| | 6000 | 0.18 | 0.8 |
| | 10000 | 0.25 | 0.8 |
| Replacement of 50W ELV halogen lamp and magnetic transformer with 35W ELV halogen lamp and electronic transformer – Commercial | 4000 | 0.33 | 0.8 |
| | 5000 | 0.34 | 0.8 |
| | 6000 | 0.36 | 0.8 |
| | 10000 | 0.42 | 0.8 |

Table 3: Replacement of 50W a halogen lamp and transformer with CFL, CCFL, LED or CMH lamp with lifetime $\geq 10,000$ hours

| Activity | Total Power Drawn by Replacement Lamp and any Connected Control Gear (Watts) | DSF (MWh) | Sales Discount Factor - |
|--|--|-----------|-------------------------|
| Replacement of a 50W halogen ELV lamp and transformer with a CFL, CCFL, LED or CMH, which has a Lamp Life of $\geq 10,000$ hours | ≤ 10 | 0.50 | 0.9 |
| | 11 to 15 | 0.45 | 0.9 |
| | 16 to 20 | 0.40 | 0.9 |
| | 21 to 25 | 0.35 | 0.9 |
| | 26 to 30 | 0.30 | 0.9 |

Table 4: Shower rose replacement

| Activity | DSF (MWh) | Sales Discount Factor |
|---|-----------|-----------------------|
| Replace an existing unrated shower rose or an existing shower rose with a rating < 3 Star WELS Rating with an ultra low flow shower rose (3 Star WELS Rating with a nominal flow rate of ≤ 6 litres/minute), and where the hot water system to which it is connected is an electric resistance water heater. | 3.3 | 0.4 |
| Replace an existing unrated shower rose or an existing shower rose with a rating < 3 Star WELS Rating with a low flow shower rose (3 Star WELS Rating with a nominal flow rate > 6 litres/minute), and where the hot water system to which it is connected is an electric resistance | 2.0 | 0.4 |

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|---------------|--|--|
| water heater. | | |
|---------------|--|--|

Table 5: Purchase of new high efficiency Clothes Washers

| Activity | Energy Star Rating of New Clothes Washer | DSF (MWh) | Sales Discount Factor |
|---|--|-----------|-----------------------|
| Purchase of a new Top Loader Clothes Washer | 3.0 | 0.8 | 1.0 |
| | 3.5 | 1.2 | 1.0 |
| | 4.0 | 1.5 | 1.0 |
| | 4.5 | 1.8 | 1.0 |
| | 5.0 | 2.0 | 1.0 |
| | 5.5 | 2.2 | 1.0 |
| | ≥ 6.0 | 2.4 | 1.0 |
| Purchase of a new Front Loader Clothes Washer | 4.5 | 1.9 | 1.0 |
| | 5.0 | 2.1 | 1.0 |
| | 5.5 | 2.3 | 1.0 |
| | ≥ 6.0 | 2.4 | 1.0 |

Table 6: Purchase of a new high efficiency Dishwasher

| Activity | Energy Star Rating of New Dishwasher | DSF (MWh) | Sales Discount Factor |
|--|--------------------------------------|-----------|-----------------------|
| Purchase of a high efficiency Dishwasher with 4 – 7.99 place settings | 4.0 | 0.1 | 1.0 |
| | 4.5 | 0.2 | 1.0 |
| | 5.0 | 0.3 | 1.0 |
| | ≥ 5.5 | 0.4 | 1.0 |
| Purchase of a high efficiency Dishwasher with 8 - 11.99 place settings | 3.5 | 0.3 | 1.0 |
| | 4.0 | 0.5 | 1.0 |
| | 4.5 | 0.7 | 1.0 |
| | 5.0 | 0.8 | 1.0 |
| | ≥ 5.5 | 1.0 | 1.0 |
| Purchase of a high efficiency Dishwasher with > 12 place settings | 3.5 | 0.4 | 1.0 |
| | 4.0 | 0.7 | 1.0 |
| | 4.5 | 0.9 | 1.0 |
| | 5.0 | 1.2 | 1.0 |
| | ≥ 5.5 | 1.3 | 1.0 |

Table 7: Destruction of refrigerator or freezer built before 1996

| Activity | Type of Appliance Removed | DSF (MWh) | Sales Discount Factor |
|---|---------------------------|-----------|-----------------------|
| Permanent removal of spare refrigerator that is built before 1996, 200 litres or greater in gross volume, in working order and in regular use but not providing the primary refrigeration service of a household, on removal, for disposal and destruction, with appropriate disposal of refrigerant. | 1-door refrigerator | 4.5 | 1.0 |
| | 2-door refrigerator | 6.5 | 1.0 |
| Permanent removal of spare freezer that is built before 1996, 200 litres or greater in gross volume, in working order and in regular use but not providing the primary refrigeration service of a household, on removal, for disposal and destruction, with appropriate disposal of refrigerant. | Chest | 3.3 | 1.0 |
| | Vertical | 5.2 | 1.0 |
| Permanent removal of Primary operating refrigerator built before 1996, greater than 200 Litres in capacity and replacement with Higher Efficiency refrigerator | 1-door refrigerator | 2.2 | 1.0 |
| | 2-door refrigerator | 3.4 | 1.0 |
| Permanent removal of Primary operating freezer built before 1996, and replacement with Higher Efficiency freezer | Chest | 1.4 | 1.0 |
| | Vertical | 3.0 | 1.0 |

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Table 8: Purchase of new high efficiency refrigerator or freezer

| Activity | Energy Star Rating of new refrigerator or freezer | DSF (MWh) | Sales Discount Factor |
|--|---|-----------|-----------------------|
| Purchase of high efficiency refrigerator 1 door (Group 1) with a capacity of 299 litres or less | 6.5 | 0.3 | 1.0 |
| | ≥ 7.0 | 0.5 | 1.0 |
| Purchase of high efficiency refrigerator 1 door (Group 1) with a capacity 300 litres or more | 6.5 | 0.4 | 1.0 |
| | ≥ 7.0 | 0.6 | 1.0 |
| Purchase of new high efficiency refrigerator - 2 door (Groups 4, 5T, 5B, 5S) with a capacity of 299 litres or less | 4.5 | 0.3 | 1.0 |
| | 5.0 | 0.7 | 1.0 |
| | 5.5 | 1.0 | 1.0 |
| | 6.0 | 1.2 | 1.0 |
| | 6.5 | 1.5 | 1.0 |
| Purchase of new high efficiency refrigerator - 2 door (Groups 4, 5T, 5B, 5S) with a capacity of between 300-499 litres | 4.5 | 0.4 | 1.0 |
| | 5.0 | 0.9 | 1.0 |
| | 5.5 | 1.3 | 1.0 |
| | 6.0 | 1.7 | 1.0 |
| | 6.5 | 2.0 | 1.0 |
| Purchase of new high efficiency refrigerator - 2 door (Groups 4, 5T, 5B, 5S) with a capacity of 500 litres or more | 4.5 | 0.5 | 1.0 |
| | 5.0 | 1.1 | 1.0 |
| | 5.5 | 1.7 | 1.0 |
| | 6.0 | 2.1 | 1.0 |
| | 6.5 | 2.5 | 1.0 |
| Purchase of high efficiency chest freezer (Group 6C) with a capacity of -299 litres or less | 3.5 | 0.7 | 1.0 |
| | 4.0 | 1.2 | 1.0 |
| | 4.5 | 1.7 | 1.0 |
| | 5.0 | 2.1 | 1.0 |
| | 5.5 | 2.5 | 1.0 |
| | 6.0 | 2.8 | 1.0 |
| | 6.5 | 3.1 | 1.0 |
| | ≥ 7.0 | 3.4 | 1.0 |
| Purchase of high efficiency chest freezer (Group 6C) with a capacity of \ between 300-499 litres | 3.5 | 1.0 | 1.0 |
| | 4.0 | 1.8 | 1.0 |
| | 4.5 | 2.5 | 1.0 |
| | 5.0 | 3.2 | 1.0 |
| | 5.5 | 3.7 | 1.0 |
| | 6.0 | 4.2 | 1.0 |
| | 6.5 | 4.6 | 1.0 |
| ≥ 7.0 | 5.0 | 1.0 | |
| Purchase of high efficiency chest freezer (Group 6C) with a capacity of 500 litres or more | 3.5 | 1.3 | 1.0 |
| | 4.0 | 2.3 | 1.0 |
| | 4.5 | 3.2 | 1.0 |
| | 5.0 | 3.9 | 1.0 |
| | 5.5 | 4.6 | 1.0 |
| | 6.0 | 5.2 | 1.0 |
| | 6.5 | 5.7 | 1.0 |
| ≥ 7.0 | 6.2 | 1.0 | |

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|---|-------|-----|-----|
| Purchase of high efficiency vertical freezer (Group 6U & 7) with a capacity of 299 litres or less | 4.5 | 0.4 | 1.0 |
| | 5.0 | 0.9 | 1.0 |
| | 5.5 | 1.3 | 1.0 |
| | 6.0 | 1.6 | 1.0 |
| | 6.5 | 1.9 | 1.0 |
| | ≥ 7.0 | 2.1 | 1.0 |
| Purchase of high efficiency vertical freezer (Group 6U & 7) with a capacity of between 300-499 litres | 4.5 | 0.6 | 1.0 |
| | 5.0 | 1.3 | 1.0 |
| | 5.5 | 1.8 | 1.0 |
| | 6.0 | 2.3 | 1.0 |
| | 6.5 | 2.7 | 1.0 |
| | ≥ 7.0 | 3.1 | 1.0 |
| Purchase of high efficiency vertical freezer (Group 6U & 7) with a capacity of 500 litres or more | 4.5 | 0.8 | 1.0 |
| | 5.0 | 1.6 | 1.0 |
| | 5.5 | 2.3 | 1.0 |
| | 6.0 | 2.8 | 1.0 |
| | 6.5 | 3.4 | 1.0 |
| | ≥ 7.0 | 3.8 | 1.0 |

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Table 9: Default LCP for Commercial Lighting Energy Savings Formula

| LCP | | | | | | | | |
|---|--|------------------|------------------|------------------|---------|---------|----------|----------|
| Type of Lamp and Control Gear | LCP (Watts) | | | | | | | |
| Linear fluorescent, circular fluorescent and CFLn | Ballast EEI: | A1 | A2 | A3 | B1 | B2 | C | D |
| | T8 and T12 Lamps | NLP + 2 | NLP | NLP + 2 | NLP + 6 | NLP + 8 | NLP + 10 | NLP + 12 |
| | T5 Lamps | 1.13 x NLP + 2.5 | 1.08 x NLP + 1.5 | 1.13 x NLP + 2.5 | N/A | N/A | N/A | N/A |
| | CFLn Lamps | NLP + 3 | NLP + 1 | NLP + 3 | NLP + 5 | NLP + 7 | NLP + 9 | NLP + 11 |
| Where NLP = nominal lamp power | | | | | | | | |
| CFLi | NLP | | | | | | | |
| Tungsten incandescent and tungsten halogen (mains voltage) | NLP | | | | | | | |
| Tungsten incandescent and tungsten halogen (extra low voltage) | Where connected to magnetic transformer, $NLP \div 80\%$. Where connected to electronic transformer, $NLP \div 93\%$. | | | | | | | |
| Metal halide with magnetic ballast (reactor type) | $1.0456 \times NLP + 14$ | | | | | | | |
| Metal halide with magnetic ballast (constant wattage type) | $1.071 \times NLP + 22$ | | | | | | | |
| Metal halide with electronic ballast | $1.096 \times NLP + 0.9$ | | | | | | | |
| Mercury vapour with magnetic ballast | $1.033 \times NLP + 11$ | | | | | | | |
| High pressure sodium (HPS) with magnetic ballast | $1.051 \times NLP + 13$ | | | | | | | |
| Traffic signals | From Traffic Light Load Table published by IPART or relevant regulator. Note that, unlike other lamps, an entire traffic signal unit is used as the basis for calculation, rather than individual lamps. | | | | | | | |
| LED, induction lighting or other Emerging Technology | Proponent shall apply to the scheme administrator in advance for LCP value, and supply product specification sheets or laboratory test reports. Control gear losses shall be included in the LCP. | | | | | | | |
| <p>Notes:</p> <p>If the EEI is not marked on a magnetic ballast, it is assumed to be C. If the EEI is not marked on an electronic ballast, it is assumed to be A3.</p> <p>Evidence of LCP should take the form of manufacturer specification sheets or independent testing at the discretion of the scheme administrator.</p> <p>Different LCP values, to those outlined in this table, can be sought from the administrator <u>in advance</u>, accompanied by product specification sheets or test reports.</p> | | | | | | | | |

Table 10: Default Operating Factors for Commercial Lighting Energy Savings Formula

| Default Lighting Operating Factors |
|------------------------------------|
|------------------------------------|

Energy Saving Rule of 2009
Effective from 1 July 2009

| Field | | Value | Notes |
|---|--|--|--|
| Illumination power density = IPD | | Maximum allowable illumination power density for each space, as required by Table J6.2b of the Building Code of Australia. | |
| Asset Lifetime | If the following are replaced: • Luminaire , or • control gear, or • lamp and control gear | Road lighting: 12 years Other lighting: 10 years | If the replacement lamp can be easily replaced with a higher power lamp, the asset lifetimes of lamp and control gear may be treated separately. |
| | If only lamp is replaced | Nominal lamp lifetime ÷ Annual Operating Hours | |
| | If T5 adaptor used | 1.5 x nominal lamp lifetime ÷ Annual Operating Hours | |
| Annual Operating Hours | | Road lighting: 4,500 hours p.a. Other lighting: 3,000 hours p.a. | If sites have longer annual operating hours, proponent can request a higher value from the scheme administrator (in advance). |
| Control Multiplier = CM | | No control system: 1.0 Occupancy sensor: 0.7 Daylight-linked control: 0.7 Programmable dimming: 0.85 Manual dimming: 0.9 VRU: as verified with the scheme administrator | Maximum of 2 control multipliers can be used, multiplied together, resulting in minimum product of 0.6. |
| Air Conditioning Multiplier = AM | | 1.0 if not air conditioned, 1.3 if air conditioned. | |

Table 11: Default Efficiency Improvements for High Efficiency Motors

| Rated output (kW) | DEI by number of Poles | | | |
|-------------------|------------------------|--------|--------|--------|
| | 2 pole | 4 pole | 6 pole | 8 pole |
| 0.73 to ≤ 2.6 | 0.033 | 0.030 | 0.039 | 0.047 |
| 2.6 to ≤ 9.2 | 0.021 | 0.020 | 0.024 | 0.027 |
| 9.2 to ≤ 41 | 0.014 | 0.014 | 0.016 | 0.017 |
| 41 to ≤ 100 | 0.010 | 0.009 | 0.010 | 0.010 |
| 100 to < 180 | 0.008 | 0.007 | 0.008 | 0.008 |

Energy Saving Rule of 2009
Effective from 1 July 2009

Table 12: Default Load Utilisation Factor for High Efficiency Motors – Where End-User Equipment Industry and End-use are known

| Load Utilisation Factor | Refrigeration | Pumping | Compressed Air | Fans | Process Drives | Mill / Refining / Mix / Grind | Material Handling/ conveying |
|--|---------------|---------|----------------|------|----------------|-------------------------------|------------------------------|
| Division A Agriculture, Forestry and Fishing | 0.14 | 0.32 | 0.27 | 0.28 | 0.32 | 0.2 | 0.2 |
| Division B Mining | 0.09 | 0.36 | 0.32 | 0.41 | 0.32 | 0.32 | 0.28 |
| Division C Manufacturing | 0.28 | 0.32 | 0.27 | 0.32 | 0.27 | 0.24 | 0.28 |
| Division D Electricity, Gas, Water and Waste Services | 0.11 | 0.32 | 0.24 | 0.28 | 0.28 | 0.12 | 0.17 |
| Division E Construction | 0.09 | 0.24 | 0.15 | 0.15 | 0.17 | 0.14 | 0.2 |
| Division F Wholesale Trade | 0.2 | 0.14 | 0.07 | 0.13 | 0.13 | 0.03 | 0.11 |
| Division G Retail Trade | 0.17 | 0.09 | 0.07 | 0.13 | 0.13 | 0.03 | 0.07 |
| Division H Accommodation and Food Services | 0.24 | 0.11 | 0.04 | 0.14 | 0.13 | 0.09 | 0.11 |
| Division I Transport, Postal and Warehousing | 0.17 | 0.11 | 0.08 | 0.13 | 0.17 | 0.03 | 0.16 |
| Division J Information Media and Telecommunications | 0.11 | 0.09 | 0.04 | 0.1 | 0.11 | 0.03 | 0.03 |
| Division K Financial and Insurance Services | 0.09 | 0.05 | 0.04 | 0.06 | 0.06 | 0.03 | 0.03 |
| Division L Rental, Hiring and Real Estate Services | 0.09 | 0.05 | 0.04 | 0.06 | 0.06 | 0.03 | 0.03 |
| Division M Professional, Scientific and Technical Services | 0.17 | 0.07 | 0.05 | 0.08 | 0.08 | 0.04 | 0.03 |
| Division N Administrative and Support Services | 0.11 | 0.05 | 0.04 | 0.06 | 0.04 | 0.03 | 0.03 |
| Division O Public Administration and Safety | 0.09 | 0.05 | 0.04 | 0.06 | 0.04 | 0.03 | 0.03 |
| Division P Education and Training | 0.11 | 0.05 | 0.04 | 0.06 | 0.04 | 0.03 | 0.03 |
| Division Q Health Care and Social Assistance | 0.11 | 0.08 | 0.11 | 0.06 | 0.06 | 0.03 | 0.03 |
| Division R Arts and Recreation Services | 0.09 | 0.05 | 0.04 | 0.06 | 0.04 | 0.03 | 0.03 |
| Division S Other Services | 0.07 | 0.05 | 0.04 | 0.06 | 0.04 | 0.03 | 0.03 |

Energy Savings Scheme Rule 2009
Effective from 1 July 2009

Table 13: Default Load Utilisation Factor for High Efficiency Motors – Where End-User Equipment Industry and End-use are not known

| Rated output (kW) | LUF |
|-------------------|------|
| 0.73 to ≤ 2.6 | 0.09 |
| 2.6 to ≤ 9.2 | 0.10 |
| 9.2 to ≤ 41 | 0.11 |
| 41 to ≤ 100 | 0.13 |
| 100 to < 180 | 0.15 |

Table 14: Asset Life for High Efficiency Motors (t)

| Rated output (kW) of High Efficiency Motor | t (Asset life (years)) |
|--|------------------------|
| 0.73 to ≤ 2.6 | 12 |
| 2.6 to ≤ 9.2 | 15 |
| 9.2 to ≤ 41 | 20 |
| 41 to ≤ 100 | 22 |
| 100 to < 180 | 25 |

Table 15: Default Efficiencies

| Application | Device type | Default Efficiency |
|-------------------------------------|-------------------|--------------------|
| 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% |

Energy Savings Scheme Rule 2009
Effective from 1 July 2009

Table 16: Discount Factors for calculating forward creation of Certificates under the Project Impact Assessment Method

| Year | Discount Factor |
|-------------|------------------------|
| 1 | 1.00 |
| 2 | 0.80 |
| 3 | 0.60 |
| 4 | 0.40 |
| 5 | 0.20 |

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:

- Aviation – Flight Operations
- Aviation – Ground Operations and Services
- Aviation – Rescue Crewman
- Aviation – Commercial Pilot Aeroplane
- Aviation – Commercial Pilot Helicopter
- Aviation – Leadership and Supervision
- Aviation – Air Crewman,

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 *NSW 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/414.htm>

Notice is also given that the recognised traineeship vocation of Transport and Distribution – Aviation 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:

- Property Services – Agency
- Property Services – Operations
- Property Services – Real Estate
- Property Services – Stock and Station Agency
- Property Services – Business Broking,

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 *NSW 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/413.htm>

Notice is also given that the recognised traineeship vocation of Property Development is now repealed.

ASSOCIATIONS INCORPORATION ACT 1984

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

TAKE notice that the company limited by guarantee

Sutherland District Basketball Association Ltd

formerly registered under the provisions of the Corporations Act 2001 is now incorporated under the Associations Incorporation Act 1984 as

Sutherland District Basketball Association
Incorporated

effective 30 June 2009.

Dated: 30 June 2009.

ROBERT HAYES,
Delegate of Commissioner,
Office of Fair Trading

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.

A4M Franchisee Association Incorporated –
Inc9876672

Adelong-Batlow Bears Junior Rugby League Football
Club Incorporated – Inc9875021

Amria Incorporated – Y2623527

Australian Abacus and Mental Arithmetic Association
Inc. – Inc9875583

Australian Argentinean Solidarity Association
Incorporated – Inc9877927

Australian Association for Web Engineering
Incorporated – Inc9884794

Australian Explorers Incorporated – Inc9885019

Dads Australia Incorporated – Inc9876712

McKell Foundation Incorporated – Y2613825

March-Clergate Land Care Group Incorporated –
Inc9876067

Orana Regional Development Organisation
Incorporated – Y2393808

Order of St John Incorporated – Inc9886842

Oz Ex Incorporated – Inc9874385

Save Blue Lagoon Beach Action Group Inc –
Y1707720

Senegambia Association Incorporated – Inc9886671

South West Sydney Youth Services Incorporated –
Inc9884683

Southern Tablelands Rural Counselling Service
Incorporated – Y2304547

Tenterfield Economic Development Corporation
Incorporated – Inc9878110

Uniting Samoan Pentecostal Church Incorporated –
Inc9888081

Wollongong Blessing of the Fleet Incorporated –
Inc9882197
WTFanatics Incorporated – Inc9884788
World Outstanding Meditation Master's Friendship
General Association Incorporated – Inc9881877

Dated: 30 June 2009.

ROBERT HAYES,
A/Manager Financial Analysis,
Registry of Co-operatives and Associations,
Office of Fair Trading,
Department of Commerce

ASSOCIATIONS INCORPORATION ACT 1984

Reinstatement of Cancelled Association Pursuant
to Section 54A

THE incorporation of ROTARY CLUB OF DRUMMOYNE
INC (Y0850526) cancelled on 29 August 2008 is reinstated
pursuant to section 54A of the Associations Incorporation
Act 1984.

Dated: 29 June 2009.

ROBERT HAYES,
A/g Manager, Financial Analysis,
Registry of Co-operatives and Associations,
Office of Fair Trading,
Department of Commerce

ASSOCIATIONS INCORPORATION ACT 1984

Reinstatement of Cancelled Association Pursuant
to Section 54A

THE incorporation of WOLLONDILLY AUSTRALIAN
FOOTBALL CLUB INC (Y0472728) cancelled on 4 April
2008 is reinstated pursuant to section 54A of the Associations
Incorporation Act 1984.

Dated: 29 June 2009.

ROBERT HAYES,
A/g Manager, Financial Analysis,
Registry of Co-operatives and Associations,
Office of Fair Trading,
Department of Commerce

ASSOCIATIONS INCORPORATION ACT 1984

Reinstatement of Cancelled Association Pursuant
to Section 54A

The incorporation of CARE AND RESPITE ASSOCIATION
INCORPORATED (INC9875730) cancelled on 23 January
2009 is reinstated pursuant to section 54 (2) of the Associations
Incorporation Act 1984.

Dated: 30 June 2009.

ROBERT HAYES,
A/g Manager Financial Analysis,
Registry of Co-operatives and Associations,
Office of Fair Trading,
Department of Commerce

CONSTITUTION ACT 1902

Ministerial Arrangements During the Absence of the
Minister for Fair Trading, Minister for Citizenship and
Minister Assisting the Premier on the Arts

PURSUANT to section 36 of the Constitution Act 1902, Her
Excellency the Governor, with the advice of the Executive
Council, has authorised the Hon. L. J. BURNEY, M.P.,
Minister for Community Services, to act for and on behalf of
the Minister for Fair Trading, Minister for Citizenship, and
Minister Assisting the Premier on the Arts as on and from
7 July 2009, with a view to her performing the duties of the
Honourable D. V. JUDGE during her absence from duty.

NATHAN REES, M.P.,
Premier

Department of Premier and Cabinet, Sydney 2009.

CONSTITUTION ACT 1902

Ministerial Arrangements During the Absence of the
Minister for Roads

PURSUANT to section 36 of the Constitution Act 1902, Her
Excellency the Governor, with the advice of the Executive
Council, has authorised the Hon. L. J. BURNEY, M.P.,
Minister for Community Services, to act for and on behalf
of the Minister for Climate Change and the Environment and
Minister for Commerce as on and from 8 July 2009, with a
view to her performing the duties of the Honourable C. M.
TEBBUTT, M.P., during her absence from duty.

NATHAN REES, M.P.,
Premier

Department of Premier and Cabinet, Sydney 2009.

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:

Dubbo, 10:00 a.m., 27 July 2009 (1 week).

Dated this 24th day of June 2009.

R. O. BLANCH,
Chief Judge

GEOGRAPHICAL NAMES ACT 1966

Notice of Proposal to Determine Address Locality
Names and Boundaries Within the Central Darling Local
Government Area

PURSUANT to the provisions of section 8 of the Geographical
Names Act 1966, the Geographical Names Board hereby
notifies that it proposes to determine address locality names
and boundaries in the Central Darling Local Government
Area as shown on map GNB3747.

The following seven names are proposed for address
localities as shown on map GNB3747: Ivanhoe, Menindee,
Mossgiel, Sunset Strip, Tilpa, White Cliffs, Wilcannia.

Map GNB3747 may be viewed at Central Darling Council
Administrative Offices, 21 Reid Street, Wilcannia; Rural

Transaction Centre, Yartla Street, Menindee; the Ivanhoe Post Office, Columbus Street, Ivanhoe; the Wilcannia Post Office, corner of Woore and Myer Streets, Wilcannia and the White Cliffs Post Office, Johnson Street, White Cliffs, from Wednesday, 24 June 2009 until Friday, 24 July 2009.

A copy of Map GNB3747 will also be on display at the office of the Geographical Names Board, Land and Property Information, 346 Panorama Avenue, Bathurst NSW 2795, during the above dates. This proposal may also be viewed and submissions lodged on the Geographical Names Board web site at www.gnb.nsw.gov.au during the above dates.

Any person wishing to make comment upon this proposal may prior to Saturday, 1 August 2009, write to the Secretary of the Board with that comment.

All submissions lodged in accordance with section 9 of the Geographical Names Act 1966, may be subject to a freedom of information application.

WARWICK WATKINS,
Chairperson

Geographical Names Board,
PO Box 143 Bathurst NSW 2795.

PARLIAMENTARY REMUNERATION ACT 1989

Erratum

THE Annual Report and Determination of Additional Entitlements for Members of the Parliament of NSW by the Parliamentary Remuneration Tribunal of 29 May 2009 is amended as set out hereunder

On page 29 of the determination the total Logistic Support Allocation for Members of the Legislative Council that reside Zone 2 electorates should read as \$21,920.

Dated 26 June 2009.

The Honourable Justice C. G. STAFF,
The Parliamentary Remuneration Tribunal

PESTICIDES ACT 1999

Notice under Section 48 (4)

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

SEAN NUNAN,
Team Leader,
Licensing and Registration
(by delegation)

SCHEDULE

Pilot (Pesticide Rating) Licence

| <i>Name and address of Licensee</i> | <i>Date of Granting of Licence</i> |
|---|------------------------------------|
| Martyn LILLEY, PO Box 68, Coleambally NSW 2707. | 23 June 2009. |
| Marcus TAPP, 66 Quarry Road, South Murwillumbah NSW 2484. | 23 June 2009. |

PROTECTION OF THE ENVIRONMENT OPERATIONS (WASTE) REGULATION 1996

General Approval of the Immobilisation of Contaminants in Waste

PURSUANT to the provisions in Clause 28 of the Protection of the Environment Operations (Waste) Regulation 1996 the New South Wales Environment Protection Authority has authorised the following general approval of the immobilisation of contaminants in waste:

(A) APPROVAL NUMBER

2009/07

This approval replaces general approval of immobilisation number: 1999/07 which is hereby revoked.

(B) SPECIFICATION OF WASTE STREAM

Metallurgical furnace slag or metallurgical furnace slag contaminated natural excavated materials.

(C) CONTAMINANTS APPROVED AS IMMOBILISED

Beryllium, Chromium (VI), Lead, Nickel, Polycyclic Aromatic Hydrocarbons (PAHs) and Benzo(a)pyrene (BaP).

(D) TYPE OF IMMOBILISATION

Natural

(E) MECHANISM OF IMMOBILISATION

Beryllium, Chromium, Lead or Nickel metals and their metal compounds as well as PAHs and BaP are encapsulated within the furnace slag during its formation at elevated temperature exceeding 1,000 degrees Celsius. These metals, metal and organic compounds and their silicate compounds are bonded within a vitrified solid mass.

(F) CONDITIONS OF APPROVAL

- Packaging Requirements

None

- Waste Assessment Requirements

The total concentration (SCC) limits for Beryllium Chromium (VI), Lead, Nickel, PAHs and BaP listed in the DECC Waste Classification Guidelines Part 1: Classifying Waste (April 2008) (Waste Guidelines) do not apply to the assessment of metallurgical furnace slag or metallurgical furnace slag contaminated natural excavated materials. With respect to Beryllium, Chromium (VI), Lead, Nickel and BaP, metallurgical furnace slag or metallurgical furnace slag contaminated natural excavated materials can be classified according to their leachable concentration (TCLP) values alone.

Any contaminants listed in the Waste Guidelines (other than Beryllium, Chromium (VI), Lead, Nickel, PAHs and BaP) that are contained within the metallurgical furnace slag or metallurgical furnace slag contaminated natural excavated materials must be assessed in accordance with the Waste Guidelines.

The metallurgical furnace slag or metallurgical furnace slag contaminated natural excavated materials must not contain any free liquids as defined in the Waste Guidelines.

- Disposal Restrictions

None.

Note: The classified metallurgical furnace slag or metallurgical furnace slag contaminated natural excavated materials may be disposed of to waste facilities which can legally receive them.

- *Record keeping requirements*

The responsible person is required to keep records of the management and disposal metallurgical furnace slag or metallurgical furnace slag contaminated natural excavated materials that are classified as hazardous or industrial waste for a period of at least 3 years from the date which these wastes are disposed of off site.

- *Waste Management Requirements*

None.

1.1.1 G) RESPONSIBLE PERSON

The person or class of persons to whom this general approval relates is the person who carries out the assessment and classification for the purpose of this approval. The responsible person must comply with the conditions of this approval.

Environment Protection Authority
Per: MARK GORTA,
Manager Waste Management
By Delegation
Date: 1 July 2009

SUBORDINATE LEGISLATION ACT 1989

Proposed Draft Consumer, Trader and Tenancy Tribunal
Regulation 2009

Invitation to comment

THE Subordinate Legislation Act 1989 automatically repeals statutory rules (Regulations) five years after they commence. The Consumer, Trader and Tenancy Tribunal Regulation 2002 is due for repeal on 1 September 2009. The Regulation is proposed to be remade with minor amendments. A proposed draft Consumer, Trader and Tenancy Tribunal Regulation 2009 is being released for public comment along with a Regulatory Impact Statement discussing the costs and benefits of the proposed draft Regulation. The primary objective of the proposed draft Regulation is to ensure that the Consumer, Trader and Tenancy Tribunal Act 2001 continues to provide effective adjudication by updating certain provisions of a procedural nature.

Copies of the Regulatory Impact Statement and proposed draft Regulation can be obtained from the Office of Fair Trading by telephoning (02) 9338 8955 or by downloading from the Fair Trading website on www.fairtrading.nsw.gov.au

Comments and submissions can be emailed (preferred), mailed or faxed by Wednesday 5 August 2009 to:

Email: policy@oft.commerce.nsw.gov.au
CTTT Regulation 2009
Policy and Strategy Division
Office of Fair Trading
PO Box 972
Parramatta NSW 2124
Fax: (02) 9338 8918

SUBORDINATE LEGISLATION ACT 1989

Proposed Draft Landlord and Tenant Regulation 2009

Invitation to comment

THE Subordinate Legislation Act 1989 automatically repeals statutory rules (Regulations) five years after they commence. The Landlord and Tenant Regulation 2004 is due for repeal on 1 September 2009. The Regulation is proposed to be remade

with minor amendments. A proposed Draft Landlord and Tenant Regulation 2009 is being released for public comment along with a Regulatory Impact Statement discussing the costs and benefits of the proposed Draft Regulation. The primary objective of the proposed Draft Regulation is to ensure that the Landlord and Tenant (Amendment) Act 1948 continues to provide protection for tenants and updates provisions of an administrative nature.

Copies of the Regulatory Impact Statement and proposed Draft Regulation can be obtained from the Office of Fair Trading by telephoning (02) 9338 8955 or by downloading from the Fair Trading website on www.fairtrading.nsw.gov.au

Comments and submissions can be emailed (preferred), mailed or faxed by Wednesday 5 August 2009 to:

Email: policy@oft.commerce.nsw.gov.au
Landlord and Tenant Regulation 2009
Policy and Strategy Division
Office of Fair Trading
PO Box 972
Parramatta NSW 2124
Fax: (02) 9338 8918

SUBORDINATE LEGISLATION ACT 1989

Proposed Civil Liability Regulation 2009

THE object of the proposed Civil Liability Regulation 2009 is to remake, with minor revision, the Civil Liability Regulation 2003 (which will be repealed on 1 September 2009 by section 10(2) of the Subordinate Legislation Act 1989).

A Regulatory Impact Statement ('RIS') has been prepared. Copies of the RIS and the proposed Regulation are available at <http://www.lawlink.nsw.gov.au/lpd> or by phoning (02) 8061 9231.

Comments and submissions on the proposed Regulation are sought by Wednesday 29 July 2009. Details on how to make a submission are contained in the RIS.

SYDNEY WATER ACT 1994

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Easement at
Jamberoo in the Local Government Area of Kiama

SYDNEY WATER CORPORATION declares, with the approval of His Excellency, the Lieutenant Governor, that the interest in land described in Schedule 1 hereto is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purpose of the Sydney Water Act 1994.

Dated at Parramatta, this 26th day of June 2009.

Signed for Sydney Water Corporation by its Attorneys Mark ROWLEY and Peter Vincent BYRNE who hereby state at the time of executing this instrument have no notice of the revocation of the Power of Attorney Registered No. 606, Book 4541, under the Authority of which this instrument has been executed.

SCHEDULE 1

An Easement for Sewerage Purposes more fully described in Memorandum AE292292W lodged at the Department of Lands (Division of Land and Property Information NSW), Sydney, over all that piece or parcel of land in the Local Government Area of Kiama, Locality of Jamberoo, Parish of Kiama, County of Camden and State of New South Wales being the land shown on Deposited Plan 1131463 as “(A) PROPOSED EASEMENT FOR SEWERAGE PURPOSES 2 WIDE (331.6m2)” affecting Lot 7032, DP 1058003.

Sydney Water Reference: 2007/02047F.

CHILDREN (CRIMINAL PROCEEDINGS) REGULATION 2005

ORDER

Issue of Youth Conduct Orders Scheme Directions

PURSUANT to Clause 25 of the Regulation, the Directions specified in Schedule 1 are issued and have effect as from the date of publication of this notice.

Dated: 30 June 2009.

JOHN LEE,
Director General,
Department of Premier and Cabinet



Youth Conduct Orders Scheme Directions

Children (Criminal Proceedings) Act 1987
Children (Criminal Proceedings) Regulation 2005

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Children (Criminal Proceedings) Regulation 2005

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1. Division 2: Scheme Participation Approvals

1.1. Granting of Scheme Participation Approvals (*Clause 7*)

Once an authorised Police Officer has determined that a child/young person is eligible to participate in the Youth Conduct Orders (YCO) Scheme they must complete the attached **Form A: Youth Conduct Orders Scheme Participation Approval**.

YOUTH CONDUCT ORDERS SCHEME PARTICIPATION APPROVAL

(Section 48G *Children (Criminal Proceedings) Act 1987*;
Division 2, Clauses 5 & 7 *Children (Criminal Proceedings) Regulation 2005*)

Young Person Details

Name:

Address:

Date of Birth/Age:

Charge/Sequence:

Date of Court Listing:

Time:

Place:

An assessment must be carried out using the criteria below to ascertain whether a young person is suitable for participation in the Youth Conduct Orders Scheme.

PART A – OFFENCE CONSIDERATIONS

| | |
|---|----------|
| 1. Copy of Police Facts attached. | Yes / No |
| 2. It is appropriate for the young person to be dealt with under the Scheme having regard to: <ul style="list-style-type: none"> • the seriousness of the offence, • the degree of violence involved (if any), • any harm caused to any victim, • the number and nature of any previous offences, and the number of times the young person has been dealt with under the <i>Young Offenders Act 1997</i>. | Yes / No |
| 3. Provide reason/s as to why it would not be appropriate for the young person to be dealt with under the <i>Young Offenders Act 1997</i> . | |
| 4. The young person is charged with (or has pleaded guilty to or been found guilty of) a relevant offence. (A relevant offence is the same kind of offence as covered by the <i>Young Offenders Act 1997</i>). | Yes / No |
| 5. The Children's Court has not yet imposed a penalty on the young person concerned for the offence or the alleged offence. | Yes / No |

PART B - ELIGIBILITY CRITERIA

| | |
|---|----------|
| 6. The young person was 14 years old or older (but less than 18 years old) at the time the offence was committed or alleged to have been committed. | Yes / No |
| 7. The young person is less than 19 years old at the time it is first proposed to make a Youth Conduct Order. | Yes / No |
| 8. The young person temporarily or permanently resides in, or habitually visits, the area of the participating Local Area Command. | Yes / No |

| | |
|---|---------------|
| <p>9. The relevant offence that the young person has been charged with, or pleaded guilty to, or been found guilty of, was committed, or alleged to have been committed, by the young person in the area of a participating Local Area Command.</p> <p><i>N.B. In circumstances when the Court is proposing to make a Youth Conduct Order in respect of more than one relevant offence – at least one of those offences must have been committed, or alleged to have been committed, by the young person in the area of a participating Local Area Command.</i></p> | <p>Yes/No</p> |
|---|---------------|

PART C - CERTIFICATION

| | |
|--|--|
| <p>I am an Authorised Police Officer under the Youth Conduct Orders Scheme.</p> <p>I certify that all information in this form is accurate and recommend the young person for Youth Conduct Orders Scheme Participation.</p> | <p>I am a Senior Police Officer (Superintendent level or above). I concur that all information in this form is accurate.</p> <p>I hereby grant Youth Conduct Orders Scheme Participation Approval for the young person named on this form.</p> |
| <p>Signature:</p> <p>Name: Position: Date: Phone number: Local Area Command:</p> | <p>Signature:</p> <p>Name: Position: Date: Phone number: Local Area Command:</p> |

2. Division 3: Suitability Assessments

2.1. Applications for Suitability Assessment Orders (*Clause 8*)

Applications for Suitability Assessment Orders by authorised scheme officers will be attached to the Court Attendance Notice when filed with the Children's Court.

The filing of the Scheme Participation Approval Form with the Court Registry shall serve as the notice of intention to make the application.

Generally, the application should be listed on the same day as the child's appearance before the Court in relation to the relevant offence for which the application is sought.

2.2. Notification of Suitability Assessment Order by Children's Court (*Clause 9*)

The Magistrate may make a Suitability Assessment Order in the form prescribed by the Children's Court which will refer the child/young person to the Case Coordination Senior Officers Group (CCSOG) for a suitability assessment.

Copies of the Suitability Assessment Order and Scheme Participation Approval Form (Form A) must be forwarded by the Children's Court to the relevant CCSOG Chairperson within 7 days after making the Order.

The documents may be faxed or scanned and emailed in the first instance but must also be forwarded by post to the Chairperson for quality assurance purposes.

2.3. Suitability assessment of referred child (*Clause 10*)

Each CCSOG has the function of carrying out suitability assessments of referred children/young people.

The CCSOG must ensure that a suitability assessment of a referred child/young person is carried out within 7 days (or such further period as the Children's Court may allow) after it is notified of the Suitability Assessment Order under clause 9.

Assessment of the suitability of children/young people to participate in the YCO Scheme for the advice of the Children's Court Magistrate is based on the best interests of the child/young person and is a two stage process.

The assessment must be conducted in accordance with the following attached:

- Stage One Suitability Assessment Report (Appendix 1)
- Stage Two Final Youth Conduct Order Suitability Assessment Report (Appendix 2)
- Youth Conduct Orders Scheme Interim Conduct Plan (Appendix 3)
- Youth Conduct Orders Scheme Final Conduct Plan (Appendix 4)

Note that Comprehensive Assessment Format and Explanatory Notes prepared by the Department of Juvenile Justice for use in their assessment processes may be of benefit in conducting a suitability assessment for a YCO. These documents can be found in the YCO Guidelines.

3 Division 4: Conduct Plans

3.1 Preparation of Interim Conduct Plans (*Clause 11*)

Stage One relates to the assessment for and development of the short term Interim Conduct Plan (ICP). The duration of an ICP is up to two months.

Stage Two relates to the assessment for and development of the longer term Final Conduct Plan (FCP). The duration of a FCP is up to 12 months.

Service availability and capacity:

In identifying the “positive conduct provisions” and “conduct restriction provisions” for ICPs and FCPs, the assessed needs of the child/young person must be matched to service availability and capacity.

The child/young person should not be penalised for being unable to meet the conditions of a Plan where there are issues with service availability and/or capacity.

Agencies must use their best endeavours to identify a service appropriate for the young person under the YCO. This includes exploring the use of brokerage and other service provision options where there are availability or capacity issues with a particular service.

Where there may not be immediate availability, agencies should advise the Case Coordinator / Lead Agency, including providing details of the likely waiting list, both in terms of time and numbers of other potential clients.

Where the CCSOG has agreed that there is no service available and/or no capacity to deliver a service to meet the child/young person's needs, including having explored brokerage and other options, details must be documented in a cover brief signed by the CCSOG Chairperson which is attached to the Suitability Assessment Report.

The cover brief must include

- service identified and how it will meet the needs of the child/young person
- reasons why the service is unavailable and/or there is no capacity to deliver the service
- alternatives explored including brokerage; and
- recommendation for resolution

The onus is on the agency/service to justify why this service can't be provided. The CCSOG, as part of the FCP, should monitor this service availability on an ongoing basis.

3.2 Preparation of Final Conduct Plans (*Clause 12*)

The Lead Agency as defined by the CCSOG at completion of Stage One is responsible for nominating a suitably qualified person to work with the Case Coordinator on Stage Two. The Case Coordinator in conjunction with the person nominated by the Lead Agency completes the Stage Two Suitability Assessment Report and prepares the Final Conduct Plan for approval by the CCSOG.

In conducting the Stage Two Suitability Assessment and developing the FCP, the CCSOG is to endeavour to ensure that a parent of the child within the meaning of *Children (Protection and Parental Responsibility) Act 1997* is present at all times during the meeting unless:

- the child requests otherwise (S12 (3) (a)), or
- the CCSOG considers that it would be inappropriate in the circumstances (S12 (3) (b)).

The Case Coordinator and the Lead Agency nominee will also consult face-to-face with all key agencies involved with the child or young person.

For the purposes of the YCO Scheme Directions “where appropriate” refers to Division 4 12, (3) (a) and (b).

Once approved by the Chairperson of the CCSOG on behalf of the CCSOG, both the Stage Two Suitability Assessment report and the FCP are submitted together to the Children’s Court Magistrate.

A FCP must contain the CCSOG’s suggested conduct restriction provisions and positive conduct provisions for the child’s Final YCO.

3.3 Provisions in conduct plans (*Clause 11*)

For the purposes of the Scheme Directions, positive conduct provisions are **agreed** case management based activities and tasks that benefit and progress the child/young person's emotional, social and financial status while addressing the underlying causes of their offending behaviour.

Agreed means agreed between the child/young person, their family/carer and relevant agencies.

For the purposes of the Scheme Directions, conduct restriction conditions are **agreed** restrictions and conditions that directly relate to the child/young person's offending behaviour and are aimed at preventing the opportunity for further offending while addressing the underlying causes of their offending behaviour.

4. Division 5: Applications relating to Youth Conduct Orders

4.1 Applications for Interim Youth Conduct Orders (*Clause 13*)

An application by an authorised scheme officer for an Interim YCO under section 48L of the *Children (Criminal Proceedings) Act 1987* may only be made upon the child or young person being found to be suitable to participate in the Scheme by the CCSOG.

The application must be made in the form prescribed by the Children's Court.

4.2 Applications for Final Youth Conduct Orders (*Clause 14*)

An application by an authorised scheme officer for a Final YCO under section 48L of the Act may only be made upon the child being found to be suitable to participate in the Scheme by the CCSOG.

The application must be in the form prescribed by the Children's Court.

4.3 Applications for review of Youth Conduct Orders (*Clause 15*)

An application by an authorised scheme officer for a review of a YCO under section 48N(1)(c) of the Act should not be made unless the CCSOG who prepared the FCP has approved the application.

In circumstances where it is not possible to get the approval of the CCSOG prior to the application being made the authorised scheme officer should ensure that the relevant CCSOG is contacted within 3 working days and informed of the application and outcome of that application.

The application must be in the form prescribed by the Children's Court.

4.4 Applications relating to non-compliance with Youth Conduct Orders (*Clause 16*)

All non-compliances relating to a YCO must be reported using the **Compliance Report** (see 5) to the Chairperson of the CCSOG in the first instance so that the non-compliance can be considered in light of the child/young person's circumstances.

An application by an authorised scheme officer relating to non-compliance with a Final YCO under section 48P(1) of the Act should not be made unless the CCSOG who prepared the FCP has approved the application.

In circumstances where it is not possible to get the approval of the CCSOG prior to the application being made the authorised scheme officer should ensure that the relevant CCSOG is contacted within 3 working days and informed of the application and outcome of that application.

4.5 Applications relating to compliance with Youth Conduct Orders (*Clause 17*)

An application by an authorised scheme officer relating to compliance with a Final YCO may only be made with the approval of the CCSOG who prepared the FCP and compliance report (see 5).

5. Division 6: Reports

5.1 Compliance Reports (*Clause 18*)

All non-compliances relating to a YCO must be reported using the attached **Compliance Report** to the Chairperson of the CCSOG in the first instance so that the non-compliance can be considered in light of the child/young person's circumstances.

An application by an authorised scheme officer relating to non-compliance with a Final YCO under section 48P(1) of the Act should not be made unless the CCSOG who prepared the FCP has approved the application.

In circumstances where it is not possible to get the approval of the CCSOG prior to the application being made the authorised scheme officer should ensure that the relevant CCSOG is contacted within 3 working days and informed of the application and outcome of that application.



Youth Conduct Orders Scheme Compliance Report

| | |
|--|--|
| Name of Child / Young Person | |
| YCO Case Number | |
| Date of birth | |
| Gender | |
| Home Address | |
| Date approved by CCSOG | |
| Date YCO approved by Magistrate | |
| Is this Compliance Report in support of an application relating to non-compliance with a Youth Conduct Order? | Yes/No: Provide Details |
| Is this Compliance Report in support of an application relating to compliance with a Youth Conduct Order? | Yes/No: Provide Details |
| Is the recommendation that the child/young person exit the Youth Conduct Order Scheme? | Yes: An Exit Plan must be completed – see Appendix 1: Exit Plan |
| Is the recommendation that the child/young person remain on the Youth Conduct Order with same and/or changed conduct provisions? | Yes: Conduct Provisions must be entered – see Appendix 2: Conduct Provisions |

LEAD & PARTNER AGENCIES

| Name | Organisation | Role |
|-------------|---------------------|-------------|
| Lead | | |
| | | |
| | | |
| | | |
| | | |



Youth Conduct Orders Scheme Compliance Report

FAMILY COMPOSITION

| Family Member | Name | Age | Address |
|---------------|------|-----|---------|
| Mother | | | |
| Father | | | |
| Child 1 | | | |
| Child 2 | | | |
| Child 3 | | | |
| Child 4 | | | |
| Other | | | |

FAMILY SUPPORT NETWORK (Significant supports – Non agency):

| Name | Relationship | Contact Details |
|------|--------------|-----------------|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |



Youth Conduct Orders Scheme Compliance Report

| Current Youth Conduct Order Positive Conduct Provisions | Responsibility | Timeframe Start/End | Complied/Not Complied Provide Details |
|--|----------------|---------------------|---------------------------------------|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| Current Youth Conduct Order Conduct Restriction Provisions | Responsibility | Timeframe Start/End | Complied/Not Complied Provide Details |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |



Youth Conduct Orders Scheme Compliance Report

| Compliance Report Progress Update: | Details: |
|--|----------|
| <p>Has the child/young person made progress?</p> <p>This may be in relation to the positive conduct and/or conduct restriction provisions in the Youth Conduct Order and/or may be in relation to other goals and plans identified or observed by the Lead Agency? Describe.</p> | |
| <p>Does the child/young person have involvement in pro social relationships?</p> <p>What is the assessment of these in relation to the child/young person's future?</p> | |
| <p>Is the child/young person involved in positive recreational activities and or organised community groups?</p> | |
| <p>Is the child/young person attending Education and or Training Programs?</p> <p>Attach Progress Report if available:</p> | |
| <p>Has the child/young person participated in counselling and/or groups?</p> | |



Youth Conduct Orders Scheme Compliance Report

| | |
|--|--|
| <p>Please note progress around problem solving skills, self awareness, empathy and motivation.</p> | |
| <p>Has the child/young person addressed issues around health and wellbeing?</p> | |
| <p>Has the child/young person and family/significant others participated in a program or service?</p> | |
| <p>Recommendation: If recommending that the child/young person exits from the Youth Conduct Orders Scheme please complete the attached Exit Plan.</p> | <p>Outline the Reasons for Recommendation:</p> |
| <p>If recommending that the child/young person continue on the Youth Conduct Order please complete the Agreed Conduct Provisions.</p> | <p>Outline the Reasons for Recommendation:</p> |
| <p>Please note your name, service or program provider and signature.</p> | <p>Name: Sign:</p> <p>Position/program:</p> <p>Child/Young Person name: Sign:</p> |



Youth Conduct Orders Scheme Compliance Report

EXIT PLAN:

| Exit Plan Strategy | Responsibility | Timeframe |
|--------------------|----------------|-----------|
| | | |
| | | |
| | | |
| | | |
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| | | |
| | | |
| | | |



Youth Conduct Orders Scheme Compliance Report

CONDUCT PROVISIONS:

| Current Youth Conduct Order Positive Conduct Provisions | Responsibility | Timeframe Start/End |
|--|----------------|---------------------|
| | | |
| | | |
| | | |
| | | |
| | | |
| Current Youth Conduct Order Conduct Restriction Provisions | Responsibility | Timeframe Start/End |
| | | |
| | | |
| | | |
| | | |
| | | |

6. Division 7: Case Coordination Senior Officers Groups

6.1 Procedure (*Clause 24*)

All CCSOG meetings should be conducted in accordance with the CCSOG Meeting Guidelines, Appendix 5.

7. Division 8: Scheme directions

7.1 Director General may issue Scheme Directions (*Clause 25*)

The Regulation specifies the instances in which the Director General of the Department of Premier and Cabinet may issue Scheme Directions. Clause 25 is as follows:

- (1) The Director-General may, by order published in the Gazette, issue directions, not inconsistent with this Part or the Act, for or with respect to any or all of the following matters:
 - (a) the carrying out of suitability assessments,
 - (b) the provisions in conduct plans,
 - (c) the training to be undertaken by persons involved in the administration of the scheme (including authorised police officers),
 - (d) the granting of scheme participation approvals,
 - (e) the granting of approvals for the purposes of clause 28,
 - (f) the making of applications to the Children's Court by authorised scheme officers under Part 4A of the Act,
 - (g) the procedure for meetings of Coordination Groups,
 - (h) the functions of Coordination Groups and of members of the Groups in connection with the scheme or the carrying out of suitability assessments,
 - (i) any other matter in respect of which scheme directions are permitted or required by this Part.
- (2) The Director-General may from time to time amend, revoke or replace the scheme directions by further order published in the Gazette.
- (3) Without limiting subclause (1), the scheme directions may include provisions that:
 - (a) apply generally, or
 - (b) apply only in relation to specified persons, courts, groups or other bodies, or
 - (c) apply only in specified circumstances, or
 - (d) do a combination of the things referred to in paragraphs (a), (b) and (c).

Appendix 1:



Stage One Suitability Assessment Report

Introduction

The *Children (Criminal Proceedings) Act 1987* defines suitability assessment as “an assessment as to a child’s capacity and prospects to participate in the (Youth Conduct Orders) Scheme”.

For the purposes of the Youth Conduct Orders (YCO) suitability assessment the terms “capacity” and “prospects” relate to the ability and willingness of the child/young person (and their family/carers) to:

- engage in and understand the YCO assessment and case planning process,
- prioritise the best interests of the child/young person within the family context,
- work with agencies to identify and address the underlying causes of the offending behaviour,
- agree with conduct plan provisions in the knowledge that they are binding and court ordered,
- understand the implications of non-compliance.

Assessment of the suitability of children and/or young people to participate in the YCO Scheme for the advice of the Children’s Court Magistrate is strength based and is a two stage process. The Stage One and Stage Two Assessments are based on the NSW Department of Juvenile Justice (DJJ) Bail Assessment Screen and Comprehensive Assessment Format (CAF) currently being piloted in DJJ. Stage One is a revised version of the CAF Bail Assessment Screen and Stage Two is the DJJ, pilot CAF unchanged.

Stage One relates to the assessment for and development of the short term Interim Conduct Plan (ICP). The duration of an ICP may be for up to two months and outlines the restrictive and case management provisions to be implemented while the more detailed Stage Two Suitability Assessment is conducted to support the development of the longer term Final Conduct Plan (FCP) (up to 12 months).

Unless otherwise determined by the CCSOG, it is the responsibility of the Case Coordinator to complete the Stage One Suitability Assessment Report and prepare the ICP for approval by the Case Coordination Senior Officers Group (CCSOG) followed by submission to the Children’s Court Magistrate.

The Lead Agency as defined by the CCSOG at completion of Stage One is responsible for nominating a suitably qualified person to work with the Case Coordinator on Stage Two.

Unless otherwise determined by the CCSOG, the Case Coordinator in conjunction with the person nominated by the Lead Agency completes the Stage Two Final Youth Conduct Order Suitability Assessment Report and prepares the FCP for approval by the CCSOG followed by submission to the Children's Court Magistrate.

Stage One

The purpose of the Stage One Suitability Assessment is to determine and advise the Children's Court of the viability and benefit to the child/young person (and their family/carers) in participating in the YCO Scheme.

- If assessed as suitable, a completed Stage One Suitability Assessment Report and ICP (up to two month timeframe) is provided to the Children's Court Magistrate with a recommendation to proceed with the more detailed Stage Two Suitability Assessment and preparation of the FCP.
- If assessed as unsuitable, a completed Stage One Suitability Assessment Report is submitted to the Children's Court Magistrate with a recommendation that the child/young person is not suitable for participation in the YCO Scheme.

The questions posed in Stage One are based on and must be completed in conjunction with the DJJ, CAF Explanatory Notes. The Explanatory Notes provide the logic behind the questions asked and give the assessor direction about how to identify and qualify strengths.

DEMOGRAPHICS

| | |
|--|--|
| Child/YP Name: | |
| Child/YP D.O.B: | |
| Does the child/YP identify as Aboriginal or Torres Strait Islander? | |
| Ethnic Origin: | |
| Referring Court Location and Magistrate: | |
| Date: | |

Have the limits of confidentiality been explained to the young person? Yes No

1 FAMILY CIRCUMSTANCES/AGENCY INVOLVEMENT

1.1 Did any family member accompany the young person at Court? Yes No

Details:

.....

.....

.....

1.2 Did the intake Court DJJ Officer have contact with parents/carers? Yes No

Details (names, contact address, telephone number):

.....

.....

.....

1.3 Are the family/carers aware of current court appearance and recommendation for a YCO?
Yes No

1.4 Does the child/young person present as having a disability?

Comment (Response)

.....

.....

.....

1.5 Are the child/young person and/or their family/carers able to demonstrate an understanding of a YCO, the Suitability Assessment process and Interim and Final Youth Conduct Order Planning processes?

1.6 Are the child/young person and/or their family/carers willing to be engaged in the YCO Scheme?

Yes No

2 CURRENT OR PREVIOUS AGENCY INVOLVEMENT

2.1 Has the young person had any previous or current involvement with the Department of Community Services (DoCS) or Department of Juvenile Justice (DJJ)?

- Details (DoCS, DJJ and any relevant Orders)
.....
- Has a significant risk of harm report been made to DoCS?
.....
- Details (including DoCS Reference Number)
.....
- Is there a current Case Plan? (DoCS Office Location, Case Worker, Date and attach plan)
.....

2.2 Has the young person had any previous or current involvement with any other government, private or non-government agency?

Details (Govt or non-govt agency, Officer and any relevant Orders)
.....

.....

Are there current Case Plans? Agency, Location, Case Worker, Date and attach plan
.....

NB: All relevant agency reports and assessments must be attached and/or summarised for the information of the Children’s Court Magistrate.

2.3 Are there any supports that could enhance family capacity to assist the young person to meet and comply with the Interim Conduct Plan provisions? Has this been discussed with family?

Comment (Response)

.....

.....

.....

3 ACCOMMODATION

3.1 Where is the young person currently living and with whom?

Comment (Response)

.....

.....

.....

3.2 Does the current accommodation appear to be an appropriate placement during the Interim Youth Conduct Order timeframe? If no, please give reason/s.

Comment (Response)

.....

.....

.....

3.3. What alternative options can be accessed? Is this confirmed?

Details

.....

Have the rights of the child been considered?

.....

.....

4 EDUCATION, TRAINING AND EMPLOYMENT

4.1 Is the young person participating in education, training or employment? Yes No

If yes, give details of location, frequency, and duration?

.....

.....

.....

4.2 Does the young person have any special needs in regard to education/employment?
(eg learning disability, ADHD, behavioural issues, expulsion/exclusion)

Details

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.....

.....

4.3 What options could be accessed during the Interim Youth Conduct Order timeframe?

Details

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.....

.....

5 LIFESTYLE

5.1 If the young person is not engaged in education, training or employment, what are the young person's usual daily activities?

Details

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.....

.....

5.2 What programs/activities are available for the young person during the Interim Youth Conduct Order timeframe?

Details

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.....

.....

5.3 What/who are the young person's peer associations or activities within the pilot Local Area Command?

Details

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.....

.....

5.4 How are peer associations likely to impact on the young person's capacity to re-offend?

Details

.....

.....

.....

5.5 What provisions can be included in the Interim Conduct Plan to address/reduce any negative peer influences?

Details

.....

.....

.....

6.1 Complete Alcohol and other Drug (AOD) Screen as follows:

6 SUBSTANCE USE

| Drug Description | Route | Frequency of use | Age at first use | Last Used | Quantity of use |
|------------------|-------|------------------|------------------|-----------|-----------------|
| | | | | | |
| | | | | | |
| | | | | | |

6.2 Has the young person ever experienced an overdose?

Details

.....

.....

.....

6.3 What AOD interventions have been previously accessed by the young person (eg detox, rehab, counselling, pharmacotherapy) and with which agencies?

Details

.....

.....

.....

What supports are available to the child/your person in terms of family/carers/ community/friends?

.....

.....

6.4 Does the young person appear motivated to address their AOD misuse? (Review young person's current motivation to change their substance misuse, awareness of the impact of substance use, expressed desire to change behaviour)

Details
.....
.....
.....
.....

6.5 Are the young person's current or prior offences related to AOD use?

Details
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.....
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.....

6.6 What provision can be included in the Interim Conduct Plan to reduce the impact of substance use on the young person's capacity to re-offend?

Details
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.....

6.7 What supports/services should be accessed and included as provisions in the Interim Conduct Plan to assist the young person with these issues during the Interim Youth Conduct Order timeframe?

Details
.....
.....
.....
.....

6.8 Is referral to the Youth Drug and Alcohol Court program appropriate?

Details
.....
.....
.....
.....

7 HEALTH

7.1 Does the child/young person have any presenting physical, emotional or mental health issues? (eg does the young person have a disability, are they seeing a psychiatrist, psychologist, counsellor; current diagnosis and treatment, name of treatment provider)

Details

.....

.....

.....

.....

7.2 Do these issues relate to the young person's offending? If so how?

Details

.....

.....

.....

.....

7.3 If yes to any of the following questions notification must be made to the Lead Agency or DJJ immediately:

- a. Has young person ever felt that things were so bad that it wasn't worth living?
Yes No
- b. Has young person ever had thoughts of hurting themselves or suicide?
Yes No
- c. Have they had these thoughts recently?
Yes No
- d. If yes, does the young person have a plan?
Yes No

7.4 Comment on young person's mood, affect/behaviour. Any action required in relation to observations?

Details

.....

.....

.....

.....

8 OFFENDING BEHAVIOUR

8.1 Brief comment on previous and current offences (eg pattern, frequency, dynamics, seriousness, context, triggers).

Details

.....

.....

.....

.....

8.2 Is there a history of previous or current violent, AOD related or sexual offending?

Details

.....

.....

.....

.....

8.3 Have there been any aggravating factors in the young person’s offending (eg actual or threatened violence, weapon, cruelty, victim vulnerability, committed in company, planned)

Details

.....

.....

.....

.....

8.4 Previous compliance with bail, community orders or other court orders.

Details

.....

.....

.....

.....

9 MOTIVATION

9.1 Has the young person ever considered reducing/ceasing offending? Yes No

9.2 What strategies have been used previously? Which have helped/not helped and who supported the young person in implementing them?

Details

.....

.....

.....

.....

9.3 Does young person appear motivated to address factors influencing their offending?

Yes No

9.4 What provisions in the Interim Youth Conduct Order does the young person consider would be needed to contain/reduce their risk of re-offending? (eg specific conditions/actions)

Details

.....

.....

.....

.....

10 RECOMMENDATION

As discussed in the Introduction, the Stage One and Stage Two assessments of children/young people for participation in the YCO Scheme are strengths based. This means that during the assessment, priority is given to identifying and analysing the strengths that can be built upon to plan intervention strategies that can assist the child/young person to address the underlying causes of their offending behaviour and prevent re-offending.

The Assessment and Interim Conduct planning processes are interactive and involve participation of the child/young person, their family and/or carer. A key is that the child/ young person is listened to in this process. Interim Conduct Plans must be documented and identify goals, objectives and tasks with clearly identified responsibilities and timeframes. Agreed outcomes (goals) must be realistic and achievable within available resources. Agreed outcomes should be communicated to the child/young person as well as other key stakeholders.

Is the child/young person considered suitable for participation in the YCO Scheme?

Yes No

If Yes, outline the Interim Conduct Plan restrictive conditions and case management provisions in the attached Interim Conduct Plan Format.

If No, outline the reasons why the child/young person is considered inappropriate to participate in the YCO Scheme.

Reasons:

.....

.....

.....

.....

11 LEAD AGENCY

Recommended Lead Agency:

Reasons:

.....
.....

Approved:

Chair:

(Insert LAC) CCSOG

Date:

Approved:

CCSOG Member (Lead Agency)

Date:

12 COURT OUTCOME

| | |
|----------------------|--|
| Client Name: | |
| Client D.O.B: | |
| Client No.: | |

| | |
|---|---|
| Next Court Date: | |
| Location: | |
| Suitability Assessment Report Submitted: | Yes <input type="checkbox"/> Date Submitted: No <input type="checkbox"/> |
| Interim Conduct Plan Submitted: | Yes <input type="checkbox"/> Date Submitted: No <input type="checkbox"/> |
| Representing Solicitor if any: | |
| Phone/Contact details: | |
| Magistrate Name: | |

Interim Conduct Plan granted Yes No

Records updated: Yes No

Reasons why Interim Conduct Plan not granted:

.....

.....

.....

.....

Placement Address Details

.....

.....

.....

Follow up by Receiving Office of Lead Agency: _____

Allocated Officer: _____

Comments:

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.....

.....

Signature _____

Lead Agency Officer: _____

Office: _____

Date: _____

Signature _____

Receiving Manager: _____

Office: _____

Date: _____

Appendix 2:



Stage Two Final Youth Conduct Order Suitability Assessment Report

Introduction:

The *Children (Criminal Proceedings) Act 1987* defines suitability assessment as “an assessment as to a child’s capacity and prospects to participate in the (Youth Conduct Orders) Scheme”.

For the purposes of the Youth Conduct Orders (YCO) suitability assessment the terms “capacity” and “prospects” relate to the ability and willingness of the child/young person (and their family/careers) to:

- engage in and understand the YCO assessment and case planning process,
- prioritise the best interests of the child/young person within the family context,
- work with agencies to identify and address the underlying causes of the offending behaviour,
- agree with conduct plan provisions in the knowledge that they are binding and court ordered,
- understand the implications of non-compliance.

Assessment of the suitability of children and/or young people to participate in the YCO Scheme for the advice of the Children’s Court Magistrate is strength based and is a two stage process. The Stage One and Stage Two Assessments are based on the NSW Department of Juvenile Justice (DJJ) Bail Assessment Screen and Comprehensive Assessment Format (CAF) currently being piloted in DJJ. Stage One is a revised version of the CAF Bail Assessment Screen and Stage Two is the DJJ, pilot CAF unchanged.

Stage One relates to the assessment for and development of the short term Interim Conduct Plan (ICP). The duration of an ICP may be for up to two months and outlines the restrictive and case management provisions to be implemented while the more detailed Stage Two Suitability Assessment is conducted to support the development of the longer term Final Conduct Plan (FCP) (up to 12 months).

Unless otherwise determined by the CCSOG, it is the responsibility of the Case Coordinator to complete the Stage One Suitability Assessment Report and prepare the ICP for approval by the Case Coordination Senior Officers Group (CCSOG) followed by submission to the Children’s Court Magistrate.

Stage Two

The purpose of the Stage Two Final Youth Conduct Order Suitability Assessment is to assess and analyse in detail the strengths, risks and needs of the child/young person and family/carers in order to develop the Final Conduct Plan (FCP).

The Lead Agency as defined by the CCSOG at completion of Stage One is responsible for nominating a suitably qualified person to work with the Case Coordinator on Stage Two.

Unless otherwise determined by the CCSOG, the Case Coordinator in conjunction with the person nominated by the Lead Agency completes the Stage Two Final Youth Conduct Order Suitability Assessment Report and prepares the FCP for approval by the CCSOG followed by submission to the Children's Court Magistrate.

The Stage Two Final Youth Conduct Order Suitability Assessment format is the DJJ CAF used in conjunction with the CAF Explanatory Notes. The time frame for FCPs is up to 12 months.

Stage Two assessments of children/young people for development of the FCP are strengths based. This means that during the assessment, priority is given to identifying and analysing the strengths that can be built upon to plan intervention strategies that can assist the child/young person to address the underlying causes of their offending behaviour and prevent re-offending.

The Assessment and Final Youth Conduct planning processes are interactive and involve participation of the child/young person, their family and/or carer. A key is that the child/young person is listened to in this process.

In conducting the Stage Two Final Youth Conduct Order Suitability Assessment and developing the FCP, the CCSOG Chairperson will ensure that arrangements are made for one or more meetings with the child/young person in order to prepare the FCP for the child. Where appropriate, the CCSOG will endeavour to ensure that a parent of the child is present at all times during any such meetings.

The Case Coordinator and the Lead Agency nominee will also consult face-to-face with all key agencies involved with the child/young person.

FCPs must be documented and identify goals, objectives and tasks with clearly identified responsibilities and timeframes. Goals must be realistic and achievable within available resources. Goals must be communicated to the child/young person as well as other key stakeholders.

The child/young person must be given an opportunity by the Case Coordinator and the person nominated by the Lead Agency to review the FCP. The FCP must be signed by the child/young person to confirm that they have been given an opportunity to review the FCP prior to submission to Court

The Stage Two Assessment i.e CAF Format must be completed in conjunction with the DJJ, CAF Explanatory Notes. The Explanatory Notes provide the logic behind the questions asked and give the assessor direction about how to identify and qualify strengths.

NSW DEPARTMENT OF
juvenile
Jjustice

COMPREHENSIVE
ASSESSMENT FORMAT

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This Comprehensive Assessment Format (CAF) has been developed by a collection of staff of various designations from across the Department, who formed the Effective Practice Working Group, as part of the Department's Community Integration Project

1 Confidentiality and Consent

See YCO/ASBPP Privacy Guidelines

2 Demographics

(Please affix copy of CIMS "Details" Screen and review with client for accuracy)

Client Name: _____ **Client Date of Birth:** _____

CIMS No: _____ Gender: Male Female

CIMS Alerts: _____

Cultural Identification: _____ Language/s spoken: _____

Interpreter required: Yes No

Family Address: _____

Current Address (if different to above): _____

Phone contact details: _____

Any additional demographic Information:

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Interview Dates:

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3 Prior and Current Offences

(Please attach Court antecedents)

1. Criminal history

What previous convictions does the young person identify?

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2. First offence

At what age does the young person identify their first formal contact with the police. What was the nature of the contact and the outcome?

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3. Previous Juvenile Justice Involvement

Obtain from the young person their perspective regarding previous departmental involvement in the community and custody (if relevant).

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4. Circumstances regarding the current offence:

Obtain from the young person their perspective regarding their offence. Possible areas of enquiry may include: The what, where, when and with whom did the offence occur and congruence with police facts. Level of planning and impulsivity. The use of weapons. The choice of victims. The presence of violence and intimidation. The influence of substance use. The presence of co-offenders. The young person's role in the offence (were they a leader or follower)?

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Question 4 Continued

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5. Motives

What does the young person offer as a motive for the offence? What were the young person's aims? Did the offence go as the young person expected?

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6. Offence Build-up

Explore with the young person what was happening in their life around the time of the offence (eg, family, school, peers, finances, relationships).

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7. Offence Patterns

Are there similarities/ differences with previous offending behaviour, increase/decrease in seriousness and or frequency, specialisation/diversity of offences (eg proven or alleged violent, AOD or sexual offending), gaps in offending patterns, aggravating factors eg violence, weapons, cruelty, victim vulnerability, committed in company, planned.

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8. Beliefs and attitudes to offending

Explore with the young person their positive and negative attitudes and beliefs regarding their offending. The analysis should include any denial or acceptance of the seriousness of his or her behaviour. Any acceptance or reluctance to accept responsibility for involvement in the most recent offence/s. An understanding or lack of understanding regarding the effect of his/her behaviour on victims (if victimless, on society). The experience of remorse if present. An understanding regarding the effects of his/her behaviour on family/carers. The belief that certain types of offences are acceptable. S/he thinks that further offending is inevitable.

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9. Strengths and Protective factors

Identify any strength's identified with regard to current and prior offences section.

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10. Evidence sources

Identify all sources of information utilised in completing this section

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| Name and Position Title | Signature |/...../..... Date of Assessment |
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4 Family and Living Circumstances

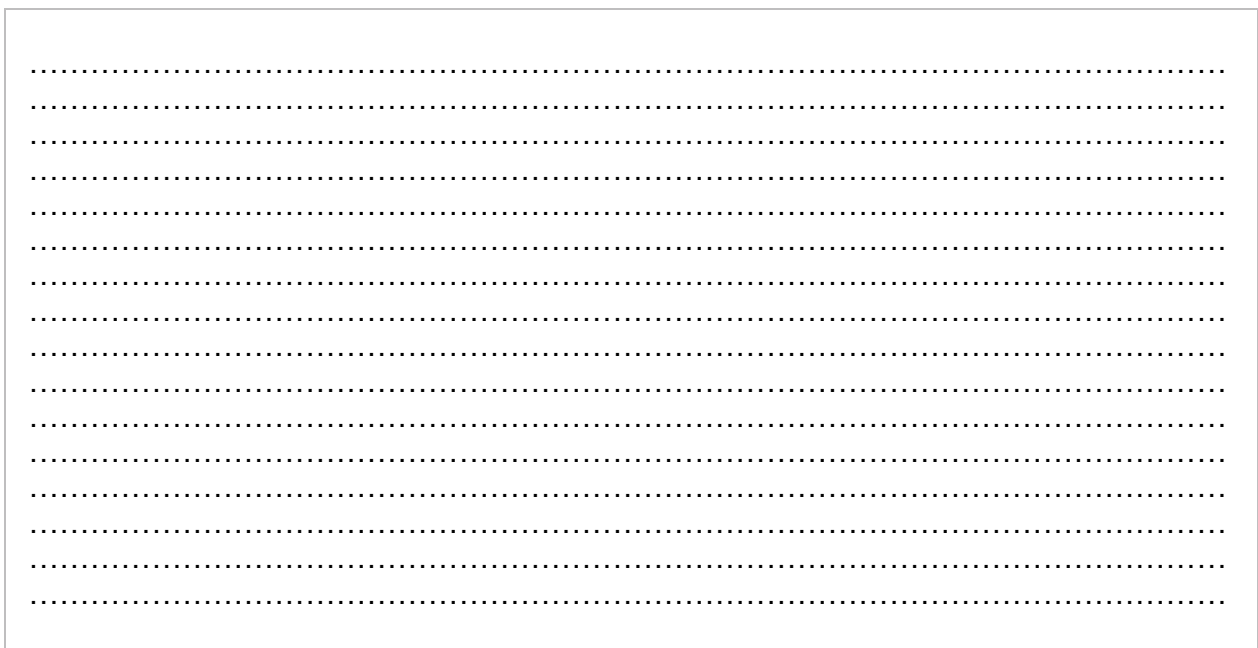
1. Complete Genogram or circle of influence.

Identify significant caregivers, extended family members and significant others. Include detail regarding the relationship dynamics between these individuals.



2. Family History

Please outline family history details including significant family events both positive and negative.



3. Culture

Explore the significance of culture to the young person and their attachment or lack of attachment to their culture?

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4. Community Services involvement

Explore any involvement or intervention by with the Department of Community Services? (Obtain permission to access information from the Department of Community Services if relevant)

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5. Abuse and Domestic Violence

Explore any personal history of abuse and or violence in the family (including physical, sexual, emotional)?

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6. Trauma and significant incidents

Does the young person or their family identify any significant events or trauma that continues to impact on their lives (eg death, illness, family break-up, negative refugee experiences)

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7. Family history of health, psychiatric, disability and substance use

Is there any psychiatric disorders, chronic emotional instability or intellectually disability, substance misuse or problem gambling amongst the family?

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8. Offending history

Do any of the young person’s family or significant others have, or previously had, involvement in criminal justice system? Does the family present as having pro-criminal attitudes or values?

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9. Family strengths and protective factors

Family promotes pro-social values (eg clear behaviour guidelines, encourages education or employment)?
Family supports young person? Young person has ongoing emotional support from, an/or attachment to, a parent and/or long-term caregiver or girlfriend/boyfriend, whether young person is living at home or independently? Family or caregiver income has legitimately provided for young person’s basic needs.
Professional help/support (eg receiving support/counselling, other agency involvement with family)?

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10. Evidence sources

Identify all sources of information utilised in completing this section

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11. Offence relevance

Identify key offending issues relating to family and living circumstances or issues requiring immediate intervention.

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| Name and Position Title | Signature |/...../..... Date of Assessment |
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4. Strengths and Protective factors

Identify any strengths identified with regard to Education and Vocation section. School is interested in the young person's progress, keen to get involved and help? In secure employment or developed goals to gain employment.

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5. Evidence sources

Identify all sources of information utilised in completing this section

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6. Offence relevance

Identify key offending issues relating to education and employment or issues requiring immediate intervention.

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6 Peer Relations

1. Peer Structure

Explore the structure and make up of the young person's peer networks. Some areas of enquiry may include: age differences, cultural make up, offending history, substance use.

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2. Peer dynamics

Explore the dynamics of the young person's peer networks including the level of attachment to peers or the significance peers have for the young person, the position of the young person within the group and the impact the young person's offending has had on his peer group.

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3. Strengths and Protective factors

Identify any strengths identified with regard to Peers section. Possible strengths may include some pro-social friends who are not involved in offending and model positive social behaviours (eg sporting groups, attend school, are employed) Young person appears socially competent and demonstrates social skills and engages appropriately with adults/peers. Strong, stable relationship with an adult outside of the family home (eg teacher, youth club leader, neighbour).

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4. Evidence sources

Identify key offence related issues or issues requiring immediate intervention.

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5. Offence relevance

Identify key offending issues relating to peers or issues requiring immediate intervention.

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| Name and Position Title | Signature |/...../..... Date of Assessment |
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7 Neighbourhood

1. Neighbourhood dynamics

Explore the dynamics of the young person’s neighbourhood. Some areas of enquiry may include, substance misuse, gang involvement, and presence or absence of resources.

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2. Strengths and Protective factors

Identify any strengths with regard to neighbourhood section. Possible strengths may include: Community offers opportunities for the young person to get involved with activities (eg youth centre, sports facility that caters for the young person’s interests, other interest groups? If applicable, young person received strong support from cultural and ethnic communities

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3. Evidence sources

Identify all sources of information utilised in completing this section

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4. Offence relevance

Identify key offending issues relating to the young persons neighbourhood or issues requiring immediate intervention.

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8 Leisure and Recreation

1. Community affiliations

Explore the young person's involvement or interest in any clubs, organisations or sporting team at school or in the community?

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2. Individual interests

Explore the young person's interest or involvement in any individual hobbies, and sports

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3. Evidence sources

Identify all sources of information utilised in completing this section

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4. Offence relevance

Identify key offending issues relating to leisure and recreation or issues requiring immediate intervention.

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| Name and Position Title | Signature |/...../..... Date of Assessment |
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9 Substance Use

1. Substance use history

| | Ever used | Currently used | Frequency of use | Age at first use | Time since last use | Quantity of use | Mode of use |
|--------------------------|-----------|----------------|------------------|------------------|---------------------|-----------------|-------------|
| Tobacco | | | | | | | |
| Alcohol | | | | | | | |
| Solvents | | | | | | | |
| Cannabis | | | | | | | |
| Ecstasy | | | | | | | |
| Speed | | | | | | | |
| Meth amphetamines | | | | | | | |
| LSD | | | | | | | |
| Cocaine | | | | | | | |
| Heroin | | | | | | | |
| Methadone | | | | | | | |
| Tranquilisers | | | | | | | |
| Steroids | | | | | | | |
| Other | | | | | | | |

2. Dynamics of substance use

Explore with the young person the circumstances that relate to their drug use. Possible areas of enquiry may include: What, when and with whom that substance use occurs. Any adverse health effects. Impact of substance use has on behaviour. Perceptions of parents/carers regarding the young persons substance use. The young person's motives for substance use and any overdose history

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3. Previous interventions

Explore with young person any previous or current attempts to moderate/cease substance use

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4. Motivation to change.

Review the young person's current motivation to change their substance misuse. Possible areas of enquiry may include: the young person's awareness regarding the impact of substance use and any expressed desire to change their behaviour?

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5. Harm Minimisation Awareness

Review young person awareness regarding harm-minimisation strategies

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6. Evidence sources

Identify all sources of information utilised in completing this section

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7. Offence relevance

Identify key offending issues relating to the young persons substance use history or issues requiring immediate intervention.

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| Name and Position Title | Signature |/...../..... Date of Assessment |
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10 Thinking and Behaviour

1. Self Esteem

Does the young person appear to have a negative view of themselves and lack any confidence in their abilities?

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2. Anger and Emotional management

Does the young person appear to have the ability to regulate their emotions effectively (e.g. anger, sadness, happiness)?

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3. Concentration/ Attention

Does the young person appear to have the ability to concentrate on tasks and maintain their attention?

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4. Impulse control

Does the young person appear to act without forethought and provocation?

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5. Planning and problem solving

Does the young person demonstrate an ability to plan and problem solve? Do they recognise the possible consequences of their behaviour?

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6. Evidence sources

Identify all sources of information utilised in completing this section

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7. Offence relevance

Identify key offending issues relating to the young persons thinking and behaviour or issues requiring immediate intervention.

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| Name and Position Title | Signature | Date of Assessment |

11 Motivation to Change

1. Explore the young person’s motivation to change their offending behaviour.

Does the young person demonstrate an understanding of the problematic aspects of his/her own behaviour and any insight regarding long term consequences of this behaviour?

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2. Explore the young person’s demonstrated desire to address their offending behaviour and their confidence in their ability to change.

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Please ask the young person to rate their feelings on the following scales (please circle)

How much does the young person want to stop all their offending behaviour.

Not at all interested Extremely Interested

1 2 3 4 5 6 7 8 9 10

How confident is the young person in their ability to stop offending

Not at all confident Extremely Confident

1 2 3 4 5 6 7 8 9 10

3. Explore the young persons capacity to identify strategies and supports to make the change.

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4. Explore the young person’s current or previous attempts to make a positive change and their expressed willingness to co-operate with others to achieve change.

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5. Evidence sources
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6. Offence relevance
Identify key offending issues relating to the young persons motivation to change or issues requiring immediate intervention.

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| Name and Position Title | Signature |/...../..... Date of Assessment |
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12 Health

Young persons reports regarding their health status are subject to NSW legislation regarding disclosure. Explicit and Informed consent is required prior to this information being reported to a secondary source.

1. Health issues

Explore if any major health issues are present for the young person eg pregnancy, epilepsy, asthma, history of major head injury and diabetes.

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2. Health risks

Explore if any of the following relate to the young person: unprotected sex, sharing drug-using equipment, poly drug use, binge drinking and exposure to violence

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3. Access to Health Care

Explore whether the young person accesses medical services regularly. Do they have a Medicare card? Also consider the young person's ability to access appropriate health care services (eg dentist).

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4. Evidence sources

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5. Offence relevance

Identify key offending issues relating to the young persons health or issues requiring immediate intervention.

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8. Evidence sources

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9. Offence relevance

Identify key offending issues relating to the young persons mental health or issues requiring immediate intervention.

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14 Disability

1. Does the young person have difficulty understanding ordinary language, including instructions and questions (is he or she slow to react or respond, not sure what to do)?

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2. Is there anything unusual about the way they speak (e.g., more than usually reluctant to talk, slow speech, unusual emphasis in tone, limited vocabulary)?

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3. Does he or she have trouble remembering what you just told them? (Once or twice in the interview, ask them to repeat what you just said).

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4. Does he or she have trouble using the concept of time in a practical way? (Yesterday, tomorrow, next week).

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5. Is he or she capable of paying attention, or easily distractible?

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6. Is there anything about the way they look, walk, hold a pencil or glass of water, which suggests something is 'not quite right' (e.g., lack of physical coordination)?

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7. Is their social behaviour more like that of a much younger person; e.g., are they too friendly, more comfortable with someone younger than their age appropriate peers, or acting in a younger way than their age group? This may be disguised if a person is a follower. Otherwise the person may be easily stood over or bullied.

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If you have responses to any of the above questions, ask the person, or their carer/parent:

8. Did this person meet age appropriate milestones? (learn to walk, talk, read, dress or care for themselves at around the usual ages)

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9. Has the person ever been to a special school, or a special class at school? If so, what sort?

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10. Has the person ever been to a service for people with disabilities?

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11. Other Disability issues

Does the young person have a hearing, visual (or other) impairment?

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12. Evidence sources

Identify all sources of information utilised in completing this section

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13. Offence relevance

Identify key offending issues relating to disability or issues requiring immediate intervention.

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| Name and Position Title | Signature |/...../..... Date of Assessment |
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15 Positive Protective factors

1. Individual protective factors: In addition to the positive and protective factors identified previously within the Comprehensive Assessment Format, is the young person characterised by any of the following individual protective factors:

Resilience: where young person has capacity to spring back from adversity, cope with difficulties, be adaptable. Has a positive future outlook characterised by a sense of direction, pro-social goals, optimistic views? Has engaged well with support service and has been responsive to previous interventions?

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2. Evidence sources
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| Name and Position Title | Signature |/...../..... Date of Assessment |
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16 Youth Level of Service Inventory (YLS/ CMI-AA)

Please complete YLS/ CMI-AA based on the information contained within the Comprehensive Assessment Format.

17 Comprehensive Assessment Formulation

1. Are there any immediate interventions required?

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2. What offence specific factors require specialist attention? (eg Sexual Offending, Violent Offending or Alcohol and Other Drug related Offending)

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3. What specific criminogenic/offending related needs require immediate or ongoing intervention (See offence relevance sections).

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4. What issues do we need to consider that may impact on the young person’s ability to address their identified criminogenic/ offending needs?

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5. What strengths and protective factors exist that will assist the young person in addressing their needs?

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6. What is the overall risk/need description (YLS/CMI/AA needs score evaluated in the context of the proceeding 5 questions)

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**Appendix 3: Youth Conduct Orders Scheme
Interim Conduct Plan (ICP)**

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| Name of Child / Young Person | |
| YCO Case Number | |
| Date of birth | |
| Gender | |
| Home Address | |
| Date approved by CCSOG | |
| Date approved by Magistrate | |

LEAD & PARTNER AGENCIES

| Name | Organisation | Role |
|-------------|---------------------|-------------|
| Lead | | |
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FAMILY COMPOSITION

| Family Member | Name | Age | Address |
|----------------------|-------------|------------|----------------|
| Mother | | | |
| Father | | | |
| Child 1 | | | |
| Child 2 | | | |
| Child 3 | | | |
| Child 4 | | | |
| Other | | | |

FAMILY SUPPORT NETWORK (Significant supports – Non agency):

| Name | Relationship | Contact Details |
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**Appendix 3: Youth Conduct Orders Scheme
Interim Conduct Plan (ICP)**

| ICP Positive Conduct Provisions | Responsibility | Timeframe Start/End |
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| ICP Conduct Restriction Provisions | Responsibility | Timeframe Start/End |
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**Appendix 3: Youth Conduct Orders Scheme
Interim Conduct Plan (ICP)**

1 Accommodation

Current issues for the child or young person:

| Outcomes | Actions to Achieve Outcomes | Agency Responsible | Timeframe Start/End |
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**Appendix 3: Youth Conduct Orders Scheme
Interim Conduct Plan (ICP)**

2 Health/ Clinical Services

Current issues for the child or young person:

| Outcomes | Actions to Achieve Outcomes | Agency Responsible | Timeframe Start/End |
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**Appendix 3: Youth Conduct Orders Scheme
Interim Conduct Plan (ICP)**

3 Education/ Vocation

Current issues for the child or young person:

| Outcomes | Actions to Achieve Outcomes | Agency Responsible | Timeframe Start/End |
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**Appendix 3: Youth Conduct Orders Scheme
Interim Conduct Plan (ICP)**

4 Emotional and Social Functioning

Current issues for the child or young person:

| Outcomes | Actions to Achieve Outcomes | Agency Responsible | Timeframe Start/End |
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**Appendix 3: Youth Conduct Orders Scheme
Interim Conduct Plan (ICP)**

5 Family Relationships and Functioning

Current issues for the child or young person:

| Outcomes | Actions to Achieve Outcomes | Agency Responsible | Timeframe Start/End |
|----------|-----------------------------|--------------------|---------------------|
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**Appendix 3: Youth Conduct Orders Scheme
Interim Conduct Plan (ICP)**

6 Motivation to Reduce/Cease Offending Behaviour

Current issues for the child or young person:

| Outcomes | Actions to Achieve Outcomes | Agency Responsible | Timeframe Start/End |
|----------|-----------------------------|--------------------|---------------------|
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**Appendix 4: Youth Conduct Orders Scheme
Final Conduct Plan (FCP)**

| | |
|-------------------------------------|--|
| Name of Child / Young Person | |
| YCO Case Number | |
| Date of birth | |
| Gender | |
| Home Address | |
| Date approved by CCSOG | |
| Date approved by Magistrate | |
| Signature Child/Young Person | Date FCP reviewed by child/young person: |

LEAD & PARTNER AGENCIES

| Name | Organisation | Role |
|------|--------------|------|
| Lead | | |
| | | |
| | | |
| | | |

FAMILY COMPOSITION

| Family Member | Name | Age | Address |
|---------------|------|-----|---------|
| Mother | | | |
| Father | | | |
| Child 1 | | | |
| Child 2 | | | |
| Child 3 | | | |
| Child 4 | | | |
| Other | | | |

FAMILY SUPPORT NETWORK (Significant supports – Non agency):

| Name | Relationship | Contact Details |
|------|--------------|-----------------|
| | | |
| | | |
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Appendix 4: Youth Conduct Orders Scheme Final Conduct Plan (FCP)

| FCP Positive Conduct Provisions | Responsibility | Timeframe Start/ End |
|---------------------------------|----------------|----------------------|
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| FCP Conduct Restriction Provisions | Responsibility | Timeframe Start/ End |
|------------------------------------|----------------|----------------------|
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**Appendix 4: Youth Conduct Orders Scheme
Final Conduct Plan (FCP)**

1 Accommodation

Current issues for the child or young person:

| Outcomes | Actions to Achieve Outcome | Agency Responsible | Timeframe Start/End |
|----------|----------------------------|--------------------|---------------------|
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**Appendix 4: Youth Conduct Orders Scheme
Final Conduct Plan (FCP)**

2 Health/ Clinical Services

Current issues for the child or young person:

| Outcomes | Actions to Achieve Outcome | Agency Responsible | Timeframe Start/End |
|----------|----------------------------|--------------------|---------------------|
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**Appendix 4: Youth Conduct Orders Scheme
Final Conduct Plan (FCP)**

3 Education/ Vocation

Current issues for the child or young person:

| Outcomes | Actions to Achieve Outcome | Agency Responsible | Timeframe Start/End |
|----------|----------------------------|--------------------|---------------------|
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**Appendix 4: Youth Conduct Orders Scheme
Final Conduct Plan (FCP)**

4 Emotional and Social Functioning

Current issues for the child or young person:

| Outcomes | Actions to Achieve Outcome | Agency Responsible | Timeframe Start/End |
|----------|----------------------------|--------------------|---------------------|
| | | | |
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**Appendix 4: Youth Conduct Orders Scheme
Final Conduct Plan (FCP)**

5 Family Relationships and Functioning

Current issues for the child or young person:

| Outcomes | Actions to Achieve Outcome | Agency Responsible | Timeframe Start/End |
|----------|----------------------------|--------------------|---------------------|
| | | | |
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**Appendix 4: Youth Conduct Orders Scheme
Final Conduct Plan (FCP)**

6 Motivation to Reduce/Cease Offending Behaviour

Current issues for the child or young person:

| Outcomes | Actions to Achieve Outcomes | Agency Responsible | Timeframe Start/End |
|----------|-----------------------------|--------------------|---------------------|
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Appendix 5:



Case Coordination Senior Officers Group Meeting Guidelines

Introduction

The following Case Coordination Senior Officers Group (CCSOG) Meeting Guidelines have been developed to provide guidance and direction to CCSOG members in fulfilling their role and responsibilities within the Youth Conduct Orders (YCO) Scheme and the requirements of the *Children (Criminal Proceedings) Act 1987* and the *Children (Criminal Proceedings) Regulation 2005*.

Some sections of these Guidelines are based on legislative Scheme Directions for the operations of the CCSOG and therefore use the word “must”. Any section that uses the word “must” is a procedure rather than a guideline and must be adhered to.

1 CCSOG Membership:

1.1 For the purposes of transacting any of its business, each CCSOG must be constituted as follows:

- a) a Chairperson appointed by the Director General of the Department of Premier and Cabinet (DPC) (or his or her delegate) (see 2 below);
- b) one Police officer nominated in writing by the Commissioner of Police (or his or her delegate) to represent the NSW Police Force (NSWPF);
- c) one person nominated in writing by the Director General of the Department of Juvenile Justice (DJJ) (or his or her delegate) to represent DJJ;
- d) one person nominated in writing by the Director General of the Department of Community Services (DoCS) (or his or her delegate) to represent DoCS;
- e) one person nominated in writing by the Director General of the Department of Education and Training (DET) (or his or her delegate) to represent DET;
- f) one person nominated in writing by the Chief Executive of an area health service (or his or her delegate), being an area health service that is designated by the Director General of DPC as the appropriate area health service to make the nomination for the Group; and

g) such other persons (if any) as may be nominated in writing by the following heads of government agencies (or their delegates) to represent the agency of which they are the head:

- Director General of Housing NSW
- Director General of the Department of Aboriginal Affairs
- Director General of the Department of Ageing, Disability and Home Care
- Director General of the Department of Arts, Sport and Recreation
- Commissioner of Corrective Services for the Department of Corrective Services
- Director General of Premier and Cabinet
- Director General of the Department of Health
- Chief Executive of Justice Health

1.2 The Chairperson must keep copies of the written nominations of persons to be members.

1.3 Quorum

The Quorum for a meeting of the CCSOG must comprise “at least’ the Chairperson and the five members representing the following agencies [as per 1.1 b) to f]):

- NSWPF
- DJJ
- DoCS
- DET
- NSW Area Health

2 CCSOG Chairperson

2.1 Meetings of the CCSOG must be chaired by the Chairperson.

2.2 The Chairperson of the CCSOG is appointed by the Director General of DPC.

2.3 If the Chairperson is unable to attend or is temporarily absent, the position of “presiding member” is nominated by the CCSOG meeting members present and minuted.

3 Role and Functions

The role of the CCSOG is to oversee the development, implementation, monitoring and review of an integrated case management response to children and young people and their families or carers who are subject to the YCO Scheme or the Anti-Social Behaviour Pilot Project (ASBPP).

The CCSOG membership comprises senior officers from the relevant human services and justice agencies operating locally. Both the YCO Scheme and the ASBPP which operates concurrently are managed by the same CCSOG. The YCO Scheme focuses on children and

young people who have progressed further along the offending path than those involved in the ASBPP.

3.1 The functions of the CCSOG are to oversee:

- Preparation and approval of Stage One and Two Suitability Assessments
- Preparation and approval of Interim Conduct Plans
- Preparation and approval of Final Conduct Plans
- Preparation and approval of Compliance Reports
- Preparation and approval Scheme Operation Reports
- Monitoring and review of the YCO Scheme and the ASBPP

4 Secretariat Role

4.1 Unless otherwise determined by the CCSOG, the Secretariat support to the CCSOG will be provided by the Case Coordinator.

5 Convening Meetings

5.1: The Chairperson of the CCSOG must ensure that the CCSOG meeting is convened as soon as is possible following notification from the Children's Court Magistrate that a Referral for a Suitability Assessment has been made.

5.2: NB: The Suitability Assessment report must be completed within 7 days (or such further period as the Children's Court may allow) after the CCSOG is notified of the Suitability Assessment referral.

6 Suitability Assessments

6.1 Unless otherwise determined by the CCSOG, the Stage One Suitability Assessment Report and the Draft Interim Conduct Plan (ICP) are prepared for the approval of the CCSOG by the Case Coordinator and must be submitted to the CCSOG within a timeframe stipulated by the CCSOG and prior to the CCSOG meeting.

6.2 It is the responsibility of the CCSOG to identify the Lead Agency as part of the Stage One Assessment.

6.3 Unless otherwise determined by the CCSOG, the Stage Two Suitability Assessment Report and Draft Final Conduct Plan (FCP) are prepared by the Case Coordinator in conjunction with a suitably qualified person nominated by the Lead Agency for the approval of the CCSOG. These documents must be submitted within a timeframe stipulated by the CCSOG and prior to the CCSOG meeting.

6.4 The CCSOG agenda and briefing notes for each agenda item are prepared by the Secretariat. These briefing notes take into account all last-minute additional information and are provided to the Chairperson shortly before the CCSOG meeting. If the Chairperson requires, a briefing meeting is arranged by the Secretariat at a convenient time prior to the meeting.

- 6.5** CCSOG members who wish to raise an issue in relation to a proposed ICP or FCP must provide case documentation to support the discussion.

7 Preliminary procedural matters

- 7.1** The Chairperson, prior to the conduct of formal business, attends to the following preliminary matters:
1. Opening remarks, including welcoming new members and recording apologies.
 2. Confirmation of the Minutes of the previous meeting and any other unconfirmed Minutes or out-of-session authorisations.
 3. Confirmation that all matters arising from Minutes of previous meetings have been dealt with.
 4. Adoption of the agenda and seeking special requests from members regarding placement of items.

8 Decision making

- 8.1** The preferred decision making method is that CCSOG members will reach decisions by consensus. It is the role of the Chairperson to facilitate decision making by consensus where possible.
- 8.2** It is important to note that all decisions in relation to ICPs and FCPs must be made and be justifiable as being made in the best interests and well being of the child or young person and their family, based on the evidence contained in the Stage One and Stage Two Assessment Criteria and Reports.
- 8.3** The CCSOG must only be considered to have reached a decision if the decision is supported by the majority of the votes cast at a meeting where the Quorum (as outlined in 1.3) is present.
- 8.4** Where decision making by consensus is not possible, the Chairperson must have a deliberative vote and, in the event of an equality of votes, has a second or casting vote.

9 Media

- 9.1** The Chairperson of the CCSOG and members of the CCSOG are not designated spokespersons for the YCO Scheme or ASBPP. Any media related queries and/or incidents or issues with media interest must be referred to the Program Delivery Branch, Government Coordination Division, DPC for coordination of a response.

10 Minuting and follow-up actions

- 10.1** The Secretariat is responsible for the production and distribution of draft Minutes to CCSOG members within ten working days of the meeting.
- 10.2** The Chairperson must ensure that the name of each person attending the CCSOG meeting is noted in the Minutes.

- 10.3** Comments and suggested amendments to the draft Minutes are then provided to the Secretariat. On receipt of comments and suggested amendments, the Secretariat liaises with the Chairperson regarding revised draft Minutes, which are forwarded as final Minutes to CCSOG members according to the normal distribution formula.
- 10.4** For formal confirmation, the final version is included in the set of agenda papers for the subsequent major meeting of the CCSOG.

PRIVATE ADVERTISEMENTS

COUNCIL NOTICES

COROWA SHIRE COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

COROWA SHIRE COUNCIL declares, with the approval of Her Excellency the Governor, that the land described in Schedule 1 below, excluding the interest described in Schedule 2 below and any mines and deposits of minerals within the land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purpose of a stormwater detention basin.

Dated at Corowa this Wednesday 1st day of July 2009.

B. PARR,
Acting General Manager

SCHEDULE 1

Lot 35 DP 1123245.

SCHEDULE 2

E1 – Right of Carriageway 10 Wide. [4695]

HOLROYD CITY COUNCIL

Pesticide Use Notification Plan Revised April 2009

NOTICE is hereby given that in accordance with new amendments to the Pesticides Regulation 1995 and following community consultation, Council has adopted its Pesticide Use Notification Plan Revised April 2009. Council's Pesticide Use Notification Plan Revised April 2009 will apply to all public areas owned or controlled by Holroyd City Council where pesticides are used. Council's Pesticide Use Notification Plan Revised April 2009 will be displayed on its website www.holroyd.nsw.gov.au and will be made available for viewing at Council's Customer Service Centre within the Council Administration Building, 16 Memorial Avenue, Merrylands. MERV ISMAY, General Manager, Council Chambers, PO Box 42, Merrylands NSW 2160.

[4696]

MAITLAND CITY COUNCIL

Roads Act 1993, Section 10

Dedication of Land as a Public Road

NOTICE is hereby given that in accordance with Section 10 of the Roads Act 1993, the land described in the Schedule below is dedicated to the public as road. DAVID EVANS, General Manager, Maitland City Council, PO Box 220, Maitland NSW 2320.

SCHEDULE

Lot 2, DP 1136703, being land situated on Tocal Road, Mindaribba.

[4697]

MAITLAND CITY COUNCIL

Naming of Public Roads

NOTICE is hereby given that Maitland City Council, in pursuance of section 162 of the Roads Act 1993 and Part 2 of The Roads (General) Regulation 2000, has approved the following new road name/s for gazettal:

| <i>Deposited Plan/Location</i> | <i>Road Name</i> |
|--|------------------|
| DP 11264152, off Raymond Terrace Road, Chisholm. | Swiftwing Close. |

The above road names have been advertised and notified. No objections to the proposed name/s have been received during the prescribed 28 day period. DAVID EVANS, General Manager, Maitland City Council, High Street (PO Box 220), Maitland NSW 2320. [4698]

SINGLETON COUNCIL

Roads Act 1993, Section 162

Naming of Public Roads

NOTICE is hereby given that Singleton Council, in pursuance of Section 162 of the Roads Act 1993 and the Roads (General) Regulation 2000, has named the following road.

| <i>Description</i> | <i>New Name</i> |
|---|-----------------|
| That section of road approximately 580m on the north western side of Wattle Ponds Road measured from the intersection of Wattle Ponds Road and Bridgman Road. | Brooker Close. |

Authorised by resolution of the Council on 8 December 2008. G WOODMAN, A/General Manager, P O Box 314, Singleton NSW 2330. [4699]

YASS VALLEY COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

YASS VALLEY COUNCIL declares with the approval of Her Excellency the Governor that the land described in schedule 1 below, excluding any mines or deposits of minerals in that land and the interest described in schedule 2 below, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purpose of rehabilitation. Dated at Yass, this 3rd day of June 2009. PAUL DE SZELL Acting General Manager, Yass Valley Council, PO Box 6, Yass NSW 2582.

SCHEDULE 1

Lot 103 DP1135241.

SCHEDULE 2

“(Q) Proposed easement for water supply 5 wide (DP 1105840)”.

[4700]

ESTATE NOTICES

NOTICE of intended distribution of estate.—Any person having any claim upon the estate of ISAAC DANZIGER late of Rose Bay, NSW, in the State of New South Wales, who died on 19 September 2007, must send particulars of his/her claim to the executors Michael Danziger, Freda Danziger and Tomoko Danziger, care of Conway Lawyers, Level 7, 9 Hunter Street, Sydney NSW 2000 within one (1) calendar month from publication of this notice. After that time the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution the executors have notice. Probate was granted in New South Wales on 7 April 2009. CONWAY LAWYERS, Level 7, 9 Hunter Street, Sydney NSW 2000, tel.: 9222 8000. [4701]

COMPANY NOTICES

NOTICE of voluntary liquidation.—W.A.S. HOLDINGS PTY LTD, ACN 000 287 758 (in liquidation).—Notice is hereby given pursuant to Section 491(2) of the Corporations Act 2001, that at a meeting of Shareholders of W.A.S. Holdings Pty Ltd duly convened and held on the 26 June 2009, it was resolved that the Company be wound up voluntarily as a Members Voluntary Liquidation and that the assets of the Company may be distributed in whole or in part to the members in specie should the Liquidator so desire and by ordinary resolution that BRENT ANTONY PERKINS be appointed Liquidator. Dated: 26 June 2009. BRENT ANTONY PERKINS, Liquidator, Box 29, Hunter Region Mail Centre NSW 2310, tel.: (02) 4923 4000. [4702]

NOTICE of members' voluntary liquidation.—QSB PTY LTD, ACN 103 677 103.—Notice is hereby given that at an extraordinary general meeting of the abovenamed company, held on the following special resolution was duly passed: "That the company be wound up voluntarily". On the same day pursuant to section 495(1), Keith Saunders of Messrs Roberts & Morrow, was appointed liquidator. Dated this 25th day of June 2009. KEITH SAUNDERS, Liquidator, c.o. Messrs Roberts & Morrow, Chartered Accountants, Level 1, 3 Duggan Street, PO Box 521, Toowoomba, QLD 4350, tel.: (07) 4694 0540. [4703]

NOTICE of final meeting of members.—JALORAN HOLDINGS PTY LTD, ACN 001 153 966 (in liquidation).—On 30th June 2009 a members resolution was passed that the company be wound up voluntarily and that Mr PAUL DE MARIA be appointed Liquidator. HALES REDDEN, Registered Company Auditors, 24 Bay Street (PO Box 54), Rockdale, NSW 2216, tel.: (02) 9567 0545. [4704]

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