



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 August 2011

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

Proclamations commencing Acts

Environmental Planning and Assessment Amendment (Part 3A Repeal) Act 2011 No 22 (2011-463) — published LW 26 August 2011

Public Sector Restructure (Miscellaneous Acts Amendments) Act 2009 No 96 (2011-447) — published LW 26 August 2011

Regulations and other statutory instruments

Annual Holidays Regulation 2011 (2011-448) — published LW 26 August 2011

Births, Deaths and Marriages Registration Regulation 2011 (2011-464) — published LW 26 August 2011

Building and Construction Industry Long Service Payments Regulation 2011 (2011-449) — published LW 26 August 2011

Children (Criminal Proceedings) Regulation 2011 (2011-465) — published LW 26 August 2011

Combat Sports Amendment (Prohibited Venues) Regulation 2011 (2011-450) — published LW 26 August 2011

Drug Misuse and Trafficking Regulation 2011 (2011-451) — published LW 26 August 2011

Fitness Services (Pre-paid Fees) Regulation 2011 (2011-452) — published LW 26 August 2011

Funeral Funds Regulation 2011 (2011-453) — published LW 26 August 2011

Health Services Amendment (Ambulance Service) Regulation 2011 (2011-454) — published LW 26 August 2011

Long Service Leave (Metalliferous Mining Industry) Regulation 2011 (2011-456) — published LW 26 August 2011

Long Service Leave Regulation 2011 (2011-455) — published LW 26 August 2011

Motor Vehicle Repairs Regulation 2011 (2011-457) — published LW 26 August 2011

Ombudsman Regulation 2011 (2011-458) — published LW 26 August 2011

Subordinate Legislation (Postponement of Repeal) Order (No 2) 2011 (2011-459) — published LW 26 August 2011

Sydney Harbour Foreshore Authority Regulation 2011 (2011-466) — published LW 26 August 2011

Sydney Water Regulation 2011 (2011-467) — published LW 26 August 2011

Travel Agents Regulation 2011 (2011-460) — published LW 26 August 2011

Water Management (River Murray Traffic) Regulation 2011 (2011-461) — published LW 26 August 2011

Western Lands Regulation 2011 (2011-462) — published LW 26 August 2011

Environmental Planning Instruments

Kempsey Local Environmental Plan 1987 (Amendment No 108) (2011-441) —
published LW 26 August 2011

Ku-ring-gai Local Environmental Plan No 217 (2011-442) — published LW 26 August 2011

Liverpool Local Environmental Plan 2008 (Amendment No 8) (2011-443) — published LW 26 August 2011

Port Macquarie-Hastings Local Environmental Plan 2011 (Amendment No 3) (2011-444) —
published LW 26 August 2011

Wagga Wagga Local Environmental Plan 2010 (Amendment No 1) (2011-445) —
published LW 26 August 2011

Wentworth Local Environmental Plan 1993 (Amendment No 27) (2011-440) —
published LW 23 August 2011

Wingecarribee Local Environmental Plan 2010 (Amendment No 3) (2011-446) —
published LW 26 August 2011

OFFICIAL NOTICES

Appointments

NATURAL RESOURCES COMMISSION ACT 2003

Appointment under Section 7

HER Excellency the Governor with the advice of the Executive Council, pursuant to the provisions of the Natural Resources Commission Act 2003, has appointed the officer listed below to the position as specified:

Natural Resources Commission

Mr John WILLIAMS, Commissioner [11 August 2011 to 10 November 2011].

The Hon. B. O'FARRELL, M.P.,
Premier
and Minister for Western Sydney

PARLIAMENTARY CONTRIBUTORY SUPERANNUATION ACT 1971

Appointment under Section 17

IN accordance with the provisions of the Parliamentary Contributory Superannuation Act 1971, I have appointed Mr Colin BROAD to act in place of the Secretary of the Treasury.

Dated at Sydney, 29 August 2011.

GREG PEARCE, M.L.C.,
Minister for Finance and Services
and Minister for the Illawarra

POLICE REGULATION (SUPERANNUATION) ACT 1906

Appointment of Members and Deputies for Members of the Police Superannuation Advisory Committee

IN accordance with section 2H and Schedule 4 to the Police Regulation (Superannuation) Act 1906, I have approved the appointment of Members and Deputies of Members of the Police Superannuation Advisory Committee, as set out in the Schedule to this notice. The Committee is to serve for the period 1 September 2011 to 31 August 2015 inclusive.

Dated at Sydney, 24 August 2011.

GREG PEARCE, M.L.C.,
Minister for Finance and Services
and Minister for the Illawarra

SCHEDULE

Chairperson:

Mr Ron DAVIS.

Nominee of the SAS Trustee Corporation:

Ms Narelle WOODEN.

Deputy:

Mr Nick LEWOCKI.

Nominees of the Police Association of New South Wales:

Mr Phillip TUNCHON.

Deputies:

Ms Julie CARROLL and Mr Scott WEBER.

Mr Gregory CHILVERS.

Deputies:

Mr Pat GOOLEY and Mr Michael AALDERS.

Mr Raff DEL VECCHIO.

Deputies:

Ms Prue BURGUN and Mr Michael PLOTECKI.

Nominee of the New South Wales Commissioned Officers Branch of the Police Association of New South Wales:

Mr Gregory BLACK.

Deputies:

Mr Michael CORBOY and Mr Michael HILDER.

Nominee for the Minister for Police:

Superintendent Matthew APPLETON.

Deputies:

Assistant Commissioner Mark JENKINS and
Ms Kathryn FREYTAG.

Nominee of WorkCover Authority of NSW:

Ms Geniere APLIN.

Deputy:

Mr Wayne WEATHERBEE.

TECHNICAL AND FURTHER EDUCATION COMMISSION ACT 1990

Chief Executive Service

Appointment under Section 13

HER Excellency the Governor with the advice of the Executive Council, pursuant to the provisions of the Technical and Further Education Commission Act 1990, has appointed the officer listed below to the chief executive service position as specified:

Technical and Further Education Commission

Dr Michele BRUNIGES, Managing Director [29 August 2011 to 28 August 2016].

The Hon. A. PICCOLI, M.P.,
Minister for Education

Department of Planning

BUILDING PROFESSIONALS ACT 2005

NOTICE

I, the Minister for Planning and Infrastructure, under section 4 (7) of the Building Professionals Act 2005, amend the Building Professionals Board Accreditation Scheme by adopting the amendments set out in the Schedule.

The amendments are to commence upon the publication of this Notice in the *New South Wales Government Gazette*.

Dated: Sydney, 8th August 2011.

The Hon. BRAD HAZZARD, M.P.,
Minister for Planning and Infrastructure

SCHEDULE

Amendment 1

Schedule 3, Part 2: Qualifications demonstrating specialty criteria

Under the heading:

“Category A1-Accredited certifier-building surveying grade 1”,

add the additional qualifications:

- Bachelor of Construction Management (Building) – University of Newcastle (Note-For persons commencing this course from 1 January 2011 only)
- Bachelor of Building Surveying-Homsglen (Victoria)

Amendment 2

Schedule 3, Part 2: Qualifications demonstrating specialty criteria

Under the heading:

“Category A 2-Accredited certifier-building surveying grade 2”,

Add the additional qualifications:

- Bachelor of Construction Management (Building) – University of Newcastle (Note-For persons commencing this course from 1 January 2011 only)
- Advanced Diploma in Building Surveying-TAFE Leederville, Western Australia
- Bachelor of Built Environment-University of South Australia
- Bachelor of Building Surveying and Inspections-Central Queensland University
- Bachelor of Building Surveying-Holmsglen (Victoria)

Delete the following qualification:

- Associate Degree of Building Surveying-Central Queensland University

Amendment 3

Schedule 3, Part 2: Qualifications demonstrating specialty criteria

Under the heading:

“Category A3-Accredited certifier-building surveying grade 3”,

add the additional qualifications:

- Bachelor of Construction Management (Building) – University of Newcastle (Note-For persons commencing this course from 1 January 2011 only)
- Advanced Diploma in Building Surveying-TAFE Leederville, Western Australia
- Bachelor of Built Environment-University of South Australia
- Bachelor of Building Surveying and Inspections-Central Queensland University
- Bachelor of Building Surveying-Holmsglen (Victoria)
- Diploma in Building Surveying-TAFE Leederville, Western Australia

Amendment 4

Schedule 3, Part 2: Qualifications demonstrating specialty criteria

Insert an asterisk beside each of the qualifications listed below wherever appearing in Schedule 3, Part 2, and link the asterisk to the following note:

“Note: This course does not have Australian Institute of Building Surveyors (AIBS) accreditation. The Board intends to amend the Scheme to remove this qualification from Schedule 3, Part 2 for persons enrolling in the course from 1 January 2012 unless the course obtains AIBS accreditation before that date.”

List of qualifications linked to the note

- Advanced Diploma in Building Surveying – Victoria University
- Bachelor of Applied Science (Construction Management and Economics) – Curtin University
- Bachelor of Building Surveying – Central Queensland University
- Bachelor of Technology in Building Surveying – Victoria University
- Diploma in Building Surveying – Victoria University
- Graduate Diploma in Building Surveying and Assessment – University of Technology Sydney

Amendment 5

Schedule 2, Accreditation statements

Accreditation statement-Category C5-Accredited certifier-subdivision and building (location of works as constructed) compliance

Delete the words “Clause 12.5” wherever appearing and replace with “Clause 13.4”.

Amendment 6

Schedule 2, Accreditation statements

In each of the Accreditation statements for categories C1 to C5 inclusive (except for Category C5) delete the words appearing in brackets at the bottom of the left hand column:

“see Clauses 12.3 and 12.4 of the Scheme” and replace with:

“see Clause 13.3 of the Scheme”.

Amendment 7

Schedule 3, Part 2: Qualifications demonstrating specialty criteria

Delete the words “Institute of TAFE Tasmania” where ever used and replace with the words “Tasmanian Polytechnic”.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land in the Local Government Area of Campbelltown

THE Minister administering the Environmental Planning and Assessment Act 1979 declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of the Environmental Planning and Assessment Act 1979.

Dated at Sydney, this 2nd day of March 2011.

By Her Excellency’s Command,

The Hon. TONY KELLY, M.L.C.,
Minister for Planning

SCHEDULE

1. All that piece or parcel of land situated in the Local Government Area of Campbelltown, Parish of Minto, County of Cumberland, being proposed Lot 111 in Plan of Acquisition being part Lot 1, Deposited Plan 270152, Macquarie Links Drive, Glenfield, said to be in the name of the Community Association DP 270152.
2. Excepting thereout easement for services 30 wide and variable created by DP 828871 so far as it affects Lot 111 in the Plan of Acquisition of part of Lot 1, DP 270152 and appurtenant to Lot 1, DP 828871 and is appurtenant to Lot 1, DP 612265.
3. Excepting thereout easement for underground mains and street lighting equipment (23 wide, 16.5 wide and variable) affecting Lot 111 in the Plan of Acquisition DP 1155603 of part Lot 1, DP 270152.

Department of Primary Industries

FISHERIES MANAGEMENT ACT 1994

Section 8 Notification – Fishing Closure

Prohibition of Shark Finning

I, KATRINA HODGKINSON, M.P., Minister for Primary Industries, pursuant to section 8 of the Fisheries Management Act 1994 (“the Act”), do by this notification prohibit the taking of any species of shark by any person on board any vessel in any waters to which this Act applies, unless the shark are taken in accordance with the conditions specified in Schedule 1 to this notification.

SCHEDULE 1

- (1) Shark taken must remain on board the vessel, whole and with all fins naturally attached until the vessel berths at a port; or
- (2) Shark taken may:
 - (a) be discarded immediately, whole and with all fins naturally attached;
 - (b) be cut across the body and vertically from the top of the body through the carcass into portions (commonly referred to as barrels), provided all fins remain naturally attached to the respective portions of the carcass, and all such portions remain on board the vessel until the vessel berths at a port;
 - (c) have the head, gills, gut and/or other internal organs removed and discarded, provided the remainder of the shark remains on board the vessel until the vessel berths at a port. However, if the shark is a School Shark (*Galeorhinus galeus*) the head must not be removed;
 - (d) if the shark is of a species specified in Schedule 2 to this notification, have the belly flaps (with ventral fins attached) removed and discarded, provided the remainder of the shark remains on board the vessel until the vessel berths at a port.
- (3) Shark taken or any relevant portion of a shark taken may not be on board any vessel at any time (including after landing) without fins naturally attached.

SCHEDULE 2

<i>Common Name</i>	<i>Family</i>
Gulper sharks	CENTROPHORIDAE
Dogfishes	SQUALIDAE
Catsharks	SCYLIORHINIDAE

<i>Common Name</i>	<i>Scientific Name</i>
School shark	<i>Galeorhinus galeus</i>
Gummy shark	<i>Mustelus antarcticus</i>

The provisions of this fishing closure in respect of endorsement holders in the Ocean Trap and Line Fishery have effect despite any provision in the Fisheries Management (Ocean Trap and Line Share Management Plan) Regulation 2006.

The provisions of this fishing closure in respect of endorsement holders in the Ocean Trawl Fishery have effect despite any provision in the Fisheries Management (Ocean Trawl Share Management Plan) Regulation 2006.

The provisions of this fishing closure in respect of endorsement holders in the Ocean Hauling Fishery have effect despite any provision in the Fisheries Management (Ocean Hauling Share Management Plan) Regulation 2006.

The provisions of this fishing closure in respect of endorsement holders in the Lobster Fishery have effect despite any provision in the Fisheries Management (Lobster Share Management Plan) Regulation 2000.

The provisions of this fishing closure in respect of endorsement holders in the Estuary General Fishery have effect despite any provision in the Fisheries Management (Estuary General Share Management Plan) Regulation 2006.

The provisions of this fishing closure in respect of endorsement holders in the Estuary Prawn Trawl Fishery have effect despite any provision in the Fisheries Management (Estuary Prawn Trawl Share Management Plan) Regulation 2006.

Notes:

1. Any taking of sharks occurring pursuant to this fishing closure notification must also comply with all other relevant requirements of the Act and any regulations, fishing closure notifications and other subordinate legislation made under the Act.
2. A separate fishing closure applying to holders of line fishing western zone endorsements, line fishing eastern zone endorsements and demersal fish trap endorsements in the Ocean Trap and Line Fishery entitled Fishing Closure – Catch limits for certain shark species harvested in the Ocean Trap and Line Fishery prescribes, for certain species, the way in which the head may be removed and prohibits the removal and discarding of the belly flaps (with ventral fins attached) prior to when the vessel berths at a port.

This fishing closure is effective for a period of five years from the date of publication in the *NSW Government Gazette* unless sooner amended or revoked.

Dated this 26th day of August 2011.

KATRINA HODGKINSON, M.P.,
Minister for Primary Industries

FISHERIES MANAGEMENT ACT 1994

Section 8 Notification – Fishing Closure

Catch Limits for Certain Shark Species Harvested in the Ocean Trap and Line Fishery

I, GEOFF ALLAN, Acting Principal Director, Fisheries, with the delegated authority of the Minister for Primary Industries and the Director General pursuant to sections 227 and 228 of the Fisheries Management Act 1994 (“the Act”) and pursuant to section 8 of the Act do by this notification:

1. revoke the fishing closure notification entitled “Catch limits for certain shark species harvested in the Ocean Trap and Line Fishery dated 11 February 2011 and

published in *NSW Government Gazette* No. 20 on 25 February 2011 at pages 1329-1330 inclusive;

and

- prohibit the taking of all species of shark from ocean waters, by holders of line fishing western zone endorsements, line fishing eastern zone endorsements and demersal fish trap endorsements in the Ocean Trap and Line Fishery, except when those fish are taken in accordance with the conditions specified in Schedule 1 to this notification.

SCHEDULE 1

Commercial Fishing Catch Limit Conditions

- A holder of a line fishing western zone endorsement, line fishing eastern zone endorsement or a demersal fish trap endorsement must not take more than the weekly limit of any species of shark (excluding those of a type specified in Schedule 2 to this notification) or combination of any species of shark (excluding those of a type specified in Schedule 2 to this notification) within any weekly period commencing midnight Sunday to midnight the following Sunday.
- A holder of a line fishing western zone endorsement, line fishing eastern zone endorsement or a demersal fish trap endorsement must not take any shark (excluding those of a type specified in Schedule 2 to this notification) if the weight of shark (excluding those of a type specified in Schedule 2 to this notification) on a licensed fishing boat at any one time exceeds the weekly limit or if the weekly limit has been reached by that endorsement holder or any other endorsement holder (combined) while using that licensed fishing boat.
- A holder of a line fishing western zone endorsement, line fishing eastern zone endorsement or a demersal fish trap endorsement must not take any shark (excluding those of a type specified in Schedule 2 to this notification) while onboard a boat with any person who is authorised to take shark under the authority of a permit issued under section 37 of the Act enabling that person to take sharks in quantities exceeding the weekly limit specified in this fishing closure.
- A holder of a line fishing western zone endorsement, line fishing eastern zone endorsement or a demersal fish trap endorsement who takes any shark (excluding those of a type specified in Schedule 2 to this notification) must, prior to moving the catch more than 50 metres from the licensed fishing boat used to take the shark, complete the form entitled "NSW DPI Daily Catch and Effort Record" contained within the "NSW DPI Commercial Fisheries Catch and Effort Log Book" issued by the Department of Primary Industries. The completed record must be faxed to (02) 6391 4709 or emailed to cronulla.catchrecords@industry.nsw.gov.au and received by the Department of Primary Industries within 24 hours of landing the catch.
- A holder of a line fishing western zone endorsement, line fishing eastern zone endorsement or a demersal fish trap endorsement who takes any shark species (excluding those of a type specified in Schedule 2 and Schedule 3 to this notification) must; if removing the head and gills of the shark, do so by a cut in front of the last gill slit and pectoral fin with the cut being perpendicular to the long axis of the fish.

SCHEDULE 2

Species Excluded from Catch Limit

<i>Common Name</i>	<i>Scientific Name</i>
Harrison's dogfish	<i>Centrophorus harrissoni</i>
Endeavour dogfish	<i>Centrophorus moluccensis</i>
Southern dogfish	<i>Centrophorus zeehaani</i>
Greeneye spurdog	<i>Squalus choloroculus</i>
School shark	<i>Galeorhinus galeus</i>
Gummy shark	<i>Mustelus antarcticus</i>

SCHEDULE 3

Species Excluded from Condition Relating to Heading and Gutting

<i>Common Name</i>	<i>Family</i>
Gulper sharks	CENTROPHORIDAE
Dogfishes	SQUALIDAE
Catsharks	SCYLIORHINIDAE

In this notification:

"*Ocean Trap and Line Fishery*" means the share management fishery of that name, as described in Schedule 1 to the Act.

"*shark*" means the species of cartilaginous fishes contained within the following families:

<i>Family</i>	<i>Common Name</i>
ALOPIIDAE	Thresher sharks
BRACHAELURIDAE	Blind sharks
CARCHARHINIDAE	Whaler sharks
CENTROPHORIDAE	Gulper sharks
CETORHINIDAE	Basking Sharks
CHLAMYDOSELACHIDAE	Frill Sharks
DALATIIDAE	Sleeper sharks
ECHINORHINIDAE	Bramble Sharks
ETMOPTERIDAE	Lantern sharks
GINGLYMOSTOMATIDAE	Nurse sharks
HEMIGALEIDAE	Weasel sharks
HEMISCYLLIDAE	Longtail carpet sharks
HETERODONTIDAE	Horn sharks
HEXANCHIDAE	Sixgill, Sevengill and Broadnose Sharks
LAMNIDAE	Mackerel sharks
MEGACHASMIDAE	Megamouth Sharks
MITSUKURINIDAE	Goblin Sharks

<i>Family</i>	<i>Common Name</i>
OXYNOTIDAE	Roughsharks / prickly dogfishes
PARASCYLLIDAE	Collared carpet sharks
PRISTIOPHORIDAE	Sawsharks
PSEUDOCARCHARIDAE	Crocodile sharks
SCYLIORHINIDAE	Catsharks
SOMNIOSIDAE	Sleeper sharks
SPHYRNIDAE	Hammerhead sharks
SQUALIDAE	Dogfishes
SQUATINIDAE	Angelsharks
STEGOSTOMATIDAE	Zebra sharks
TRIAKIDAE	Hound sharks

“*weekly limit*” means a total weight of 750 kilograms if the sharks are whole or 500 kilograms if any of the sharks are headed, gutted or headed and gutted.

Notes:

- (1) If, during the period 1 February 2011 to 31 January 2012, the total catch of sharks by all endorsement holders (excluding those sharks of a type specified in Schedule 2 to this notification and excluding any catches taken pursuant to a permit issued under section 37 of the Act authorising the taking of shark) is more than approximately 70 tonnes dressed weight, the Minister intends to impose further restrictions.
- (2) A separate fishing closure relating to sharks prohibits the practice of shark finning in all NSW waters.
- (3) This closure does not affect the bag limits specified in clause 12D and Schedule 3 of the Fisheries Management (Ocean Trap and Line Share Management Plan) Regulation 2006.
- (4) Contact your District Fisheries Office for details of permit holders referred to in clause 3 of Schedule 1 to this closure. Local District Fisheries Office telephone numbers include: Tweed District – 07 5523 6900, Richmond District (Ballina) – 02 6686 2018, Coffs Harbour District – 02 6652 3977, Clarence River District (Maclean) – 02 6645 0500, Port Macquarie 02 6524 0600

This fishing closure notification takes effect on publication in the *NSW Government Gazette* and is effective until 31 January 2012, unless sooner amended or revoked.

Dated this 29th day of August 2011.

DR GEOFF ALLAN,
Acting Principal Director, Fisheries,
Department of Primary Industries,
(an office within the Department of Trade and
Investment, Regional Infrastructure and Services)

FISHERIES MANAGEMENT ACT 1994

Section 8 Notification – Fishing Closure

Tailor

I, GEOFF ALLAN, Acting Principal Director, Fisheries, with the delegated authority of the Minister for Primary Industries and the Director-General pursuant to sections 227 and 228 of the Fisheries Management Act 1994 (“the Act”) and pursuant to section 8 of the Act do by this notification prohibit the taking of the species of fish described in Column 1 of Schedule 1 to this notification, by all endorsement holders in the Ocean Hauling Fishery and the Estuary General Fishery, by the methods of fishing specified opposite in Column 2 of Schedule 1, from any waters, except when those fish are taken in accordance with the conditions specified in Schedule 2 to this notification.

SCHEDULE 1

<i>Column 1 Species</i>	<i>Column 2 Methods</i>
Tailor	By means of all methods other than set lines, hand held lines and drift lines and a landing net when used in conjunction with the above methods.

SCHEDULE 2

Endorsement holders in the Ocean Hauling Fishery and the Estuary General Fishery must not take or be in possession of, during any day or from the time of departure on a fishing trip to the time of return to port (if longer than a day) a bycatch of tailor of more than the following amounts:

- (a) if the bycatch was taken by use of a hauling net (general purpose) – no more than 100 kg whole weight; or
- (b) if the bycatch was taken by use of any other net that may be lawfully used to take fish in the Ocean Hauling Fishery or the Estuary General Fishery – no more than 50 kg whole weight.

In this notification:

“*drift line*” has the same meaning as in clause 2 of the Appendix to the Fisheries Management (Estuary General Share Management Plan) Regulation 2006.

“*Estuary General Fishery*” means the share management fishery of that name, as described in Schedule 1 to the Act.

“*hand held line*” means a rod and line or handline.

“*landing net*” has the same meaning as in clause 11A of the Appendix to the Fisheries Management (Supporting Plan) Regulation 2006.

“*Ocean Hauling Fishery*” means the share management fishery of that name, as described in Schedule 1 to the Act.

“*set line*” has the same meaning as in clause 2 of the Appendix to the Fisheries Management (Estuary General Share Management Plan) Regulation 2006.

“*whole weight*” means the weight of fish prior to any processing or removal of any part of the fish.

The provisions of this fishing closure in respect of endorsement holders in the Ocean Hauling Fishery have

effect despite any provision in the Fisheries Management (Ocean Hauling Share Management Plan) Regulation 2006.

The provisions of this fishing closure in respect of endorsement holders in the Estuary General Fishery have effect despite any provision in the Fisheries Management (Estuary General Share Management Plan) Regulation 2006.

This fishing closure notification is effective for a period of 5 years commencing on the date of publication in the *NSW Government Gazette* unless sooner amended or revoked.

Dated this 31st day of August 2011

DR GEOFF ALLAN,
Acting Principal Director, Fisheries,
Department of Primary Industries,
(an office within the Department of Trade and
Investment, Regional Infrastructure and Services)

FISHERIES MANAGEMENT ACT 1994

Section 8 Notification – Fishing Closure

Australian Salmon

I, GEOFF ALLAN, Acting Principal Director, Fisheries, with the delegated authority of the Minister for Primary Industries and the Director-General pursuant to sections 227 and 228 of the Fisheries Management Act 1994 (“the Act”) and pursuant to section 8 of the Act do by this notification prohibit the taking of the species of fish described in Column 1 of Schedule 1 to this notification, by all endorsement holders in the Ocean Hauling Fishery and the Estuary General Fishery, by the methods of fishing specified opposite in Column 2 of Schedule 1, from the waters described in Column 3 of Schedule 1, except when those fish are taken in accordance with the conditions specified in Schedule 2 to this notification.

Schedule 1

<i>Column 1 Species</i>	<i>Column 2 Methods</i>	<i>Column 3 Waters</i>
Australian salmon	By means of all methods other than set lines, hand held lines and drift lines and a landing net when used in conjunction with the above methods.	All waters north of a line drawn in a generally easterly direction from Barrenjoey Headland

SCHEDULE 2

Endorsement holders in the Ocean Hauling Fishery and the Estuary General Fishery must not take or be in possession of, during any day or from the time of departure on a fishing trip to the time of return to port (if longer than a day) a bycatch of Australian salmon of more than the following amounts:

- if the bycatch was taken by use of a hauling net (general purpose) – no more than 100 kg whole weight; or
- if the bycatch was taken by use of any other net that may be lawfully used to take fish in the Ocean Hauling Fishery or the Estuary General Fishery – no more than 50 kg whole weight.

In this notification:

“*drift line*” has the same meaning as in clause 2 of the Appendix to the Fisheries Management (Estuary General Share Management Plan) Regulation 2006.

“*Estuary General Fishery*” means the share management fishery of that name, as described in Schedule 1 to the Act.

“*hand held line*” means a rod and line or handline.

“*landing net*” has the same meaning as in clause 11A of the Appendix to the Fisheries Management (Supporting Plan) Regulation 2006.

“*Ocean Hauling Fishery*” means the share management fishery of that name, as described in Schedule 1 to the Act.

“*set line*” has the same meaning as in clause 2 of the Appendix to the Fisheries Management (Estuary General Share Management Plan) Regulation 2006.

“*whole weight*” means the weight of fish prior to any processing or removal of any part of the fish.

The provisions of this fishing closure in respect of endorsement holders in the Ocean Hauling Fishery have effect despite any provision in the Fisheries Management (Ocean Hauling Share Management Plan) Regulation 2006.

The provisions of this fishing closure in respect of endorsement holders in the Estuary General Fishery have effect despite any provision in the Fisheries Management (Estuary General Share Management Plan) Regulation 2006.

This fishing closure notification is effective from the date of publication in the *NSW Government Gazette* until 30 November 2011, unless sooner amended or revoked.

Dated this 31st day of August 2011.

DR GEOFF ALLAN,
Acting Principal Director, Fisheries,
Department of Primary Industries,
(an office within the Department of Trade and
Investment, Regional Infrastructure and Services)

MINERAL RESOURCES

NOTICE is given that the following applications have been received:

EXPLORATION LICENCE APPLICATIONS

(T11-0267)

No. 4359, CLIFFORD QUARRIES PTY LIMITED (ACN 001 904 874), area of 4 units, for Group 2, dated 24 August 2011. (Singleton Mining Division).

(T11-0268)

No. 4360, CENTRAL WEST GOLD NL (ACN 003 078 591), area of 1 units, for Group 1, dated 29 August 2011. (Cobar Mining Division).

MINING LEASE APPLICATION

(T11-0118)

No. 399, TOMINGLEY GOLD OPERATIONS PTY LTD (ACN 149 040 371), area of about 733.7 hectares, to mine for antimony, arsenic, bismuth, copper, gold, lead, silver and zinc, dated 29 April 2011. (Orange Mining Division).

CHRIS HARTCHER, M.P.,
Minister for Resources and Energy

NOTICE is given that the following application has been granted:

MINING LEASE APPLICATION

(04-0638)

Orange No. 258, now Mining Lease No. 1657 (Act 1992), CSR BUILDING PRODUCTS LIMITED (ACN 008 631 356), Parish of Bathurst, County of Bathurst, Map Sheet (8831-3-S), area of 8.656 hectares, to mine for clay/shale and structural clay, dated 20 July 2011, for a term until 20 July 2032.

CHRIS HARTCHER, M.P.,
Minister for Resources and Energy

NOTICE is given that the following applications have been withdrawn:

EXPLORATION LICENCE APPLICATIONS

(T11-0133)

No. 4249, GEODISCOVERY PTY LTD (ACN 141 324 423), County of Wynyard, Map Sheet (8527). Withdrawal took effect on 18 May 2011.

(T11-0149)

No. 4264, P W ENGLISH AND ASSOCIATES PTY LTD (ACN 002 052 913), County of Hardinge, Map Sheet (9137). Withdrawal took effect on 29 July 2011.

(T11-0205)

No. 4319, ABX2 PTY LTD (ACN 139 791 478), County of Argyle, County of Georgiana and County of King, Map Sheet (8728, 8729, 8828, 8829). Withdrawal took effect on 20 July 2011.

CHRIS HARTCHER, M.P.,
Minister for Resources and Energy

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

(07-6420)

Authorisation No. 268, XSTRATA MT OWEN PTY LIMITED (ACN 003 827 361), area of 256 hectares. Application for renewal received 24 August 2011.

(06-5047)

Authorisation No. 447, SAXONVALE COAL PTY LIMITED (ACN 003 526 467), area of 312.7 hectares. Application for renewal received 29 August 2011.

(07-5405)

Exploration Licence No. 5614, PERILYA BROKEN HILL LIMITED (ACN 099 761 289), area of 7 units. Application for renewal received 24 August 2011.

(06-7061)

Exploration Licence No. 6870, RAPTOR MINERALS LIMITED (ACN 101 168 343), area of 13 units. Application for renewal received 25 August 2011.

(09-5058)

Exploration Licence No. 7211, WAMBO COAL PTY LIMITED (ACN 000 668 057), area of 967 hectares. Application for renewal received 25 August 2011.

(T09-0078)

Exploration Licence No. 7404, JERVOIS MINING LIMITED (ACN 007 626 575), area of 3 units. Application for renewal received 25 August 2011.

(04-0949)

Consolidated Mining Lease No. 15 (Act 1992), YOUNG MINING COMPANY PROPRIETARY LIMITED (ACN 004 301 508), area of 269.4 hectares. Application for renewal received 29 August 2011.

(T00-0037)

Mining Claim Converted To Lease No. 269 (Act 1992), Desmond Raymond MANTON, area of 1.99 hectares. Application for renewal received 29 August 2011.

CHRIS HARTCHER, M.P.,
Minister for Resources and Energy

RENEWAL OF CERTAIN AUTHORITIES

NOTICE is given that the following authorities have been renewed:

(10-6437)

Exploration Licence No. 5527, NICO YOUNG PTY LTD (ACN 132 050 205), Counties of Bland and Monteagle, Map Sheet (8529), area of 21 units, for a further term until 5 October 2012. Renewal effective on and from 24 August 2011.

(07-0128)

Exploration Licence No. 6873, ELEPHANT MINES PTY LIMITED (ACN 097 799 025), County of King, Map Sheet (8628), area of 9 units, for a further term until 7 September 2012. Renewal effective on and from 30 August 2011.

CHRIS HARTCHER, M.P.,
Minister for Resources and Energy

TRANSFERS

(07-0147)

Exploration Licence No. 6913, formerly held by CLANCY EXPLORATION LIMITED (ACN 105 578 756) has been transferred to CLANCY EXPLORATION LIMITED (ACN 105 578 756) and GOLD FIELDS AUSTRALASIA PTY LTD (ACN 087 624 600). The transfer was registered on 26 July 2011.

(T00-0710)

Mining Purposes Lease No. 275 (Act 1973), formerly held by Robert ALLEN and Susan MILLAR has been transferred to FIRE OPALS MINING & TRADING CO PTY LTD. The transfer was registered on 23 August 2011.

CHRIS HARTCHER, M.P.,
Minister for Resources and Energy

LANDS

DUBBO CROWN LANDS OFFICE
45 Wingewarra Street (PO Box 1840), Dubbo NSW 2830
Phone: (02) 6883 3300 Fax: (02) 6884 2067

**REVOCATION OF APPOINTMENT OF RESERVE
TRUST**

PURSUANT to section 92 (3) (c) of the Crown Lands Act 1989, the appointment of the reserve trust specified in Column 1 of the Schedule hereunder, as trustee of the reserve(s) or part(s) of the reserve(s), specified opposite thereto in Column 2 of the Schedule, is revoked.

KATRINA HODGKINSON, M.P.,
Minister for Primary Industries

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Coonamble Shire Council Crown Reserves Reserve Trust.	Dedication No.: 520011. Public Purpose: Showground. Notified: 2 June 1893. File No.: DB80 R 111.

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 lands comprised therein cease to be public road and the rights of passage and access that previously existed in relation to the road is extinguished. Upon closing, title to the land, comprising the former public road, vests in the body specified in the Schedule hereunder.

KATRINA HODGKINSON, M.P.,
Minister for Primary Industries

Description

*Parish – Mongarlowe; County – St Vincent;
Land District – Braidwood; L.G.A. – Palerang Council*

Lot 1, DP 1165903 (not being land under the Real Property Act).

File No.: GB06 H 247:BA.

Schedule

On closing, the title for the land in Lot 1, DP 1165903 remains vested in the State of New South Wales as Crown Land.

Description

*Parish – Milo; County – St Vincent;
Land District – Braidwood; L.G.A. – Palerang Council*

Lot 1, DP 1167375 (not being land under the Real Property Act).

File No.: GB06 H 232:BA.

Schedule

On closing, the title for the land in Lot 1, DP 1167375 remains vested in the State of New South Wales as Crown Land.

Description

*Parish – Young; County – Monteagle;
Land District – Young; L.G.A. – Young Council*

Lot 1, DP 1165900 (not being land under the Real Property Act).

File No.: GB06 H 251:BA.

Schedule

On closing, the title for the land in Lot 1, DP 1165900 remains vested in the State of New South Wales as Crown Land.

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

RESERVATION OF CROWN LAND

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

KATRINA HODGKINSON, M.P.,
 Minister for Primary Industries

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Land District: Mirrool.	Reserve No.: 1033228.
Local Government Area: Griffith City Council.	Public Purpose: Environmental protection and public recreation.
Locality: Beelbangera.	
Lot 6, DP 1141418, Parish Wyangan, County Cooper.	
Lot 5, DP 1141418, Parish Wyangan, County Cooper.	
Lot 4, DP 1141418, Parish Wyangan, County Cooper.	
Lot 3, DP 1141418, Parish Wyangan, County Cooper.	
Area: About 172.12 hectares.	
File No.: 11/10337.	

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.

KATRINA HODGKINSON, M.P.,
 Minister for Primary Industries

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Lands Administration Ministerial Corporation.	Beelbangera Crown (R1033228) Reserve Trust.	Reserve No.: 1033228. Public Purpose: Environmental protection and public recreation. Notified: This day. File No.: 11/10337.

For a term commencing the date of this notice.

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.

KATRINA HODGKINSON, M.P.,
 Minister for Primary Industries

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Beelbangera Crown (R1033228) Reserve Trust.	Reserve No.: 1033228. Public Purpose: Environmental protection and public recreation. Notified: This day. File No.: 11/10337.

HAY OFFICE
126 Lachlan Street (PO Box 182), Hay NSW 2711
Phone: (02) 6990 1800 Fax: (02) 6993 1135

NOTIFICATION OF CLOSING OF PUBLIC ROAD

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

KATRINA HODGKINSON, M.P.,
Minister for Primary Industries

Description

Land District of Deniliquin; L.G.A. – Jerilderie

Lot 2 in DP 1142628, Parish of Jerilderie South, County of Urana.

File No.: HY00 H 22.

Schedule

On closing, title for the land comprised in Lot 2, DP 1142628 remains vested in the State of New South Wales as Crown Land.

MAITLAND OFFICE**Corner Newcastle Road and Banks Street (PO Box 6), East Maitland NSW 2323****Phone: (02) 4937 9306 Fax: (02) 4934 8417****NOTIFICATION OF CLOSING OF PUBLIC ROAD**

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

KATRINA HODGKINSON, M.P.,
Minister for Primary Industries

Description

*Parish – Kahibah; County – Northumberland;
Land District – Newcastle; L.G.A. – Lake Macquarie*

Road Closed: Lot 100, DP 1159002 at Dudley.

File No.: 08/10047.

Schedule

On closing, the land within Lot 100, DP 1159002 remains vested in Council as operational land for the purposes of the Local Government Act 1993.

Council's Reference: F2004/10036.

ASSIGNMENT OF NAME TO A RESERVE TRUST

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

KATRINA HODGKINSON, M.P.,
Minister for Primary Industries

SCHEDULE 1

<i>Column 1</i>	<i>Column 2</i>
Broadmeadow Police and Community Youth Club (R1000582) Reserve Trust.	Dedication No.: 1000582. Public Purpose: Police Boys' Club. Notified: 5 June 1964. File No.: 11/06312.

SCHEDULE 2

<i>Column 1</i>	<i>Column 2</i>
Glenworth Valley Water (46714) Reserve Trust.	Reserve No.: 46714. Public Purpose: Water. Notified: 21 June 1911. File No.: 11/06312.

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.

KATRINA HODGKINSON, M.P.,
Minister for Primary Industries

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Chittaway Point R170131 Reserve Trust.	Reserve No.: 170131. Public Purpose: Public recreation. Notified: 2 March 1990. File No.: MD88 R 29.

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.

KATRINA HODGKINSON, M.P.,
Minister for Primary Industries

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Wyong Shire Council.	Chittaway Point R170131 Reserve Trust.	Reserve No.: 170131. Public Purpose: Public recreation. Notified: 2 March 1990. File No.: MD88 R 29.

For a term commencing the date of this notice.

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

NOTIFICATION OF CLOSING OF ROADS

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

KATRINA HODGKINSON, M.P.,
Minister for Primary Industries

Description

*Land District – Bingara; Council – Gwydir;
Parish – Hall; County – Murchison*

Road Closed: Lots 1 and 2 in DP 1163394.

File No.: ME05 H 241.

Schedule

Upon closure the land remains vested in the Crown as Crown Land.

Description

*Land District – Bingara; Council – Gwydir;
Parishes – Crawley; County – Murchison*

Road Closed: Lot 1 in DP 1161953.

File No.: ME06 H 75.

Schedule

Upon closure the land remains vested in the Crown as Crown Land.

NEWCASTLE OFFICE

437 Hunter Street, Newcastle NSW 2300 (PO Box 2185, Dangar NSW 2309)

Phone: (02) 4925 4104 Fax: (02) 4925 3517

NOTIFICATION OF CLOSING OF PUBLIC ROAD

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

KATRINA HODGKINSON, M.P.,
Minister for Primary Industries

Description

*Parish – Geraldra; County – Bland;
Land District – Young; L.G.A. – Young*

Road Closed: Lot 7302, DP 1125253 (not being land under the Real Property Act).

File No.: GB06 H 538.

Schedule

On closing, the land within Lot 7302, DP 1125253 remains vested in the State of New South Wales as Crown Land.

Description

*Parishes – Three Brothers, Osborne and Napier;
County – Bathurst; Land District – Bathurst;
L.G.A. – Blayney*

Road Closed: Lot 1, DP 1168199 (not being land under the Real Property Act).

File No.: OE05 H 284.

Schedule

On closing, the land within Lot 1, DP 1168199 remains vested in the State of New South Wales as Crown Land.

Description

*Parish – Mulgunnia; County – Georgiana;
Land District – Blayney; L.G.A. – Bathurst Regional*

Road Closed: Lot 1, DP 1167453 subject to Right of Carriageway created in Deposited Plan 1167453 (not being land under the Real Property Act).

File No.: CL/00299.

Schedule

On closing, the land within Lot 1, DP 1167453 remains vested in the State of New South Wales as Crown Land.

Description

*Parish – Althorpe; County – Durham;
Land District – Muswellbrook; L.G.A. – Muswellbrook*

Road Closed: Lot 2, DP 1163446 subject to Right of Carriageway created in Deposited Plan 1163446 (not being land under the Real Property Act).

File No.: MD05 H 199.

Schedule

On closing, the land within Lot 2, DP 1163446 remains vested in the State of New South Wales as Crown Land.

Description

*Parish – Tuggerah; County – Northumberland;
Land District – Wyong; L.G.A. – Wyong*

Road Closed: Lot 300, DP 1166755 subject to easement for electricity and other purposes created in DP 1166755 (not being land under the Real Property Act).

File No.: 07/1769.

Schedule

On closing, the land within Lot 300, DP 1166755 remains vested in the State of New South Wales as Crown Land.

REVOCATION OF RESERVATION OF CROWN LAND

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

KATRINA HODGKINSON, M.P.,
Minister for Primary Industries

SCHEDULE

Column 1

Land District: Young.
Local Government Area:
Young Shire Council.
Locality: Tumbleton.
Reserve No.: 12.
Public Purpose: Access and
driftway.
Notified: 6 February 1886.
Lot 7302, DP No. 1125253,
Parish Geraldra, County Bland.
Lot 7301, DP No. 1125252#,
Parish Tumbleton, County Bland.
Lot 7300, DP No. 1125252#,
Parish Tumbleton, County Bland.
File No.: GB06 H 538.

Column 2

The part being Lot 7302,
DP No. 1125253, Parish
Geraldra, County Bland, of
an area of 11.018 hectares.

Note: To revoke reserve over unconstructed Crown road contained within the adjoining land owner's property.

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

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

ERRATUM

IN the notifications appearing in the *New South Wales Government Gazette* of 9 December 1994, Folio 7224, under the heading "APPOINTMENT OF CORPORATIONS TO MANAGE RESERVE TRUSTS" in Column 1 in Schedules 3, 4, 5 and 9 delete the words "Blacktown City Council" and replace with the words "Parramatta City Council".

File No.: 11/06638.

KATRINA HODGKINSON, M.P.,
Minister for Primary Industries

**DRAFT PLAN OF MANAGEMENT FOR
CROWN RESERVES AT LAKE PARRAMATTA
PARK, PARRAMATTA LOCAL GOVERNMENT
AREA, UNDER PART 5 DIVISION 6 OF THE
CROWN LANDS ACT 1989 AND CROWN LANDS
REGULATION 2006.**

A draft plan of management has been prepared for the Crown reserves described below, managed by Parramatta City Council.

The draft plan can be viewed on the Crown Lands Division website www.crownland.nsw.gov.au; Parramatta Council, Customer Service Centre, 30 Darcy Street, Parramatta and on Council's website www.parracity.nsw.gov.au.

The public are invited to make representations on the draft plan. The plan will be on exhibition from 5 September 2011 to 3 October 2011. Submissions will be received until 31 October 2011 and should be sent to Troy Holbrook, Open Space and Natural Area Planner, PO Box 32, Parramatta NSW 2124, or by email tholbrook@parracity.nsw.gov.au.

KATRINA HODGKINSON, M.P.,
Minister for Primary Industries

Description of Crown Lands

*Land District – Metropolitan; L.G.A. – Parramatta;
Parish – Field of Mars; County – Cumberland*

Crown Land: Reserves: The land known generally as Lake Parramatta Park and comprising:

R65638, gazetted 22 November 1935, for public recreation, comprising Lot 7028, DP 1124167; Lot 7034, DP 93839; Lot 2, DP 540643; Lot 1, DP 540643 and Lot 2, DP 581960.

R59927, gazetted 19 August 1927, for public recreation, comprising Lot 7022, DP 1124101; Lot 7023, DP 1124101; Lot 7019, DP 93888; Lot 7020, DP 93888; Lot 7021, DP 93888; Lot 4, DP 249668; Lot 5, DP 249668; Lot 1, DP 998942; Lot 1, DP 998941; Lot 2, DP 998941; Lot 3, DP 998941; Lot 4, DP 998941; Lot 1, DP 999429 and Lot 1, DP 210580.

R77695, gazetted 17 June 1955, for public recreation, comprising Lot 7304, DP 1148769.

Location: North Parramatta.

File No.: 09/18982-02.

**APPOINTMENT OF AN ADMINISTRATOR OF A
RESERVE TRUST**

PURSUANT to section 117 of the Crown Lands Act 1989, the person specified in Schedule 1 hereunder, is appointed to be the administrator of the reserve trust specified in Schedule 2, which is the trustee of the reserve referred to in Schedule 3, commencing 18 September 2011 and expiring on 17 March 2012.

KATRINA HODGKINSON, M.P.,
Minister for Primary Industries

SCHEDULE 1

Bruce Albert NAPTHALI.

SCHEDULE 2

Independent Cemetery Trust, Necropolis.

SCHEDULE 3

The Independent portions of the Rookwood Necropolis, dedicated 7 April 1868 and 2 December 1887. (D500906).

File No.: MN84 R 76.

APPOINTMENT OF TRUST BOARD MEMBERS

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

KATRINA HODGKINSON, M.P.,
Minister for Primary Industries

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
William Bruce TANNER. Nola Dawn EMERSON. David Colin BLAKE. Nermeen Linda SEDRA. John Hill STARR. Ivona KADLEC. Leslie William BURSILL.	Woronora General Cemetery and Crematorium Trust.	Area at Woronora, dedicated for the purposes of General Cemetery and notified in <i>New South Wales Government Gazette</i> of 2 April 1895, 18 September 1925 (addn) and 16 December 1927 (addn). Dedication No.: 500540. File No.: MN84 R 188.

Term of Office

For a term commencing 26 August 2011 and expiring 25 August 2016.

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 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.

KATRINA HODGKINSON, M.P.,
Minister for Primary Industries

Description

*Parish – Jerra Jerra; County – Goulburn;
Land District – Albury; L.G.A. – Greater Hume*

Lot 3 in DP 1166981 at Cookardinia.

File No.: 08/7176.

Schedule

On closing, the land within Lot 3 in DP 1166981 remains vested in the State of New South Wales as Crown Land.

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

ERRATUM

IN the *New South Wales Government Gazette* of 1 July 2011, Folio 4699, under the heading "WITHDRAWAL OF LANDS FROM WESTERN LANDS LEASES", the area of WLL 4279 referred to in Column 5 should have read 22688.

KATRINA HODGINSON, M.P.,
Minister for Primary Industries

ERRATUM

IN the *New South Wales Government Gazette* of 26 August 2011, Folio 5303, under the heading "FORFEITURE OF A WESTERN LANDS LEASE", the Deposited Plan number should have read DP 758218.

KATRINA HODGINSON, M.P.,
Minister for Primary Industries

WATER

WATER ACT 1912

AN application for a licence under Part 5 of the Water Act 1912, as amended, has been received as follows:

Anthony Edmund Rundle COOTE for a water supply from a groundwater bore located within Lot 1, DP 1046553, Parish of Fairy Meadow, County of Murray, for the purposes of stock, domestic, farming and irrigation with an estimated annual entitlement of 100.0 megalitres (application replaces test license 10BL604685 – not subject to the 2008 South Coast alluvium embargo). (Reference: 10BL604908). (GA188163).

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 NSW Office of Water, PO Box 309, Nowra NSW 2541, within 28 days of the date of this publication.

WAYNE RYAN,
Licensing Officer

WATER ACT 1912

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

Maree Dawn PAMPLIN for three (3) proposed bywash dams (total capacity 0.9 megalitres) and two (2) pumps (not located on a watercourse) on Lot 1, DP 538582, Parish of Nelson, County of Cumberland, for the conservation of water and water supply for domestic purposes (new licence) (dams in excess of MHRDC – not subject to the amended 2003 Hawkesbury/Nepean Embargo). (Reference: 10SL057100). (GA1822167).

Any inquiries regarding the above should be directed to (02) 8838 7531.

Written objections, from any local occupier or statutory authority, specifying grounds and how their interests are affected, must be lodged with the NSW Office of Water, PO Box 3720, Parramatta NSW 2124, within 28 days of this publication.

WAYNE CONNERS,
Senior Licensing Officer

WATER ACT 1912

APPLICATIONS for a licence under section 10 of Part 2 of the Water Act 1912, has been received as follows:

Leo Michael CLEARY, Susan Ailsa CLEARY and Luke Edward CLEARY for a pump on the Hastings River on Lot 1, DP 1089754, Parish Pappinbarra, County Macquarie, for farming purposes and irrigation of 61 hectares (310 megalitres) (replacement licence for increase in area and allocation by way of permanent transfer). (Reference 30SL067143). (GA1822166).

John William SECCOMBE and Michelle Ellen SECCOMBE for 2 pumps on the Richmond River on Lot A19, DP 5111 and Lot 2, DP 599342 and an off river storage on Lot 2, DP 599342, Parish Wooroowoolgan, County Richmond, for irrigation of 35.5 hectares (177 megalitres) (replacement licence for increase in area and allocation by way of permanent transfer). (Reference 30SL067132). (GA1822168).

Any inquiries should be directed to (02) 6641 6500.

Written objections, from any local occupier or statutory authority, specifying grounds and how their interests are affected, must be lodged with the NSW Office of Water, Locked Bag 10, Grafton NSW 2460, within 28 days of the date of this publication.

PETER HACKETT,
Licensing Officer

Roads and Traffic Authority

ROAD TRANSPORT (GENERAL) ACT 2005

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

BEGA VALLEY 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.

Dated: 26 August 2011.

W. SARTORI,
General Manager,
Bega Valley Council
(by delegation from the Minister for Roads)

SCHEDULE

1. Citation

This Notice may be cited Bega Valley Council 25 Metre B-Double Route Notice No. 1/2011.

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

This Notice remains in force until 1 September 2015 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 2010 and Schedule 2 of the Road Transport (Vehicle Registration) Regulation 2007.

5. Routes

<i>Type</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>
25m.	Government Road, Eden.	HW1 Princes Highway.	Cyneve Pty Ltd, Lot 38, Government Road.
25m.	Storey Avenue, Eden.	HW1 Princes Highway.	Blue Ridge Hardwoods, 1 Storey Avenue.

ROAD TRANSPORT (GENERAL) ACT 2005

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

GUNNEDAH 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 4.6 metre High Vehicles may be used subject to any requirements or conditions set out in the Schedule.

Dated: 29 August 2011.

ROBERT CAMPBELL,
General Manager,
Gunnedah Shire Council
(by delegation from the Minister for Roads)

SCHEDULE**1. Citation**

This Notice may be cited as Gunnedah Shire Council 4.6 Metre High Vehicle Route Notice No. 1/2011.

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

This Notice remains in force until 31 December 2012 unless it is amended or repealed earlier.

4. Application

This Notice applies to those 4.6 metre high vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 2 of the Road Transport (Vehicle Registration) Regulation 2007.

5. Routes

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>
4.6m.	7709.	Grain Valley Road, Mullaley.	HW11 Oxley Highway.	Gunnedah Narrabri Shire Boundary (5.3km south of Blairmore Road).

ROAD TRANSPORT (GENERAL) ACT 2005

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

GUNNEDAH 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.

Dated: 29 August 2011.

ROBERT CAMPBELL,
General Manager,
Gunnedah Shire Council
(by delegation from the Minister for Roads)

SCHEDULE**1. Citation**

This Notice may be cited Gunnedah Shire Council 25 Metre B-Double Route Notice No. 1/2011.

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

This Notice remains in force until 1 September 2015 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 2010 and Schedule 2 of the Road Transport (Vehicle Registration) Regulation 2007.

5. Routes

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>
25m.	7709.	Grain Valley Road, Mullaley.	HW11 Oxley Highway.	Gunnedah Narrabri Shire Boundary (5.3km south of Blairmore Road).

ROAD TRANSPORT (GENERAL) ACT 2005

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

HARDEN 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 4.6 metre High Vehicles may be used subject to any requirements or conditions set out in the Schedule.

Dated: 29 August 2011.

MAX KERSHAW,
General Manager,
Harden Shire Council
(by delegation from the Minister for Roads)

SCHEDULE**1. Citation**

This Notice may be cited as Harden Shire Council 4.6 Metre High Vehicle Route Notice No. 1/2011.

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

This Notice remains in force until 31 December 2012 unless it is amended or repealed earlier.

4. Application

This Notice applies to those 4.6 metre high vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 2 of the Road Transport (Vehicle Registration) Regulation 2007.

5. Routes

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>
4.6.	381	Jugiong Road, Jugiong.	MR381 Riverside Drive, Jugiong.	MR84 Burley Griffin Way, Harden.
4.6.		Bouyeo Road, Harden.	East Street.	Wynwood Road.
4.6.		Bouyeo Road, Harden.	McMahons Reef Road.	Woburn Road.
4.6.		Crescent Street, Galong.	Galong Road.	Bobbara Road.
4.6.		Currawong Road, Harden.	North Street.	Kingsvale Road.
4.6.		Doolan Road, Harden.	East Street.	Approx 200m from Rutland Road.
4.6.		Galong Road, Galong.	MR84 Burley Griffin Way.	Crescent Street, Galong.
4.6.		Galong Road, Galong.	Ryan Street.	Harden Boorowa Shire Boundary.
4.6.		Illawong Road, Jugiong.	MR381 Jugiong Road.	Kiaora Road.
4.6.		Ryan Street, Galong.	Bobbara Road.	Galong Road.
4.6.		Kingsvale Road.	MR379 Harden Wombat Road.	Prune Vale Road.
4.6.		McMahon Road, Galong.	Linden Road.	Bobbara Road.
4.6.		McMahons Reef Road, Harden.	MR84 Burley Griffin Way.	Garratt Road.
4.6.		North Street, Harden.	Vernon Street.	Currawong Road.
4.6.		Pine Road, Kingsvale.	Woodlands Road.	Fernbank Road.
4.6.		Rutland Road, Harden.	East Street.	Doolen Road.

ROADS TRANSPORT (GENERAL) ACT 2005

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

HURSTVILLE CITY COUNCIL, in pursuance the Road Transport (Mass, Loading, Access) Regulation 2005, by this Notice, the route and area on or in which B-Doubles may be used, has been repealed as set out in the Schedule.

Dated: 29 July 2011.

VICTOR LAMPE,
General Manager,
Hurstville City Council
(by delegation from the Minister for Roads)

SCHEDULE
1. Citation

This Notice may be cited as the Hurstville City Council B-Double Route Repeal Notice No. 1/ 2011.

2. Commencement

This Notice takes effect from the date of gazettal.

3. Effect

This Notice is effective from date of Gazettal.

4. Application

This Notice applies to B-Doubles 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

Repeal of B-Double route within the Hurstville City Council.

<i>Type</i>	<i>Road</i>	<i>Starting point</i>	<i>Finishing point</i>	<i>Conditions</i>
25.	Commercial Road, Kingsgrove.	Kingsgrove Road, Kingsgrove.	Vanessa Street, Kingsgrove.	
25.	Kingsgrove Road, Kingsgrove.	M5 East off ramp, Kingsgrove.	Commercial Road, Kingsgrove	
25.	The Crescent, Kingsgrove.	Vanessa Street, Kingsgrove.	Vanessa Street, Kingsgrove.	Exit back to M5 eastbound ramp.
25.	Vanessa Street, Kingsgrove.	Commercial Road, Kingsgrove	The Crescent, Kingsgrove.	

ROAD TRANSPORT (GENERAL) ACT 2005

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

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

Dated: 11 August 2011.

P. J. HENRY,
General Manager,
Inverell Shire Council
(by delegation from the Minister for Roads)

SCHEDULE**1. Citation**

This Notice may be cited as Inverell Shire Council 25 Metre B-Double Route Notice No. 1/2011.

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

This Notice remains in force until 1 September 2015 unless it is amended or repealed earlier.

4. Application

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

5. Routes

<i>Type</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25.	Havilah Park Road, Little Plain.	Gwydir Highway (HW12).	Copeton Dam Road, Staggy Creek.	Operator to arrange with property owner on the road for the vehicle to be able to turn around on private property.
25.	Rocky Creek Road, Emmaville.	Glen Innes Severn Shire Boundary at Strathbogie.	Rosehill Road, Emmaville.	Operator to arrange with property owner on the road for the vehicle to be able to turn around on private property.
25.	Benekes Lane, Little Plain.	Gwydir Highway (HW12).	End of road 1.36km from Gwydir Highway.	Operator to arrange with property owner on the road for the vehicle to be able to turn around on private property.

ROAD TRANSPORT (GENERAL) ACT 2005

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

NARRABRI 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 Road Train Vehicles may be used subject to any requirements or conditions set out in the Schedule.

Dated: 9 August 2011.

PHIL MARSHALL,
General Manager,
Narrabri Shire Council
(by delegation from the Minister for Roads)

SCHEDULE**1. Citation**

This Notice may be cited as Narrabri Shire Council Notice No. 1/2011.

2. Commencement

This Notice takes effect on the date of publication in the *New South Wales Government Gazette*.

3. Effect

This Notice remains in force until 30 September 2015 unless it is amended or repealed earlier.

4. Application

This Notice applies to those Road Train vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2010 and Schedule 2 of the Road Transport (Vehicle Registration) Regulation 2007.

5. Routes

Road Trains may be operated on all rural roads, west of HW17 Newell Highway, within the Narrabri Shire Council area, with the exception of the following roads:

Wee Waa Yarrie Lake Road from MR127 Narrabri Pilliga Road to Narrabri Yarrie Lake Road.

Narrabri Yarrie Lake Road from Wee Waa Yarrie Lake Road to 'Corglan' facility, approx 6km west of Narrabri.

Trucking Yards Lane from Wee Waa Silos to Wee Waa Burren Junction Road.

MR127 Wee Waa Pilliga Road from Short Street, Wee Waa to shire road 247.

Refer below for urban listings for Narrabri:

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>
RT.	127.	Narrabri Pilliga Road, Wee Waa.	Vera Leap Road, Wee Waa.	MR7616 Pilliga Walgett Road.
RT.		Vera Leap Road, Wee Waa.	MR127 Narrabri Pilliga Road.	Short Street.
RT.		Warrior Street, Wee Waa.	Short Street.	Boolcarrol Road (MR29 Kamilaroi Highway).

ROAD TRANSPORT (GENERAL) ACT 2005

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

NARRABRI SHIRE COUNCIL, in pursuance of the Road Transport (Mass, Loading, Access) Regulation 2005, makes the amendment in the Schedule to the routes and areas previously specified on or in which Road Trains may be used.

Dated: 9 August 2011.

PHIL MARSHALL,
General Manager,
Narrabri Shire Council
(by delegation from the Minister for Roads)

SCHEDULE**1. Citation**

This Notice may be cited as the Narrabri Shire Council Road Train Repeal Notice No. 1/2011.

2. Commencement

This Notice takes effect on the date of gazettal.

3. Amendment

The General Notice for the Operation of Road Trains 2010 is amended by omitting the following from that Notice:
Road Trains may be operated on all rural roads, west of HW17 Newell Highway, within the Narrabri Shire Council area, with the exception of the following roads:

Wee Waa Yarrie Lake Road from MR127 Narrabri Pilliga Road to Narrabri Yarrie Lake Road.

Narrabri Yarrie Lake Road from Wee Waa Yarrie Lake Road to 'Corglan' facility, approx 6km west of Narrabri.

Trucking Yards Lane from Wee Waa Silos to Wee Waa Burren Junction Road.

MR127 Wee Waa Pilliga Road from Short Street, Wee Waa to shire road 247.

Narrabri Wee Waa Road from Tulladunna Lane to Maitland Street, Wee Waa.

ROAD TRANSPORT (GENERAL) ACT 2005

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

WELLINGTON 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.

Dated: 30 August 2011.

ALAN DIVE,
General Manager,
Wellington Shire Council
(by delegation from the Minister for Roads)

SCHEDULE**1. Citation**

This Notice may be cited Wellington Shire Council 25 Metre B-Double Route Notice No. 1/2011.

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

This Notice remains in force until 1st September 2015 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 2010 and Schedule 2 of the Road Transport (Vehicle Registration) Regulation 2007.

5. Routes

<i>Type</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25m.	Wongajong Lane, Comobella.	MR353 Coborra Road.	Ballimore Road.	Dry weather only.

ROAD TRANSPORT (GENERAL) ACT 2005

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

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

Dated: 30 August 2011.

ALAN DIVE,
General Manager,
Wellington Shire Council
(by delegation from the Minister for Roads)

SCHEDULE

1. Citation

This Notice may be cited as the Wellington Shire Council B-Doubles Repeal Notice No. 1/2011.

2. Commencement

This Notice takes effect on the date of gazettal.

3. Amendment

The General B-Double Permit Notice 2010 is amended by omitting the following from that Notice:

<i>Type</i>	<i>Road</i>	<i>Starting Point</i>	<i>Finishing Point</i>
25m.	Arthur Street, Wellington.	HW7 Mitchell Highway.	Warne Street.
25m.	Falls Road, Wellington.	Warne Street.	Boral Gas depot.
25m.	Quirk Street, Wellington.	Warne Street.	Gisbourne Street.
25m.	Warne Street, Wellington.	Arthur Street.	Falls Road.

ROADS ACT 1993

Notice of Dedication of Land as Public Road
at Clyde in the Parramatta 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
Parramatta City Council area, Parish of St John and
County of Cumberland, shown as:

Lot 21 Deposited Plan 259315;

Lots 14 to 18 inclusive, Deposited Plan 262926; and

Lots 35 to 38 inclusive, Deposited Plan 705618.

(RTA Papers: 5/354.11009; RO 5/354.11009)

Other Notices

ANTI-DISCRIMINATION ACT 1977 (NSW)

Exemption Order

- A. Under the provision of section 126 of the Anti-Discrimination Act 1977 (NSW), an exemption is granted to Toyota Motor Corporation Australia Limited (TMCA) from sections 49ZYB, 52 and 53 of the Anti-Discrimination Act 1977, to implement a voluntary Early Retirement Scheme (ERS) which has been approved by the Australian Taxation Office for a class ruling (CR 2011/72) to eligible employees (as defined in paragraph B of this Order) to receive beneficial taxation treatment of any amounts paid under the ERS.
- B. The Class of employees to be offered the scheme will be all permanent Australian based employees aged 55 to 64 inclusive, who have completed over 12 months continuous employment (as at 1 July 2011) with TMCA and within the three classes as described below:
- Class 1: All indirect¹ employees and/or supervisory employees who are 55 years of age or over and employed under an award.
- Class 2: All direct² production employees who are 55 years of age or over and employed under an award.
- Class 3: All indirect employees who are 55 years of age or over and are not employed under an award.
- C. In the case that the number of employees seeking access to the scheme exceeds the number of packages available, packages will be offered in an order of priority as determined by TMCA and in agreement with the ATO.³
- D. TCMA undertakes to replace at least 80% of the employees who take early retirement under the ERS.
- E. TCMA agrees to provide the Anti-Discrimination Board of New South Wales (the Board) reports at the end of November 2011 and March 2012 detailing the number of people who did not take up the early retirement ERS scheme and update their position and status in TMCA at the time both reports are due.
- F. TMCA agrees to provide the Board comprehensive reports in November 2011 and March 2012 detailing the results of TMCA's retraining programme, recruitment numbers and attrition rates in relation to the transition process of TMCA's restructure of operations.
- G. TMCA undertakes to implement the following support programmes for employees opting to take the early retirement ERS:

1. Re-Training for Employees who do not wish to take Early Retirement

- (i) TMCA confirms that employees who do not wish to participate in the ERS will have access to retraining and re-skilling to ensure that they continue to make a positive contribution to TMCA. This will primarily be done through

the Toyota Institute Australia, the training and skill development arm of the Toyota business in Australia.

- (ii) TMCA also confirms that it monitors and maintains records of training and development for employees to assist in re-skilling and retraining. This includes an online learning management system and assessment processes including the use of TAFE assessors.

2. Advice and Assistance

- (i) TMCA confirms that as part of the ERS the following advice and assistance is available to employees:
- (a) once an employee puts in an expression of interest for the ERS and receives a payment quotation, employees are encouraged to obtain their own independent financial advice about the financial implications of accepting an Early Retirement Package. TMCA will reimburse employees up to \$500 (inclusive of GST) for the cost of financial advice they obtain at this stage, regardless of whether they end up taking Early Retirement or not; and
- (b) once an employee has been accepted for Early Retirement they will have access to a specially tailored Transition to Retirement Program ("TRP") conducted by Hudson Talent Management and funded by TMCA. The TRP covers a range of areas to assist employees making the transition from employment with TMCA to the next phase of life, including: retirement, voluntary work and other activities; job search skills; consulting/contracting/small business skills; and adjusting to retirement;

3. Ongoing Benefits

Employees who opt for the ERS scheme will also have access to the following benefits:

- (a) Under the Employee Family Vehicle Purchase Scheme, employees with over 15 years of service will be eligible to purchase one vehicle per year at the maximum discount rate (25%) after they cease employment with TMCA.
- (b) Employees with fewer than 15 years of service will be eligible to purchase one locally produced vehicle only at the maximum discount rate (25%) within 6 months of their termination date.
- (c) Employees will remain eligible for the Spare Parts Purchase Scheme for a period of six months from their date of termination. Members of the '25 Year Club' may continue to purchase parts in accordance with the terms and conditions of their eligibility to the Club.

This exemption will remain in force for a period of twelve months from the date given.

Dated this 25th day of August 2011

STEPAN KERKYASHARIAN, A.O.,
President,
Anti-Discrimination Board of NSW

1 Direct production employees are those employees whose tasks and responsibilities involve them working directly on the production line in the manufacture of motor vehicles and motor vehicle engines and parts.

2 Indirect employees are all employees in support roles other than direct production employees.

3 See contents of Class Ruling CR 2011/72.

ASSOCIATIONS INCORPORATION ACT 2009

Cancellation of Registration Pursuant to Section 80

TAKE notice that AUTUMN LODGE (Y0226501) became registered under the Corporations Act 2001 as AUTUMN LODGE – ACN 152 612 229, a public company limited by guarantee on 11 August 2011 and accordingly its registration under the Associations Incorporation Act 2009 is cancelled as of that date.

Dated: 30 August 2011.

ANNETTE ROBINSON,
NSW Fair Trading

ASSOCIATIONS INCORPORATION ACT 2009

Cancellation of Registration Pursuant to Section 80

TAKE notice that AGRICULTURAL SOCIETIES COUNCIL OF NSW INCORPORATED (Y2006115) became registered under the Corporations Act 2001 as AGRICULTURAL SOCIETIES COUNCIL OF NEW SOUTH WALES LTD – ACN 150 951 670, a public company limited by guarantee on 19 May 2011 and accordingly its registration under the Associations Incorporation Act 2009 is cancelled as of that date.

Dated: 30 August 2011.

ANNETTE ROBINSON,
NSW Fair Trading

ASSOCIATIONS INCORPORATION ACT 2009

Cancellation of Incorporation Pursuant to Section 76

TAKE notice that the incorporation of the following associations are cancelled by this notice pursuant to section 76 of the Associations Incorporation Act 2009.

Cancellation is effective as at the date of gazettal.

St Johns Emergency Accommodation Goulburn Incorporated – Inc9875721
Sydney Chefs Association Incorporated – Y2195224
Sydney Chinese Club Incorporated – Inc9876830
Sydney Loving Presbyterian Church Incorporated – Inc9875536
Sydney Mandarin Baptist Church Incorporated – Inc9876084
Sydney Photographic Society Incorporated – Inc9875948
Tamworth Electrical Wholesalers Golf Day Incorporated – Inc9875862
Te Arohanui I Roto I Tewhanautanga Incorporated – Inc9876699
The Temple of the Pentagon – Esoteric Church Incorporated – Inc3456935
Thredbo Players Incorporated – Y2775104
Tien Ann Holy Dao Association Incorporated – Inc9875651
T.L.M.C. Association Incorporated – Y2485703

Dated: 31st day of August 2011.

ROBYNE LUNNEY,
Delegate of the Commissioner,
NSW Fair Trading,
Department of Finance & Services

ASSOCIATIONS INCORPORATION ACT 2009

Cancellation of Incorporation Pursuant to Section 76

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

Cancellation is effective as at the date of gazettal.

My Miracle My Legend Ministry Incorporated – Inc9890962
The Australasian League of Automotive Locksmiths Incorporated – Inc9892723
Ballina Alive Incorporated – Inc9881609
Cootamundra Landcare Network Incorporated – Inc9880634
Forto Incorporated – Inc9890202
The Inner Wheel Club of Maclean-Yamba Incorporated – Y0325303
Lismore Farmers' Market Incorporated – Inc9894281
Lismore Farmers' Evening Market Incorporated – Inc9894265
Afghan Foundation of Australia Incorporated – Inc9886004
Australian Olive Council Incorporated – Inc9879796
Hazara FC United of Merrylands Australia Incorporated – Inc9892960
Armidale & District Junior Cricket Association Incorporated – Y1267623
Eurobodalla Children's Choir Incorporated – Inc9883528
The Cameron Urquhart Benefit Fund Incorporated – Inc9881755
Halfway Christian Outreach Incorporated – Inc9887825
Ashford Pre-School Kindergarten Inc – Y0439821
Truth and Life Christian Centre Incorporated – Inc9877626
Bogan Advisory Service Inc – Y1325248
Apex Club of Cooma Inc – Y0310518

Dated: 24th day of August 2011.

ROBYNE LUNNEY,
A/Manager, Case Management,
Registry of Co-operatives & Associations,
Office of Fair Trading,
Department of Finance & Services

ASSOCIATIONS INCORPORATION ACT 2009

Cancellation of Incorporation Pursuant to Section 76

TAKE notice that the incorporation of the following associations are cancelled by this notice pursuant to section 76 of the Associations Incorporation Act 2009.

Cancellation is effective as at the date of gazettal.

Silent Hearts Incorporated – Y1948936
Silverlea Community Care Incorporated – Inc9881522
Singleton 4WD Club Incorporated – Inc8783202
Sinhala Ethnic Council Australia Incorporated – Inc9876349
Skate Shoalhaven Incorporated – Y1925218

Solidarity – Solidarnosc – The Association of Poles in Australia Incorporated – Inc3450528
 South Albury Youth Association Incorporated – Y2284814
 South Land Christian Fellowship Incorporated – Inc9874888
 South Western Group of Show Associations Inc – Y1623631
 South West Slopes Community Acid Soils Group Incorporated – Y2855401
 Spins Inc – Y0950619
 Spirit of Life Christian Centre Incorporated – Inc9876521
 Sri Lankan Cricket Club of NSW Incorporated – Inc9876661
 Star Hotel Milton Fishing Club Incorporated – Inc9874913
 The Steel Institute of Australia Incorporated – Y1121319
 The Stockman Artists of Australia Incorporated – Y3008005
 Streetwise Martial Arts Incorporated – Y2404346
 Suara Indonesia Incorporated – Inc9876348
 Sussex Inlet & District Rugby League Football Club Inc – Inc9874254
 Sydney All Nation Mission Church Incorporated – Inc9875810

Dated: 24th day of August 2011.

ROBYNE LUNNEY,
 A/Manager, Case Management,
 Registry of Co-operatives & Associations,
 Office of Fair Trading,
 Department of Finance & Services

CO-OPERATIVES ACT 1992

Notice under Section 601AC of the Corporations Act 2001 as Applied by Section 325 of the Co-Operatives Act 1992

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

BLACKTOWN CITY BOWLING AND RECREATION CLUB CO-OPERATIVE LIMITED

Dated this 26th day of August 2011 at Bathurst.

R. LUNNEY,
 Delegate of the Registrar of Co-Operatives

ELECTRICITY SUPPLY ACT 1995

Notice of Cancellation of Licence

I, CHRIS HARTCHER, M.P., Minister for Energy, pursuant to clause 8, Schedule 2 of the Electricity Supply Act 1995, hereby give notice that the retail supplier's licence held by INDEPENDENT ELECTRICITY RETAIL SOLUTIONS PTY LTD has been cancelled.

Dated: 22 August 2011.

CHRIS HARTCHER, M.P.,
 Minister for Energy

HEALTH ADMINISTRATION ACT 1982

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land for Health Purposes

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

Signed at Sydney, this 30th day of August 2011.

DAVID GATES,
 Chief Procurement Officer,
 Department of Health,
 a duly authorised delegate
 of the Health Administration Corporation

SCHEDULE

Kyogle Hospital Site

All that piece or parcel of Crown land situated in the Kyogle Local Government Area, Parish of Runnymede, County of Rous, being Lot 1 in Deposited Plan 1159100 (formerly described as Part Portion 178 in Crown Plan 8625-1759).

(Reserved for Hospital – Reserve 57906 *New South Wales Government Gazette* of 9 April 1925, Folio 1805).

Quirindi Ambulance Station Site

All that piece or parcel of Crown land situated in the Liverpool Plains Local Government Area, Parish of Coeypolly, County of Buckland, being Lot 11 in Deposited Plan 1109933 (formerly Lot 1, Section 53, DP 758863).

(Dedicated for Ambulance Station – *New South Wales Government Gazette* of 1 November 1957, Folio 8214).

NATIONAL PARKS AND WILDLIFE ACT 1974

Lake Macquarie Resting Place Aboriginal Place

IN pursuance of the powers vested in me under section 84 of the National Parks and Wildlife Act 1974, I, the Minister for the Environment, do, by this my order, declare such of the lands described hereunder as an Aboriginal Place. The place shall be known as Lake Macquarie Resting Place Aboriginal Place.

It is my opinion that this place is or was of special significance to Aboriginal culture. The values for which the Aboriginal Place is significant to Aboriginal culture includes that Aboriginal burials are among the most significant of Aboriginal sites to the Aboriginal community today. In addition the Lake Macquarie Resting Place holds special value to the Aboriginal community of Lake Macquarie as a designated area to be utilised for the future burial of ancestral remains and cultural materials that may be repatriated to the Aboriginal community from institutions such as museums and universities.

Activities which might harm or desecrate this Aboriginal Place include, but are not limited to, the following: the erection of a building in the area; the carrying out of a work in, on or under the area; the subdivision of the area; and the clearing of native vegetation in the area.

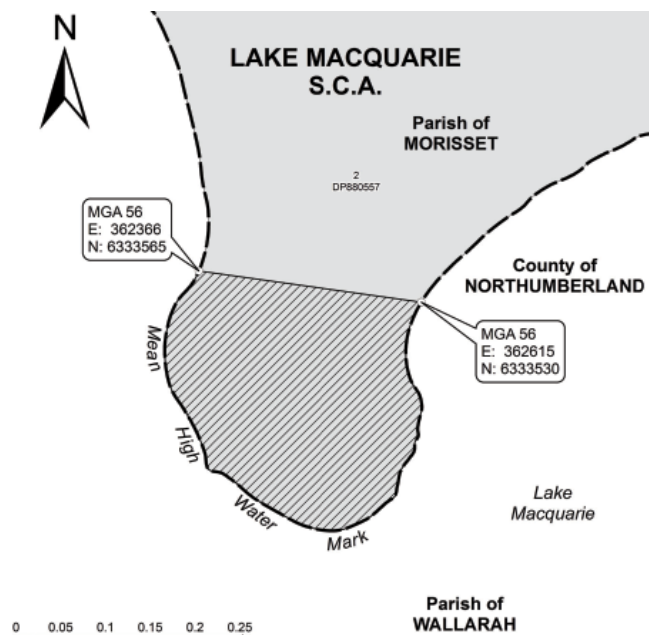
Should any activities that may cause harm (harm includes destroy, deface or damage) to this Aboriginal Place be contemplated, consent should be sought from the Director General of the Department of Premier and Cabinet. Activities or works for the conservation or protection of the Aboriginal Place that are carried out by an officer of the Office of Environment and Heritage or under the direction of such an officer, in accord with section 87A (a) of the Act may be exempt.

ROBYN PARKER, M.P.,
Minister for the Environment

DESCRIPTION

Land District – Gosford; LGA – Lake Macquarie

County Northumberland, Parish Morisset, about 6.3ha, being area shown hatched in diagram hereunder: OEH/FIL11/6409



PARLIAMENTARY REMUNERATION ACT 1989

PURSUANT to section 11 (2) of the Parliamentary Remuneration Act 1989, I direct that the date for completion by the Parliamentary Remuneration Tribunal of the 2011 Annual Determination of the additional entitlements of Members of the Parliament of New South Wales be extended to on or before 9 September 2011.

Dated: 26 August 2011.

Justice R. P. BOLAND,
President,
Industrial Relations Commission of New South Wales

PARENTS AND CITIZENS ASSOCIATIONS INCORPORATION ACT 1976

Incorporation of Parents and Citizens Associations

THE following associations are hereby incorporated under the Parents and Citizens Associations Incorporation Act 1976.

1. Willmot Public School.
2. Yetman Public School.

ADRIAN PICCOLI, M.P.,
Minister for Education

PRACTICE NOTE No. 5

Children's Court of New South Wales

Case Management in Care Proceedings

1. Overriding objective

- 1.1 This Practice Note has the overriding objective of enabling the Children's Court of New South Wales to deal with cases in its care and protection jurisdiction justly. Dealing with a case justly includes, so far as is practicable:
 - (i) ensuring that in all decisions and determinations made with respect to the conduct of the case, the safety, welfare and well-being of the child or young person, the subject of the proceedings, are paramount;
 - (ii) that it is dealt with expeditiously and fairly;
 - (iii) dealing with the case in a manner which is proportionate to the nature, importance and complexity of the issues;
 - (iv) ensuring that the parties are on an equal footing;
 - (v) ensuring appropriate levels of expenditure of public funds; and
 - (vi) allotting to it an appropriate share of the court's resources, while taking into account the need to allot resources to other cases.

- 1.2 The court must seek to give effect to the overriding objective when it interprets any provision of this Practice Note.

- 1.3 The just determination of cases before the court requires that the parties and their legal representatives fully comply with this Practice Note.

2. "Children's Magistrate"

- 2.1 A reference in this Practice Note to a "Children's Magistrate" includes a reference to the President of the Children's Court and a Local Court Magistrate exercising the jurisdiction of a Children's Magistrate.

3. Powers and discretions of Children's Magistrates and Children's Registrars not affected

- 3.1 This Practice Note does not limit or interfere in any way with the powers and discretions of a Children's Magistrate or Children's Registrar under the Children and Young Persons (Care and Protection) Act 1998 (the Care Act), the Children's Court Act 1997 and the Children's Court Rule 2000 either generally or in a particular case.

4. Time Standards

- 4.1 The Children's Court aims to complete 90% of care cases within 9 months of commencement and to complete all cases within 12 months of commencement.

5. Dispensing with requirements on terms or conditions

- 5.1 Where a Children's Magistrate or Children's Registrar may give leave or dispense with any requirements under any Act including the Care Act the Children's Court Act 1997, the Children's Court Rule 2000 or a Practice Note (including this Practice Note), he or she may do so on such terms or conditions as he or she determines.

6. Representation

- 6.1 The court requires proper representation of parties at all appearances. If a party is legally represented, a legal practitioner with adequate knowledge of the case must represent that party whenever the case is listed before the court including a dispute resolution conference conducted under section 65 or an external alternative dispute resolution conference conducted under section 65A of the Care Act. A legal practitioner (other than the independent legal representative of a child) must have sufficient instructions to answer the court's questions and to enable the court to make all appropriate orders and directions.
- 6.2 If a party is represented by an agent, that agent should have adequate instructions to deal with any questions asked by the court.
- 6.3 In the event that a legal practitioner acts as agent for a party, the agent must forward a copy of all court orders and directions to the principal legal practitioner as soon as possible after the orders or directions are made.

7. Guardian ad litem

- 7.1 In the event that a legal representative for a child or young person or of a parent of a child or young person becomes aware of any circumstance or circumstances which may warrant the appointment by the court of a guardian ad litem under section 100 or 101 of the Care Act the legal practitioner must bring the circumstance or circumstances to the attention of the court as soon as is reasonably possible following the legal practitioner becoming aware of the circumstance or circumstances.

8. Waiver of address for service requirements

- 8.1 A legal practitioner acting for a party in care proceedings on a duty basis only is excused from complying with clause 30F of the Children's Court Rule 2000, unless the court orders otherwise.

9. Representation of children and young persons in care proceedings

- 9.1 The appointment of a legal representative to act for a child or young person under section 99 (1) of the Care Act shall be deemed to have been made to a solicitor or barrister employed or engaged by Legal Aid NSW on the filing of a care application.
- 9.2 When a legal practitioner has appeared on the record as the legal representative of a child or young person in an application for an emergency care and protection order (ECPO) that legal practitioner is taken to be the child's or young person's representative for all future proceedings and must be notified by the applicant of any subsequent care applications regarding that child or young person.
- 9.3 When a legal practitioner has filed a notice of appearance or notice of acting as a child's or young person's legal representative in any proceedings concerning or relating to a care application, that legal practitioner is taken to be the child's or young person's representative for all future proceedings and must be notified by the applicant of any subsequent care applications regarding the child or young person.

10. Explanation pursuant to s. 45 of the Care Act – "First available opportunity"

- 10.1 An explanation provided to the court by the Director General pursuant to section 45 (3) of the Care Act shall be provided within 7 days of the removal of the child or the assumption of care of the child.

11. Listing of certain care application (ss 43, 44, 45 and 46)

- 11.1 An application for an emergency care and protection order under section 46 of the Care Act or a care application made following removal of a child or young person under section 43 of the Care Act or following assumption of a child or young person into care under section 45 of the Care Act is, in the ordinary course, to be listed before a Magistrate the next sitting day after the application is filed but no later than 3 working days after the application is filed.
- 11.2 If a care application referred to in paragraph 11.1 is filed in a court registry and the Magistrate is not sitting, the application should be listed within the timeframe referred to in paragraph 11.1 at the nearest court where a Magistrate is sitting. Where parents cannot attend the alternative court location, arrangements may be made for the parents to appear by way of AVL or telephone.
- 11.3 The Director General is to serve a care application referred to in paragraph 11.1 on the person or persons who have parental responsibility for the child as soon as possible and an affidavit of service or attempted service is to be filed with the court registry before the application is determined.
- 11.4 The Director General is to also notify any legal representative who has previously filed a notice of appearance or notice of acting for the child or young person in previous care proceedings that an application as referred to in paragraph 11.1 has been filed.
- 11.5 If it is necessary to adjourn the application to allow:
 - the person or persons with parental responsibility to be located or served with the application, or
 - the person or persons with parental responsibility to prepare for the hearing, or
 - the legal representative of the child or children who are the subject of the application to obtain instructions or prepare for the hearing,
 then the adjournment for any of those purposes should not exceed 5 working days.

12. Application to extend an Emergency Care and Protection Order (ECPO)

- 12.1 An application for an extension of an emergency care and protection order (ECPO) under section 46 (4) of the Care Act is to be filed in the registry of the court which granted the original ECPO unless the court directs otherwise.
- 12.2 The Director General in making an application for an extension of an ECPO shall give at least 48 hours notice to the court, the other parties, and the legal representative who appeared for the child or young person in the application for the original ECPO.

12.3 The requirement to provide such notice may be dispensed with (or the 48 hour time period shortened) by the court.

13. Party seeking leave to amend or withdraw application to give notice

13.1 A party intending to apply for leave to:

- (a) amend a care application (including the grounds on which the order is sought);
- (b) amend the order or orders sought in the care application following the making of a determination that the child or young person is in need of care and protection; or
- (c) withdraw a care application,

shall give at least 24 hours notice to the other parties of that application, unless such requirement is dispensed with by a Children's Magistrate or Children's Registrar.

14. Subpoenas to produce

14.1 Parties must issue subpoenas as soon as is practicable after the proceedings are commenced so that documents can be produced and inspected in a timely manner and are available for the proper preparation of the case, including submission to experts.

14.2 The issuing party must endorse on the subpoena the proposed access orders sought by the party.

14.3 The parties should confirm with the court registry prior to the return date that the documents under subpoena have been produced to the court.

14.4 Where the subpoena has not been served or where no documents have been produced the issuing party may seek a further return date from the court on the return of subpoena or the Registrar of the court following the mention of the return of subpoena.

14.5 Where an application is to be made to set aside the subpoena by the producer or any other party or person with sufficient interest, written notice of the application stating the grounds for the application in broad terms only is to be provided to the court and the issuing party prior to the return date. No particular form of notice is required. Where an application to set aside the subpoena is to be made the applicant and the issuing party is to attend the court on the return date.

14.6 Where the producer or any other party objects to the access orders proposed by the issuing party written notice of the objection is to be provided to the court and the issuing party prior to the return date but no particular form of notice is required. Where an objection to the proposed access orders is made and agreement is not reached between the parties prior to the return date the issuing party and the objecting party are to attend the court on the return date.

14.7 Where the documents have been produced and no objection to the proposed access orders has been raised the court may make orders in accordance with the proposed access orders in the absence of the parties subject to any application to set aside the subpoena.

14.8 Where proposed access orders have not been endorsed on the subpoena and no objection to access has been raised the court may make the following standard

access orders in the absence of the parties subject to any application to set aside the subpoena:

'The issuing party is to have first access and thereafter access to all parties. Leave is granted to a legal practitioner of a party to uplift documents for 3 working days and photocopy documents that the party proposes to annex to an affidavit or to be forwarded to the Children's court Clinic or other expert.'

14.9 Before making an order for access in the absence of the parties under paragraph 14.7 or 14.8 the court must be satisfied that Rule 30A (8) of the Children's Court Rule 2000 has been complied with. Written notice of compliance by a legal practitioner for the issuing party will in the ordinary course be regarded as sufficient.

14.10 Where a party is not represented by a legal practitioner access is to take place in the presence of a member of the registry staff. Photocopy access may only be provided to an unrepresented party with leave of the court.

14.11 If photocopy access is granted to any document produced on subpoena, it shall be a condition of photocopy access that the copy shall not be used for any purpose other than the proceedings for which the document has been produced, unless the court otherwise directs.

14.12 A subpoena for production cannot be issued after the commencement of a contested final hearing, except with the leave of the court.

14.13 The producer may produce a copy of any document instead of the original document unless the issuing party has clearly indicated in the schedule of documents that the original document is required to be produced.

14.14 Where copies of documents have been produced on subpoena and those documents are not admitted into evidence during the course of the proceedings the documents will be destroyed by the Registrar of the court 42 days after the conclusion of the matter unless arrangements have been made with the Registrar to collect the documents.

14.15 Original documents produced on subpoena and not admitted into evidence during the course of the proceedings will be returned to the producer at the conclusion of the matter.

14.16 Original documents produced on subpoena and admitted into evidence during the course of the proceedings will be returned to the producer on request at the completion of proceedings on the understanding that the documents may be required in future proceedings and should not be destroyed.

15. Standard Directions in Care proceedings

15.1 The following standard directions will apply to an application by the Director General for a care order (other than an application for an ECPO or an application for an assessment order) except where the listing arrangements at a particular regional or country court do not allow strict compliance with the standard directions or where the special circumstances of a particular case (for example, where the case falls within the Short Term Care Orders Pilot Project) warrant departure from the standard directions.

- 15.2 The court may direct that relevant standard directions be given in an application under section 90 of the Care Act where the Director General seeks variation or rescission of an order allocating parental responsibility.
- 15.3 The standard directions may be departed from to allow for the conducting of a dispute resolution conference under section 65 of the Care Act or the referral of the proceedings by the court to an alternative dispute resolution service under section 65A of the Care Act.
- 15.4 In relation to ADR procedures in the Children's Court generally, see Practice Note No. 3 "Alternative Dispute Resolution Procedures in the Children's Court".
- 15.5 Directions by the court as to filing of affidavits and other documents must be complied with. Should a party, without satisfactory explanation, fail to comply with a direction to file material, the court may order that the party will have no further opportunity to file the material.
- 15.6 Standard Directions
- 15.6.1. Establishment stage
- (i) When a care application first comes before the court (the first return date) the court may grant leave to the respondent mother/father/other party to file and serve evidence in reply to the Director General's Initiating Application and Report within 24 days.
 - (ii) At the first return date (following consideration of any application for an interim order) the court will adjourn the proceedings to a date that is not to exceed 28 days after the first return date.
 - (iii) In all cases, the Director General must, within 14 days of the first return date, file and serve upon the parties a Summary of the Proposed Plan for the Child/Young Person.
 - (iv) The parties are to advise the court (no later than the next court date following service of the Stage 2 documents) whether the issue of establishment is contested.
 - (v) If the court is advised that the issue of establishment is not contested and the court makes a finding that the child/young person is in need of care and protection then the court will immediately make directions in relation to the placement stage.
 - (vi) If the court is advised that the issue of establishment is contested then the court:
 - (a) may grant leave to the Director General to file and serve further evidence on the issue of establishment within 14 days, and
 - (b) direct (or grant leave to) the respondent mother/father/other party to file and serve evidence in reply within 14 days after the filing of the Director General's further evidence, and
 - (c) if appropriate, list the matter for a dispute resolution conference on the issue of establishment at the earliest opportunity following service of any further evidence by the Director General and the respondent mother/father/other party.
 - (vii) If following the filing of further evidence and the conducting of any dispute resolution conference the court is advised that the issue of establishment is still contested then the court will list the matter for hearing on the issue of establishment on the first available date to be heard expeditiously.
 - (viii) For the purposes of this paragraph, a Summary of the Proposed Plan for the Child/Young Person should briefly and succinctly set out the following:
 - the alleged risk and/or safety concern(s) for the child/young person
 - whether Community Services is presently of the view that restoration is a realistic possibility
 - the tasks and demonstrated changes the parents need to undertake in order for the child/young person to be returned to their parents safely (including relevant timeframes for the tasks/changes to occur)
 - the kind of placement presently proposed (both on an interim basis and long-term)
 - the kind of contact presently proposed (including frequency and duration of proposed contact and whether contact is to be supervised) (both on an interim basis and long-term)
- 15.6.2. Placement stage
- (i) If an application is to be made for an assessment order under section 53 or 54 of the Care Act the application should be filed as soon as possible after establishment.
 - (ii) As to the procedures for the making of an Assessment Application, providing all relevant documents to the Children's Court Clinic following the making of an Assessment Order and making arrangements for the Authorised Clinician of the Children's Court Clinic (or an assessor appointed under s 58 (2) of the Care Act) to attend court to give evidence or to attend a dispute resolution conference under section 65 or an external mediation conference under section 65A of the Care Act see: Children's Court Practice Note No. 6.
 - (iii) Pursuant to paragraph 4.3 of Practice Note No. 6, an Assessment Application cannot be made by a party until all documents relevant to the application that can be reasonably be identified

by the applicant at the time of making the application have been obtained (including through the issue of subpoenas) and are ready to be forwarded to the Children's Court Clinic together with the Assessment Order.

- (iv) The Director General is to file and serve a final care plan and permanency plan and draft minute of order within 21 days of the receipt of a Clinic assessment report or if no assessment report is ordered, within 21 days of establishment.
- (v) The respondent mother/father/other party is to file and serve evidence replying to the care plan and permanency plan within 14 days of the filing of the care plan and permanency plan.

16. Listing a case for hearing

- 16.1 A matter may only be listed for hearing by a Children's Magistrate or by a Children's Registrar at the direction of a Magistrate.
- 16.2 A case will not be listed for hearing unless the court is satisfied that all directions of the court have been complied with (including any direction under section 65 of the Care Act that the parties attend an alternative dispute resolution conference or under section 65A of the Care Act that the parties attend an alternative dispute resolution service) and that the matter is otherwise ready for hearing.
- 16.3 If the court is satisfied that the matter is ready for hearing, the parties are to provide to the court an "Application for hearing date to be set" which is to be jointly completed and signed by or on behalf of all parties. In the Application the parties are to advise the court, inter alia, the names of witnesses required for cross-examination, the availability of all witnesses required for cross-examination (including an Authorised Clinician or assessor appointed under s 58 (2) of the Care Act and other expert witnesses) and the issues that are in dispute.
- 16.4 In the event that more than one expert witness is to be called to give evidence in relation to a particular issue or issues, the parties are to raise with the court whether directions should be made for the taking of the evidence under concurrent evidence procedures such as a joint conference of witnesses.
- 16.5 Where an Authorised Clinician (or an assessor appointed under s 58 (2) of the Care Act) is required for cross-examination, the party seeking such attendance must in accordance with Practice Note No. 6 file with the court a Notice to Authorised Clinician to Attend Court within 7 days following the matter being set down for hearing.
- 16.6 At the same time as the court lists the matter for hearing it will list the matter for a Readiness Hearing one month before the hearing date.
- 16.7 In all contested hearings (other than a contested hearing on an interim order application or a contested hearing for leave under section 90) the parties shall, at least 7 days before the Readiness Hearing, file and serve on the other parties a proposed Minute of Order and a Case Management Document which contains:
- (i) a list of all affidavits (and other documents) to be relied upon by the party at the hearing;
 - (ii) a detailed statement of the real issues in dispute (for example, a statement that an issue in dispute is "whether there is a realistic possibility of restoration" is not sufficient), and
 - (iii) confirmation of the witnesses required for cross-examination
- 16.8 At the Readiness Hearing all legal representatives and unrepresented parties have a collective responsibility to assist the court by ensuring that:
- (a) all relevant applications, affidavits and reports have been filed;
 - (b) the application(s), affidavits and any reports have been reviewed and there is no need to amend the application nor file further evidence;
 - (c) all relevant interlocutory matters have been attended to and that the matter is ready for hearing;
 - (d) all possibilities of reaching agreement have been fully explored;
 - (e) the issues to be addressed at the final hearing are clearly identified;
 - (f) evidence addressing those issues is filed or otherwise available;
 - (g) all expert witnesses (including an Authorised Clinician or an Assessor appointed under section 58 (2) of the Care Act) who are required for cross-examination are available to attend the hearing and that the witness has been provided with all relevant material including all relevant material (as agreed by the parties) that has been filed since their report was prepared. Any further agreed additional material is to be provided to the witness no later than three weeks before the witness is required to give evidence;
 - (h) any directions made concerning the taking of expert evidence under concurrent evidence procedures have been complied with;
 - (i) all other parties have been notified of which witnesses are required for cross-examination;
 - (j) the length of time required for the cross-examination of each witness has been estimated;
 - (k) all witnesses have been timetabled and are available;
 - (l) expert witnesses in particular have been allotted specific dates and times for their evidence, and the length of time allocated for their evidence must be carefully assessed to ensure that it can be given without the expert witnesses being required to give evidence on a further occasion;
 - (m) all documents, the production of which is sought upon subpoena, have been produced;
 - (n) all subpoenaed documents upon which a party proposes to rely at the hearing (including by way of cross-examination) have been annexed to an affidavit which has been filed in court by that party;

- (o) a chronology of relevant events will be filed a week before the hearing. In the usual course the chronology is to be prepared by the independent legal representative or, if there is no independent legal representative, by a party nominated by the court;
 - (p) care plans and permanency plans have been filed and served on other parties;
 - (q) (where applicable) all Children's Court Clinic assessments have been carried out;
 - (r) the attendance of the Authorised Clinician, (or an assessor appointed under s. 58 (2) of the Care Act), if required, has been requested through the court's registry in accordance with Children's Court Practice Note No. 6;
 - (s) arrangements have been made for the appearance of any party at the hearing by AVL and, where required, a remote witness room is available;
 - (t) arrangements have been made for the playing of any evidence by video or CD (for example, a JIRT interview), and
 - (u) where required, a request has been made for the attendance of an interpreter at the hearing.
- 16.9 Although all relevant evidence must be filed by the parties prior to the Readiness Hearing (including any subpoenaed documents which are to be replied upon at the hearing, including by way of cross-examination) the court may at the Readiness Hearing grant leave to a party to file prior to the hearing an affidavit which updates an affidavit previously filed.
- 16.10 If at the Readiness Hearing the court is satisfied that all parties have complied with all court directions and is satisfied that the matter is ready for hearing then the court will confirm the hearing date.
- 16.11 If at the Readiness Hearing the court finds that a party has failed to prepare their case in accordance with court directions and relevant Practice Notes (including this Practice Note), a hearing date may nevertheless still be confirmed in the best interests of the child or young person. However, the defaulting party will be given specific, detailed directions, and compliance with those specific directions will be compelled.
- 16.12 Failure to comply with such a specific direction will usually result in the proceedings being determined on the evidence that has been filed in compliance with the court's timetable and directions.
- 17. Order for costs**
- 17.1 Failure to comply with directions of the court or this Practice Note may result in an order for costs being made against the non-complying party.
- 18. Re-listing for non-compliance with directions**
- 18.1 If any direction of the court is not complied with, the case may be re-listed before the court by any party on 48 hours notice for further directions. The court may re-list a matter for further directions on its own motion if any direction is not complied with.
- 19. Application to vacate hearing**
- 19.1 If it appears to a party that a hearing date is in jeopardy as a result of non-compliance with orders or directions of the court or because of intervening events, the party must immediately approach the court for the urgent re-listing of the matter before a Children's Magistrate.
- 19.2 Any application to vacate a hearing date must be in writing on the prescribed form "Application to vacate hearing date" and must state the reasons for the application.
- 19.3 The party bringing the application to vacate a hearing must give reasonable notice to all other parties that an application to vacate is being made.
- 19.4 When a hearing date has been allocated, it will not be vacated unless the party seeking to vacate the hearing provides cogent and compelling reasons.
- 20. Explanation of proceedings**
- 20.1 The court may, in proceedings in which a legal practitioner represents a child or young person, request the legal practitioner to advise the court of the steps taken to ensure the child or young person understands:
- (a) the proceedings;
 - (b) the nature of any assertions made in the proceedings; and
 - (c) the legal implications of any such assertions, for the purpose of enabling the court to perform the duties imposed upon it by section 95 (1) of the Care Act.
- 21. Consolidation of applications**
- 21.1 The court may direct that multiple applications concerning the same child or young person or other children or young persons be heard together. The court may give such directions as are necessary for the expeditious conduct of all those proceedings.
- 22. Evidence on affidavit**
- 22.1 Except for the provision of a written report under s. 61 (2) (b) of the Care Act evidence on behalf of a party shall be filed in affidavit form unless the court otherwise directs.
- 22.2 An affidavit shall be made in the first person.
- 22.3 The body of an affidavit shall be divided into paragraphs numbered consecutively, each paragraph being as far as possible confined to a distinct portion of subject matter.
- 22.4 Where an affidavit contains or annexes an extract from a document, it shall be a fair extract and the original document shall be made available for inspection by the court or another party at the direction of the court.
- 23. Evidence of witnesses**
- 23.1 At a contested hearing where a witness is required for cross-examination, the usual procedure will be for each witness to be called and the affidavit or affidavits of that witness will be identified and formally read as the witness's evidence in chief.
- 23.2 If no party wishes to cross-examine a witness, the affidavit of that witness may be formally read as the evidence of the witness and the witness is to be advised prior to the hearing that his or her attendance at court is not required.
- 23.3 The court will not usually permit a witness to be called if no affidavit of that witness has been filed. The court may, however, give leave for such a witness

to be called and give oral evidence. In determining whether to grant such leave, the court will consider the interests of justice, the interests of the child or young person who is the subject of the proceedings, the opportunity the party has had to place the evidence otherwise before the court and any prejudice caused to another party.

- 23.4 The court may grant leave to enable a party to supplement the affidavit evidence of the witness called by that party with further oral evidence or to clarify matters within the written evidence by further oral evidence. In determining whether to grant such leave, the court will consider the interests of justice, the interests of the child or young person who is the subject of the proceedings, the opportunity the party has had to place the evidence otherwise before the court and any prejudice caused to another party.

24. Orders and directions agreed between the parties in proceedings

- 24.1 Parties are encouraged to consult and determine the best way of resolving any issues in dispute. If a common position is reached by the parties as to what orders, undertakings and/or directions should be made by the court, the parties should record those agreed orders, undertakings and/or directions in the form of a draft minute of order.
- 24.2 Any agreements reached by the parties must reflect the objects and principles of the Care Act. The court is not obliged to make any orders or directions that are recorded in a draft minute of order.

25. Hearing of interim and leave applications

- 25.1 The hearing of a contested application for an interim order or a contested leave application under section 90 (1) of the Care Act must be no longer than two hours except in exceptional circumstances.
- 25.2 Cross-examination will be allowed at such a hearing only in exceptional circumstances.

26. Duration of Interim orders

- 26.1 If an interim order does not specify the duration of the order or the date upon which it expires, then the interim order will be taken to continue until the court makes a further order which is contrary to that interim order.

27. Excusing personal attendance of child or young person from hearing

- 27.1 The court is taken to have excused the attendance of a child or young person who is the subject of the proceedings unless a direction to the contrary is given.

28. Facilitating admission and admissibility of expert evidence

- 28.1 A report containing expert opinion evidence, whether prepared for the purpose of the proceedings or otherwise, may be admitted into evidence if:
- a copy of the report has been served (or filed and dealt with pursuant to clause 18 or 36 of the Children's Court Rule 2000); and
 - no party required the author of the report to attend for cross-examination; or
 - the author is available for cross-examination either in person or by audio or visual link; or

- the court excuses the attendance of the author for cross-examination.

- 28.2 The court may excuse the author from attending for cross-examination where it appears to the court that:
- the author is unfit to attend;
 - the author is outside the jurisdiction of the court and it is not reasonably practical to secure his or her attendance; or
 - having regard to all the circumstances of the case, undue delay or expense would be caused by calling the author to testify.

29. Expert opinion in proceedings

- 29.1 A document to be tendered in evidence in proceedings that includes matters of expert opinion shall also state the author's qualification to express that expert opinion including the author's relevant qualifications, training and experience.
- 29.2 This clause does not apply to a document produced on subpoena or as an annexure to an affidavit or to a document, which includes expert opinion, which is not contested.

30. Expert Witness Code of Conduct

- 30.1 The Expert Witness Code of Conduct as set out in Schedule 7 to the Uniform Civil Procedure Rules 2005 is to apply to all expert reports referred to in this Practice Direction. The expert report must expressly state that there has been compliance with the Code of Conduct in the preparation of their report.

31. Emotionally damaging material in reports – child under twelve years of age

- 31.1 The court may direct that a report or other documentary evidence (or any part thereof) not be given or its contents disclosed, to a child who is under twelve years of age and the subject of a care application. In making that determination the court may take into account the prejudicial effect on the child of not becoming aware of the information contained in the report or document, and any psychological or emotional harm that is likely to be occasioned to the child if the child is made aware of that information.
- 31.2 If the court determines that the report or other documentary evidence (or any part thereof) should not be disclosed to the child, the court shall give such directions as the court considers necessary to prevent the child becoming aware of such information contained in the report or document.

- 31.3 If the court determines that the report or other documentary evidence (or any part thereof) should be disclosed to the child, the court may nonetheless delay the release of the information or give further directions which, in the court's opinion, may minimise any likely psychological/emotional harm to the child.

32. Emotionally damaging material in reports – child over twelve years of age

- 32.1 The court may make directions to ensure a child/young person who is over twelve years of age receives any information that has the potential to cause psychological or emotional harm in an appropriate setting and from a suitably qualified person.

33. Birth Certificate to be filed when final orders made

- 33.1 In the event that the court makes a final order allocating parental responsibility (or any aspect of parental responsibility) for a child or young person to the Minister, the Director General shall, before or at the time final orders are made, file with the court a certified copy of the birth certificate relating to the child or young person.

34. Commencement

- 34.1 This Practice Note commences on 5 September 2011.

Dated: Friday 2 September 2011.

Judge MARK MARIEN, S.C.,
President

PRACTICE NOTE No. 6

Children's Court of New South Wales

Children's Court Clinic Assessment Applications and Attendance of Authorised Clinicians at Hearings, Dispute Resolution Conferences and External Mediation Conferences

1. Objective

- 1.1 The Children's Court Clinic (the Clinic) is established under section 15B of the Children's Court Act 1987. Pursuant to its functions under sections 52-59 of the Children and Young Persons (Care and Protection) Act 1998 (the Care Act) the Clinic assists the Children's Court in care and protection matters, by providing independent expert clinical assessments of:
- children and young persons, and/ or
 - the capacity of parents and others to carry out parental responsibility.
- 1.2 An assessment report by the Clinic is an independent report to the Court rather than evidence tendered by a party (section 59 of the Care Act). The Children's Court Clinic Authorised Clinician (Authorised Clinician) who prepares a report is nevertheless available for cross-examination at the hearing if required.
- 1.3 It is in the best interests of the child or young person to ensure that the most comprehensive relevant documentation, on which to base the assessment, is provided to the Authorised Clinician conducting the assessment, as soon as possible. It is the objective of this Practice Note to ensure that:
- all assessment applications are brought expeditiously, and the Clinic is provided with all relevant documentation needed to carry out the assessment without delay, and
 - when an Authorised Clinician is required to give evidence at a hearing or to attend a dispute resolution conference or external mediation conference, their attendance is organised efficiently, and any updating documents are provided to the Clinician early enough prior to a hearing to be properly considered by the Authorised Clinician.

2. Nature of Clinic assessments

- 2.1 Whilst the Care Act states that the Children's Court may make orders for 'the physical, psychological, psychiatric or other medical examination of a child or young person' (section 53 (a)), the Clinic is not resourced to provide physical or medical examinations.

3. Examination and assessment of children and young persons

- 3.1 A child or young person who is the subject of care proceedings must not be examined or assessed for the purpose of placing evidence before the Court without the leave of the Court, except pursuant to an assessment order made under section 53 or 54 of the Care Act.
- 3.2 If the Court gives leave for such assessment, the Court may make such directions as it considers appropriate for the provision of any report of that assessment.

4. Application for Assessment Order

- 4.1 An assessment application under section 53 and/or section 54 of the Care Act must be in the prescribed form, Application to the Children's Court for Assessment Order. The assessment application is to:
- i. consolidate multiple children in a sibling group into the one application, while allowing for separate questions for individual children, if required,
 - ii. outline the reasons why an assessment order is required,
 - iii. include a brief list of issues to be addressed by the Authorised Clinician (no prejudicial comments or adverse opinions should be expressed about the person to be assessed),
 - iv. identify any specific expertise required of the Authorised Clinician conducting the assessment,
 - v. include contact details for parties to be assessed, their legal representatives, and the relevant Community Services caseworker or casework manager, and
 - vi. list all the documents upon which the assessment is to be based, including all relevant previous clinical assessments undertaken of the child, children or family.
- 4.2 An assessment application is to be made to the Court as soon as possible after establishment, and is to be filed and served on all other parties no later than 2 days before the application is made to the Court.
- 4.3 An assessment application cannot be made until all relevant documents that can reasonably be identified (including through the issue of subpoenas) have been obtained, and are ready to be forwarded to the Clinic together with the assessment order.

5. Provision of documents to the Clinic or to an assessor appointed pursuant to section 58 (2) of the Care Act

- 5.1 When the Court orders an assessment by the Clinic, the order will be taken to contain a direction that the applicant for the assessment order (or other party as directed by the Court) will, within 7 days of the making of the assessment order, provide all

- the documents listed in the application (the file of documents) to the Clinic.
- 5.2 When the Court makes an order appointing a person to prepare an assessment report pursuant to section 58 (2) of the Care Act it will request the Clinic to forward the file of documents to the assessor.
- 5.3 The file of documents must contain the following:
- i. all relevant applications and orders in the current proceedings,
 - ii. relevant documentary or other evidence filed in the proceedings, as agreed between the parties,
 - iii. any relevant documents that have not been filed in the proceedings but that all parties agree should be included in the file of documents, including relevant Stage 1 and Stage 2 documents, subpoenaed documents or those that the court has ordered for inclusion. These will include copies of previous clinical assessments undertaken of the child, children or family (e.g. paediatric, psychological, psychiatric, social work assessments or reports, school reports, Clinic assessments, Karitane/Tresillian/hospital discharge summaries) relevant to terms of the assessment order, and
 - iv. relevant current court orders, including those made by courts other than the Children's Court (e.g. Apprehended Violence Orders, Family Court Orders).
- 5.4 Two copies of the file of documents are to be provided to the Clinic. Written documents are not to be sent by email or to be provided on CD or DVD.
- 5.5 In the event that a party objects to a document being forwarded (or not being forwarded) to the Clinic as part of the file of documents, then that objection is to be determined by the Court at the time the assessment application is made, and the Court is to determine whether the document is to be sent to the Clinic as part of the file of documents.
- 5.6 Any further relevant documents in addition to the original file of documents should be forwarded to the Clinic as soon as they become available, and with the agreement of all parties. Two copies of further relevant documents are to be provided to the Clinic. However, if all parties do not agree to a particular additional document being forwarded to the Clinic, the party seeking to rely on the additional document is not precluded from seeking to cross-examine the Authorised Clinician in relation to the document at the hearing.
- 6. Time needed to complete Clinic assessments**
- 6.1 Assessment reports usually take approximately six weeks to complete from the time the Clinic has received the assessment order and the file of documents. Time required to complete the assessment report may need to be extended due to case complexity, availability of clinicians, missed appointments or other factors.
- 7. Authorised Clinicians' attendance at Court**
- 7.1 Where an Authorised Clinician is required for cross-examination at the hearing, the party seeking such attendance, having first consulted with the other parties to determine the most appropriate date and time the Authorised Clinician is to attend, must file with the court a Notice to Authorised Clinician to Attend Court (the Notice) in the prescribed form within 7 days following the matter being set down for hearing.
- 7.2 When the Notice has been filed, the Registrar of the Court is to send the Notice to the Children's Court Clinic. Upon receipt of the Notice, the Authorised Clinician is to confirm his or her availability by signing and returning a copy of the Notice to the Registrar.
- 7.3 At the Readiness Hearing, the parties should inform the Court whether the Notice has been filed and that the Authorised Clinician is available to attend the hearing at a specific date and time, and that the Authorised Clinician has been provided with all relevant material as described in clause 16.8 (g) of Children's Court Practice Note No. 5.
- 7.4 If the Authorised Clinician is requested to attend Court to give evidence, then the party requesting that attendance (or another party as directed by the Court) shall send to the Clinic a copy of all relevant evidence, care and permanency plans, as agreed by all parties, and not previously sent to the Clinic. Any additional material must be sent to the Clinic no later than 3 weeks before the date the Authorised Clinician is due to attend court to give evidence. Two copies of the additional material are to be sent to the Clinic.
- 7.5 If all parties do not agree to a particular additional document being forwarded to the Clinic in relation to the Authorised Clinician's attendance at Court, the party seeking to rely on the additional document is not precluded from seeking to cross-examine the Authorised Clinician in relation to it at the hearing.
- 7.6 The requirements of clauses 7.1 to 7.5 above also apply to the provision of information to an assessor appointed under section 58 (2) of the Care Act.
- 8. Authorised Clinicians' attendance at dispute resolution conferences and external mediation conferences**
- 8.1 An Authorised Clinician who has prepared an assessment report may attend a dispute resolution conference under section 65 of the Care Act or external mediation conference under section 65A of the Care Act (a conference), but only with the agreement of all parties.
- 8.2 The Authorised Clinician may attend the conference for all or part of the conference at the discretion of the Children's Registrar or mediator.
- 8.3 The purpose of the attendance of an Authorised Clinician at a conference is to assist the parties to understand the recommendations made by the Authorised Clinician in an assessment report, and the reasons for those recommendations. The Authorised Clinician's role may also include assisting the parties to develop an agreed case plan.
- 8.4 An Authorised Clinician attends a conference in an advisory capacity only, and not as a witness. Questions are not to be asked of the Authorised Clinician that are in the nature of cross-examination.

- 8.5 An Authorised Clinician may attend the conference by telephone.
- 8.6 When a case is referred to a conference, the Court is to be informed by the parties whether an Authorised Clinician is being requested to attend.
- 8.7 Before a matter is referred for a conference, a party requesting the attendance of an Authorised Clinician should enquire either through the Clinic or directly with the Authorised Clinician as to the clinician's availability and be in a position to inform the Court. Authorised Clinicians have been requested to provide details of their availability at the end of their assessment reports.
- 8.8 If the Court has determined that an Authorised Clinician will attend a conference, the Court or conference coordinator, when allocating a conference date, will give consideration to allowing adequate time for the Authorised Clinician to prepare for the conference, having regard to the nature of the issues to be addressed.
- 8.9 The parties requesting the participation of the Authorised Clinician must prepare a document in which specific discussion points arising from the clinician's assessment report will be outlined. This document will be provided to the Authorised Clinician as part of the Notice to Authorised Clinician to attend a Dispute Resolution Conference or External Mediation Conference (the Conference Notice), prior to the conference. This will allow the clinician to prepare for the conference.
- 8.10 The Conference Notice is to be filed within 2 working days after the conference date has been set.
- 8.11 Once the Conference Notice has been filed, the Registrar of the Court is to send the Conference Notice to the Children's Court Clinic. Upon receipt of this notice, the Authorised Clinician is to confirm his or her availability by signing and returning a copy of the Conference Notice to, in the case of a dispute resolution conference, the Children's Court Conference Coordinator, or, in the case of an external mediation conference, the Registrar of the Court or such other person nominated in the Conference Notice.
- 8.12 The Children's Registrar/mediator will contact the Authorised Clinician prior to the conference to confirm their attendance at the conference and to explain the purpose of the conference and the way in which it will proceed.
- 8.13 The requirements of clauses 8.1 to 8.12 above also apply to attendance at a conference of an assessor appointed under section 58 (2) of the Care Act or any other expert who has written a report relevant to the case whose attendance is required at the conference.

9. Commencement

- 9.1 This Practice Note commences on Monday, 5 September 2011.

Dated: Friday 2 September 2011.

Judge MARK MARIEN, S.C.,
President

RURAL FIRES ACT 1997

Local Bush Fire Danger Period Variation

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

Area of Variation:

Northern Rivers Team incorporating:

Kyogle Council;
Lismore City Council;
Richmond Valley Council.

The Local Bush Fire Danger period has been extended for the period 1 September until 30 September 2011.

During this period permits pursuant to section 87 of the Rural Fires Act 1997, as amended, will not be required for the lighting of fire for the purposes of land clearance or fire breaks.

STUART MIDGLEY,
Acting Director,
Operational Services
(delegate)

RURAL FIRES ACT 1997

Local Bush Fire Danger Period Variation

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

Area of Variation:

Far North Coast Team incorporating:

Ballina Shire Council;
Byron Shire Council;
Tweed Shire Council.

The Local Bush Fire Danger period has been extended for the period 1 September until 30 September 2011.

During this period permits pursuant to section 87 of the Rural Fires Act 1997, as amended, will not be required for the lighting of fire for the purposes of land clearance or fire breaks.

STUART MIDGLEY,
Acting Director,
Operational Services
(delegate)

ELECTRICITY SUPPLY ACT 1995

Electricity Supply (General) Regulation 2001

Accredited Service Provider scheme

IN accordance with clause 88 (1) of the Electricity Supply (General) Regulation 2001, I, Christopher Peter Hartcher, M.P., Minister for Resources and Energy, make the following Order to take effect from 19 September 2011:

- The documents attached to this notice are approved as the Accredited Service Provider (ASP) scheme rules for accreditation of Level 1, Level 2 and Level 3 service providers;
- The Department of Trade & Investment, Regional Infrastructure & Services (DTIRIS) is recognised as the accrediting agency in relation to this scheme; and
- The fee to be charged under this scheme to each of the NSW electricity distributors will be \$100,000 (exclusive of GST) payable from the date of this notice and from 1 September each year thereafter.

Dated at Sydney, this 12th day of August 2011.

CHRIS HARTCHER, M.P.,
Minister for Resources and Energy



Trade & Investment,
Regional Infrastructure
& Services

**ACCREDITATION OF SERVICE PROVIDERS
TO UNDERTAKE CONTESTABLE SERVICES**

LEVEL 1

Cl. 88 Electricity Supply (General) Regulation 2001

September 2011

Accreditation of Service Providers

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Accreditation of Service Providers

1 Introduction

This document sets out the accreditation scheme (the Scheme) for providers of contestable services under the *Electricity Supply Act 1995* (the Act). The Scheme has been *recognised* by the Minister for Energy under clause 88 of the *Electricity Supply (General) Regulation 2001* (the Regulation).

The Act establishes the framework for competition in the design, construction and installation of electricity works that comprise or are connected to the electricity distribution networks in NSW. These networks are owned and operated by Ausgrid, Essential Energy and Endeavour Energy.

A customer can choose a service provider to provide contestable services, but the service provider must be accredited¹. The Regulation sets out the types of services that are contestable²:

1. any service comprising work relating to an extension of the distribution system or an increase in the capacity of the system; and
2. customer connection services, being
 - a. the connection of any premises to the distribution system,
 - b. an increase in the maximum capacity of any premises' existing connection to the distribution system, and
 - c. the maintenance of the capability for electricity to be supplied to any premises from the distribution system,

including the installation of service lines, transformers, meters and other equipment.

The Scheme is intended to facilitate competition in the provision to end customers of services related to the design, construction and completion of physical connection to the electricity distribution network.

The Scheme accredits Level 1, Level 2 and Level 3 Accredited Service Providers (ASPs) for different types of work.

Level 1 ASPs undertake work to extend the overhead or underground electricity network or to increase the capacity of the existing network.

Level 2 ASPs install, repair or maintain the overhead or underground service lines between the electrical wiring on a customer's premises and the electricity network. This includes installing electricity metering equipment, connecting service lines to the network and making the connection 'live'.

Level 3 ASPs design distribution network assets, both underground and overhead.

ASPs are required to comply with the local electricity distributor/s' network management plan, the electrical safety rules and other relevant policies.

An ASP is only permitted to undertake, or sub-contract, the type of work for which it is accredited.

¹ Section 31 of the *Electricity Supply Act 1995*.

² Part 10 of the *Electricity Supply (General) Regulation 2008*.

Accreditation of Service Providers

Accreditation indicates that an ASP has a level of skills, resources and competence generally considered necessary to undertake contestable services. Accreditation does not certify or guarantee a service provider's ability to satisfactorily complete any project.

The NSW Department of Trade and Investment, Regional Infrastructure and Services (DTIRIS) is the recognised accrediting agency for the Scheme. The Scheme does not adopt a scheme of accreditation prepared by any other accrediting agency and is not operated jointly with another accrediting agency. Where any decision or other action is to be made or carried out by DTIRIS under the Scheme, unless expressly stated otherwise, that decision or action can be made or carried out by the Manager Accreditation Services, DTIRIS.

Further information about contestable works and about this scheme can be obtained from the local electricity distributor or from DTIRIS at:

Manager, Accreditation Services
NSW Department of Trade & Investment, Regional Infrastructure &
Services
GPO Box 3889
SYDNEY NSW 2001

Phone: 02 8281 7780
Fax: 02 8281 7750
Email: asp.scheme@industry.nsw.gov.au

Scheme for Accreditation of Service Providers

2 General Information

2.1 Grant and renewal of accreditation

To become accredited under this Scheme, an applicant must apply to DTIRIS in writing, using the application form at the end of this document. Applicants must submit:

- (a) the completed application form;
- (b) evidence of the required competencies;
- (c) the completed form for the registration of persons who will be seeking to be authorised by the electricity distributor/s to undertake contestable services;
- (d) evidence of meeting the insurance requirements; and
- (e) the application fee.

Accreditation is valid for a twelve month period from the date it is granted (unless suspended or terminated during that time) and must be renewed annually. Applications for renewal will require payment of the relevant fee and evidence that the ASP holds current insurance policies of the types required.

Accreditation is available to natural persons or corporations.

Accreditation is not transferable. If there is a change in the identity of the applicant's legal entity or a change in control of the entity this is treated as a transfer and the newly constituted entity must re-apply for accreditation.

The means by which a person applying for accreditation can give evidence of his or her qualifications, experience and training is set out in the application form and in the description of required capabilities set out in Part 2 of this document. Applicants will also be required to give undertakings as set out in the application form.

2.2 Insurance requirement

ASPs are required to hold the following types of insurance cover at all times:

- Workers Compensation or Personal Accident Insurance;
- Public/Products Liability;
- Motor Vehicle Comprehensive or Third Party Property Damage Insurance; and
- (for Level 3 only) Professional Indemnity.

It is important to note the requirement that public/product liability insurance needs to cite as interested parties 'the electricity distributors of NSW'. Applications for accreditation or for renewal cannot be completed unless the public/product liability insurance policy notes these interested parties.

Evidence of current insurance policies with a reputable insurer needs to be provided with an application. This evidence is also required to be provided with each annual renewal.

Scheme for Accreditation of Service Providers

2.3 Requirements regarding employees

It is a condition of accreditation that an ASP has access to the appropriate number of staff with the required qualifications in order to undertake work as an accredited service provider. This includes ensuring that all employees working on or near a distribution network:

- have the competency to do so;
- are registered with DTIRIS; and
- are authorised by the local electricity distributor to work on or near the transmission and/or distribution system for the level of accreditation and the work to be undertaken.

2.4 Registration of employees

All ASPs are required to **register** with DTIRIS themselves and/or any of their employees who will be performing work on behalf of the ASP and for which the ASP is accredited. An ASP must apply to DTIRIS for the registration of employees using the separate form provided for this purpose. For new applicants, a copy of this form is included with the application form at the end of this document.

Note that no separate fee for registration is required for an applicant for accreditation or where an existing ASP is applying to add a category of accreditation.

Following registration, the local distributor/s will require employees to undertake training in relevant safety and operating procedures.

An ASP should notify DTIRIS of changes in staff. New employees will not be able to be authorised by the local electricity distributor until they have been registered by DTIRIS.

2.5 Authorisation of employees

Following registration and training, an ASP must seek to have those employees **authorised** by the local electricity distributor.

The local electricity distributor is responsible for determining who is authorised to work on or near the distribution network. The distributor/s will require employees of an ASP to be familiar with and show they can comply with their respective network management plans, electrical safety rules and other relevant policies.

Information on the authorisation process and how to contact the distributors regarding authorisation is in Part 1 of this document.

Note: Authorisation is only required for employees who will be working on or near the local electricity distributor's system. Authorisation is not required when employees are working on a part of the system which cannot be energised by operation of electrical apparatus (eg. a greenfield site). However, a service provider must be accredited before employees can perform any contestable work.

2.6 Change of name

If an ASP changes its name (but retains the same underlying legal ownership) it is not necessary to re-apply for accreditation, but you must notify DTIRIS within 10 days of the change of name.

Scheme for Accreditation of Service Providers

3 Performance Review

3.1 Application by ASP to upgrade

Where different grades are contained within a level of accreditation, an ASP can request a review of its grading for the purpose of obtaining a higher grading. A Level 1 ASP may only request a review of its grading after 12 months at the existing grade or 12 months after previous application for review.

A request for review should be made in writing to DTIRIS. There is no prescribed form for this type of application. More details on the process for applying and the scoring methodology are set out in Part 1 of this document.

After receiving all relevant information and evidence, DTIRIS will review the performance of the ASP.

DTIRIS will inform the ASP of the outcome of the review in writing.

3.2 Performance monitoring by distributors

The performance of ASPs is monitored and regulated by the local electricity distributors in accordance with this Scheme and their obligations under the *Electricity Supply (Safety and Network Management) Regulation 2008*.

Each local electricity distributor will develop and operate a system to assess and manage an ASP's project performance, using its own internal assessment tools. Further information can be obtained from the relevant distributor.

If a local electricity distributor becomes aware of a safety breach or construction defect it will issue a non-conformance notice to the ASP.

In the event of a major safety breach the local electricity distributor may withdraw authorisation of the responsible individuals and take other measures as set out below. In the event of a construction defect, if the works do not comply with the relevant network management plan or policies, the distributor may require the disconnection and/or physical removal of defective work from the system.

If a local electricity distributor advises DTIRIS that it has concerns about an ASP's capacity to undertake contestable services safely due to one or more major breaches, DTIRIS may in its discretion do any of the following:

1. request further information from the local electricity distributor
2. request a report from the ASP
3. request a report from an independent inspector
4. review the circumstances
5. downgrade, suspend or cancel the ASP's accreditation as appropriate, and in accordance with the *Electricity Supply (General) Regulation 2001*.

3.3 Suspension of accreditation

DTIRIS may suspend the accreditation of an ASP at any times on the ground of safety, for the duration and on conditions imposed by DTIRIS in its absolute discretion.

Scheme for Accreditation of Service Providers

3.4 Cancellation of accreditation

DTIRIS may cancel an ASP's accreditation if satisfied that:

- (a) the ASP is no longer competent to provide the contestable service for which the ASP is accredited (having regard to the results of any inspection by DTIRIS or any audit of the ASP's performance), or
- (b) the ASP has been convicted of an offence against the Act or the *Electricity (Consumer Safety) Act 2004* or any regulations under those Acts, or
- (c) the ASP was accredited on the basis of false or misleading information or a failure to disclose or provide required information, or
- (d) the ASP has breached any undertaking given by it to DTIRIS, or
- (e) it is necessary to do so on any other grounds relating to the standard of the work carried out or to public safety.

3.5 Appeals against decisions regarding accreditation

The *Electricity Supply (General) Regulation 2001* provides a right of appeal for any person who is the subject of a decision about accreditation including a decision not to grant accreditation or to downgrade, suspend or cancel accreditation.

Information about appeals is in Part 10 of the Regulation. Appeals must be made in writing within 28 days after the person has received notice of the decision, stating the reasons why the appellant considers that the decision should be reviewed. DTIRIS must review the decision and give written reasons for its decision.

If dissatisfied with the outcome of the review the ASP can request in writing a further appeal through the use of alternative dispute resolution procedures or independent arbitration. If alternative dispute resolution is unsuccessful, the ASP may refer the appeal to arbitration. Information about these processes including time limits for lodging a further appeal is also in part 10 of the Regulation.

3.6 Definition of safety breach

A safety breach is an act or omission that:

- Threatens or has the potential to threaten the safety of any person or damage any property or disrupt the electricity network; or
- Is not compliant with relevant Acts and regulations; or
- Is not compliant with the local electricity distributor's safety rules or Network Management Plan under the *Electricity Supply (Safety and Network Management) Regulation 2008*.

3.7 Definition of construction defect

A construction defect consists of a significant non-conformance to specifications, material and/or project drawings. Non-compliance with a local electricity distributor's standards and specifications will be regarded as a construction defect. See Appendix D for examples.

Scheme for Accreditation of Service Providers

4 Definitions

In this Scheme, unless defined below, terms have the same meaning as stated in the Act.

“**accreditation**” depending on the context, means:

1. the legislation-based approval required by a person to provide contestable services as defined in the Act; or
2. the act of granting recognition to a person who meets the terms of this Scheme.

“**accreditation criteria**” means the criteria set out in section 6.3.

“**Accredited Service Provider**” or “**ASP**” means a person who has been accredited through a ministerially-recognised accreditation scheme to undertake contestable works.

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

“**applicant**” means an applicant for accreditation as an ASP.

“**authorisation**” means permission in writing to an individual given by the local electricity distributor to undertake works on or near their transmission and/or distribution system in accordance with the local electricity distributor’s network management plan. Authorisation is required from each distributor in whose network area the works are undertaken.

“**connection point**” means the point at which the service line connects to the distribution system.

“**construction defect**” is defined in section 3.7.

“**customer**” means the person wishing to have the contestable services carried out.

“**distribution system**” for the purposes of this scheme, means electricity works operated by an electricity distributor to convey and control the conveyance of electricity from a transmission system up to the point of supply of wholesale or retail electricity customers.

“**electricity distributor**” means the electricity distribution network service provider in whose network area the electricity works are or will be located.

“**independent inspector**” means a competent person independent of the local electricity distributor and the accrediting agency.

“**major breach**” means according to the context a safety breach or a construction defect of a material or non-trivial nature as defined in Section 3.7 and 3.8.

“**near**” is as defined in the National Electricity Network Safety Code (ENA Doc 001–2008) as follows: “*a situation where there is a reasonable possibility of a person, either directly or through any conducting medium, coming within the relevant safe approach distances.*”

“**person**” includes an individual, corporation, a body corporate or body politic or more than one of any of these as defined in the *Interpretation Act 1987*.

“**point of supply**” means the junction of an electricity distributor’s conductors with consumers mains

“**recognised**” means the Minister has by order published in the Gazette, declared that a specified scheme or body is recognised as an accreditation scheme or body in relation to the scheme.

Scheme for Accreditation of Service Providers

"Recoverable Works" means works on the electricity network, undertaken at the request of customers or other external parties, but which are not for the purpose of establishing a new or upgraded connection to the electricity network. Repairs to electricity assets damaged by third parties may also be included. Examples of this type of work include:

- undergrounding of electricity assets at the customer's request;
- relocation of electricity assets to allow other activity such as road works; and
- emergency repairs to electricity assets following damage such as from vehicle impacts or excavation works.

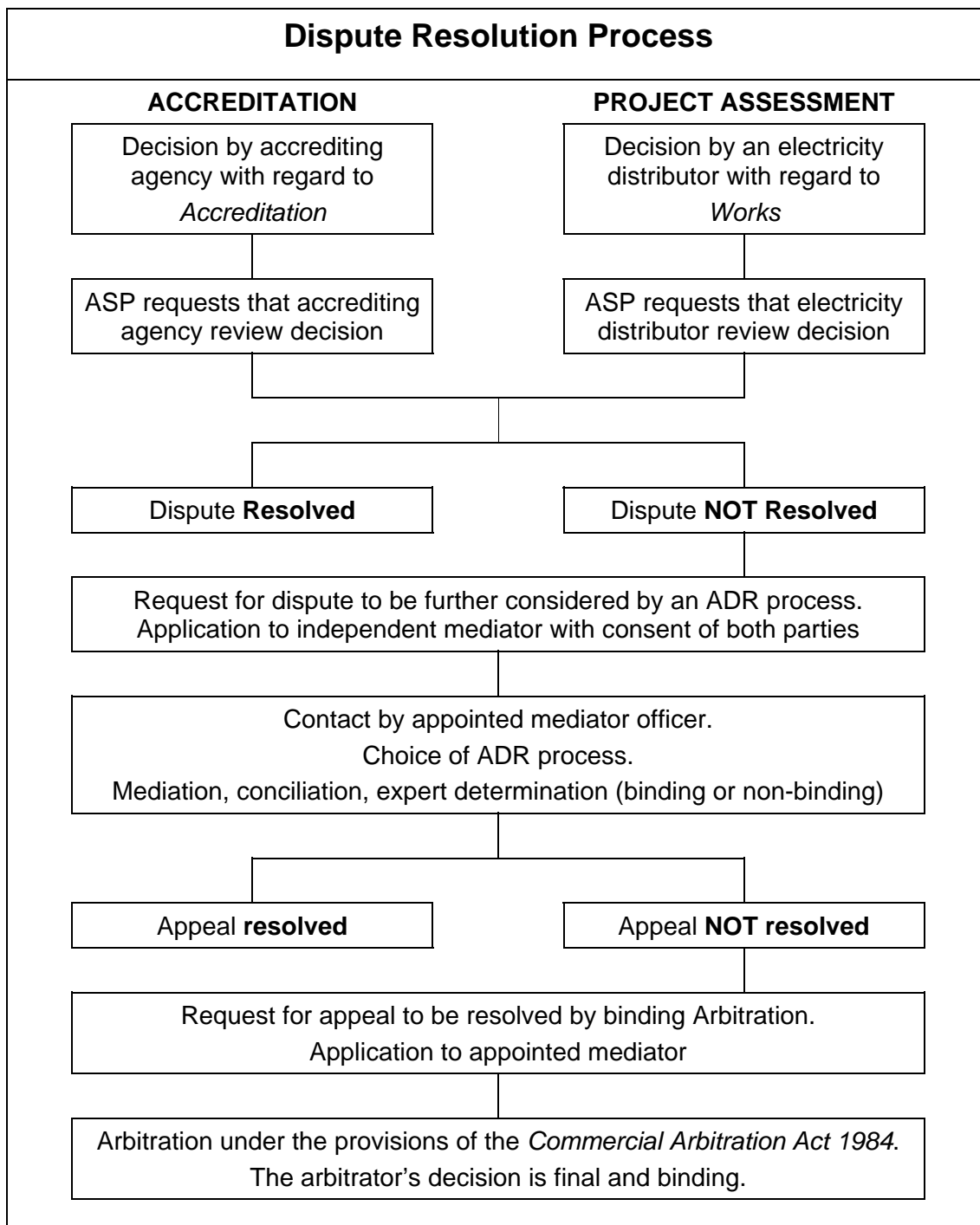
"Regulation" means the *Electricity Supply (General) Regulation 2001*

"safety breach" is defined in section 3.6

"Scheme" and **"Accreditation Scheme"** mean a Scheme for the Accreditation of Service Providers to Undertake Contestable Services recognised by the Minister for Energy.

Scheme for Accreditation of Service Providers

5 Dispute Resolution



Scheme for Accreditation of Service Providers

PART 2

LEVEL 1 SERVICE PROVIDERS: CONSTRUCTION SERVICES

6. Level 1 Accreditation

6.1 Services that can be provided under Level 1 accreditation

The services that can be provided by a Level 1 ASP consist of **constructing and installing electricity distribution works** to enable the provision of customer connection services. Examples include:

- the laying and stringing of electricity cables as well as the jointing of cables;
- erecting electricity poles and excavating underground cable trenches;
- 'line work' such as working with live electricity cables;
- building or working on or inside electricity sub-stations; and
- construction work that may include the use of plant and equipment

Other network services may be carried out under the auspices of contestable services at the discretion of the local electricity distributor.

An entity that is accredited as a Level 1 ASP can be accredited in one or both of the following categories:

1. *Overhead (O/H)*

Includes pole erection, tower construction, conductor stringing and tensioning, street lighting works comprising pole erection, stringing of conductors and luminaire erection and pole substation construction.

2. *Underground (U/G)*

Includes cable trench excavation, duct laying, cable pit construction, pillar installation, cable laying and jointing, street lighting works comprising pole erection, cable laying and luminaire erection and substation construction.

Within level 1 accreditation, ASPs are graded from A to C, with A being the highest and C the lowest. These grades are intended to reflect the general level of competence and expertise of each ASP. When work is completed by an ASP, the inspection fee charged by the local distributor will vary according to the ASP's grade. These fees are set by an independent economic regulator, the Australian Energy Regulator (AER).

When granting accreditation DTIRIS will assign an initial grading using the assessment method in Appendix D.

Scheme for Accreditation of Service Providers

6.2 Assessment of applications

For Level 1 applicants, a detailed assessment is required of the applicant's ability to meet the accreditation criteria through demonstration of its capabilities, performance and systems. This will usually include an on-site assessment. DTIRIS will arrange for the assessment and some costs may be required to be met by the applicant. More information is provided below.

6.3 Accreditation criteria

Applicants must show they have:

1. implemented a Quality Assurance system;
2. competent and qualified staff available to provide contestable services (see Appendix C for more detail);
3. provided suitable plant tools and equipment (see checklist in Appendix A);
4. implemented an adequate sub-contractor management plan;
5. implemented adequate health and safety systems;
6. implemented adequate environmental management systems;
7. satisfactory past work performance; and
8. satisfactory past safety performance.

Appendix D provides further details of requirements within each category and the scoring matrix used in the assessment of applications. An applicant who scores a zero in any category will not qualify for accreditation.

6.4 Accreditation fees

Accreditation fees for Level 1 ASPs are set out in the Application Form, are payable by cheque or credit card and are non – refundable. These fees will be adjusted on 1 September each year in accordance with the rate of change of the Sydney Consumer Price Index for each full year published by the Australian Bureau of Statistics for the June quarter of each year.

The electricity distributors will be charged a fee for accreditation determined by the Minister for Energy from time to time and published in the NSW Government Gazette.

6.5 Qualifications, experience and training required for accreditation

An applicant for accreditation will need to provide the names of an appropriate number of persons who available and who possess the required competencies and qualifications to undertake this work. Evidence of these qualifications, including copies of professional or trade qualifications, will need to be provided to DTIRIS.

Appendix C outlines the competencies required of a Level 1 ASP. Further information about required competencies can be obtained from the local electricity distributor. Details of recognised electricity supply industry training, including refresher courses, and registered training organisations for individuals seeking to work on or near a local electricity distributor's networks may be obtained from the:

National Training Information Service
www.ntis.gov.au

Scheme for Accreditation of Service Providers

6.6 Authorisation to work on or near the network

Each distributor has determined a process for granting authorisation to an employee and the requirements each employee and ASP must meet. Details on the authorisation process should be obtained from the local electricity distributor:

Local electricity distributor	Phone number
Essential Energy (formerly Country Energy)	02 6643 7791
Ausgrid (formerly EnergyAustralia)	02 4399 8139
	02 4399 8140
	02 4399 8135
	Fax 02 4399 8013
Endeavour Energy (formerly Integral Energy)	02 9853 6946

ASPs must use the information provided by the local electricity distributor(s) to ensure their employees remain familiar with the applicable standards, work practices and general requirements applicable to the type of work being undertaken.

The electricity distributors may charge a fee for the authorisation of each ASP employee. This fee is set by the Australian Energy Regulator (AER).

6.7 Assessment of applications

Applicants for accreditation as a Level 1 ASP are required to be assessed by an assessor appointed by DTIRIS. The results of the assessment will be used by DTIRIS to determine whether to grant accreditation.

An applicant, including existing ASPs applying for accreditation in further categories, need to provide DTIRIS with sufficient evidence such that an assessor can reasonably undertake the required assessment. DTIRIS may in its discretion decline to carry out an assessment of those applications that lack sufficient information to allow an assessor to provide advice.

The fee for a Level 1 application includes a charge to cover some of the costs of the assessor. However, in some cases the assessor will be required to incur additional travel and accommodation costs. These additional costs will be the responsibility of the applicant.

6.8 Applications for upgrades

In order to be granted a higher grade, a Level 1 ASP must obtain the appropriate score determined by the assessment scheme in Appendix D of this document.

A detailed assessment will be required as for new applications. DTIRIS will arrange for this to occur once a completed application has been provided. A separate fee will be charged for these applications.

Applicants should enclose all relevant information when applying for an upgrade. This should address performance matters set out in Appendix D. DTIRIS may request additional information from the ASP. DTIRIS will obtain information or evidence from the relevant distributor/s before considering the application, including information about any major breaches reported on work undertaken by the ASP.

Scheme for Accreditation of Service Providers

Appendix A – Level 1 Equipment

The following indicates the typical equipment a Level 1 ASP will need to provide overhead and underground contestable services.

Underground**Cable Laying Equipment**

- Winch – Tractor, truck or trailer mounted
- Rollers
- Steel or synthetic hauling rope to suite length of cable pull
- Pulling swivel, D shackles
- Cable stockings
- Bell mouths
- Cable cutting and end sealing equipment
- Equipment to provide cable pulling tension measurement or control.

Cable Termination Jointing Equipment

- Equipment suitable for heat shrink use
- Hydraulic crimper and dies
- Cable Cutter
- Appropriate hand tools
- Fire extinguisher

Test Equipment

- 1,000 Volt insulation resistance tester
- Earth resistance tester
- Phasing out device

Scheme for Accreditation of Service Providers

Overhead

Pole Erection

- Lifter/Borer
- Pole dressing tools

Stringing/Tensioning

- 4 x 4 tray utility, truck or suitable vehicle
- Line truck
- Tension stringing plant/equipment – winches, tensioners, pullers, line tools, rollers
- Cable stockings
- Cable drum stands/trailer
- Pulling rope to suit length of pull
- D shackles

Terminating

- Insulated line covers
- Insulated ladders
- Approved pole top platforms
- Personal Protective Equipment
- Hydraulic crimpers and dies
- Cable cutting equipment
- Appropriate hand tools
- Fire extinguisher

Test Equipment

- Soil resistivity/earth system testers
- 1000 Volt insulation resistance tester
- Test lamps
- Phasing out device/polarity indicator
- Multimeter

Scheme for Accreditation of Service Providers

Appendix B – Competencies

Page 1 of 6

Apprentices and trainees under the direct and immediate on site supervision of a person authorised for the type of work involved may carry out work for training purposes.

TYPE OF WORK	TRAINING		CERTIFICATION	NOTES
	Primary	#Secondary		
Network construction and maintenance tasks requiring electrical trade skills and covering the following work categories:- <ul style="list-style-type: none"> ▪ Substation construction & maintenance ▪ Protection & voltage regulation ▪ Telecontrol ▪ Metering ▪ Installation Inspection ▪ System operation 	<ul style="list-style-type: none"> ▪ Electrical trade apprenticeship ▪ Specialist training as required by the type of work to be undertaken (as indicated in the "Type of Work" column). 	<ul style="list-style-type: none"> ▪ Resuscitation and release/rescue training (see below) ▪ Knowledge of relevant work instructions and safety procedures 	Trade Certificate of Proficiency or Craftsman's Certificate Documented by employer Evidence of testing recorded by employer	(#) Typically each worker only requires a selection of secondary training and this will be determined by the nature of the work that they do, as determined by the Network Operator. This list of secondary training is not an exhaustive list. Further training of electricians may be provided in specified or limited types of work, such as limited line work, jointing of particular types of cable etc. Multi-trade training (eg electrician-lineworker or electrician-cable joiner) is also possible. Training may also be required in such areas as confined spaces procedures, traffic control, etc.
		<ul style="list-style-type: none"> ▪ Entry to Substations 	Documented by employer	
		<ul style="list-style-type: none"> ▪ Electrician's licence 	Qualified Supervisor's Certificate	
		<ul style="list-style-type: none"> ▪ Operating Elevating Work Platform 	WorkCover Certificate	
		<ul style="list-style-type: none"> ▪ Crane Operation 	WorkCover Certificate	
		<ul style="list-style-type: none"> ▪ Dogging 	WorkCover Certificate	
		<ul style="list-style-type: none"> ▪ Accepting Access Permits 	Certificate issued by a Registered Training Organisation	

Scheme for Accreditation of Service Providers

Appendix C: Competencies
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TYPE OF WORK	TRAINING		CERTIFICATION	NOTES	
	Primary	#Secondary			
<p>Network construction and maintenance tasks requiring line work skills and covering the following</p> <p>work categories:</p> <ul style="list-style-type: none"> ▪ LV overhead mains ▪ HV overhead mains 	<p>Line work training as provided by a Registered Training Organisation</p>	<ul style="list-style-type: none"> ▪ Resuscitation and rescue training (see below) ▪ Knowledge of relevant work instructions and safety procedures 	Trade Certificate of Proficiency or Craftsman's Certificate	<p>(#) Typically each worker only requires a selection of secondary training and this will be determined by the nature of the work that they do, as determined by the Network Operator.</p> <p>This list of secondary training is not an exhaustive list. Further training of lineworkers may be provided in specified or limited types of work, such as operating or field switching, jointing of particular types of cable etc. Multi-trade training (eg lineworker-cable joiner) is also possible.</p> <p>Training may also be required in such areas as confined spaces procedures, traffic control, etc.</p>	
		<ul style="list-style-type: none"> ▪ Entry to Substations 	Documented by employer		
		<ul style="list-style-type: none"> ▪ Operating Elevating Work Platform 	WorkCover Certificate		
		<ul style="list-style-type: none"> ▪ Crane Operation 	WorkCover Certificate		
		<ul style="list-style-type: none"> ▪ Dogging 	WorkCover Certificate		
		<ul style="list-style-type: none"> ▪ Rigging 	WorkCover Certificate		
		<ul style="list-style-type: none"> ▪ Operating other minor plant 	WorkCover Certificate if required		
		<ul style="list-style-type: none"> ▪ Issuing/accepting Access Permits 	Certificate issued by a Registered Training Organisation		
					e.g. chainsaws, cable winches, etc.

Scheme for Accreditation of Service Providers

Appendix C: Competencies
Page 3 of 6

TYPE OF WORK	TRAINING		CERTIFICATION	NOTES
	Primary	#Secondary		
<p>Network construction and maintenance tasks requiring HV live line work skills for the following work categories:</p> <ul style="list-style-type: none"> ▪ Hot stick ▪ Glove and barrier ▪ Bare hand (conductive suit) <p>Network construction and maintenance tasks requiring cable jointing skills for one or more of the following categories of cable:</p> <ul style="list-style-type: none"> ▪ distribution – i.e. up to 22kV polymeric and paper-lead ▪ transmission – i.e. Oil & gas pressure cables, EHV polymeric cables 	<p>Live line work training as provided by a Registered Training Organisation</p>		<p>Trade Certificate of Proficiency or Craftsman's Certificate</p>	<p>Note that this is in addition to a normal line work qualification</p>
	<p>Cable jointing training provided by a Registered Training Organisation</p> <p>Specialist training in jointing of transmission cables</p>	<ul style="list-style-type: none"> ▪ Resuscitation and rescue training (see below) ▪ Knowledge of relevant work instructions and safety procedures ▪ Entry to Substations 	<p>Trade Certificate of Proficiency or Craftsman's Certificate</p> <p>Documented by employer</p> <ul style="list-style-type: none"> ▪ Evidence of testing recorded by employer <p>Documented by employer</p> <p>WorkCover Certificate</p>	<p>(#) Typically each worker only requires a selection of secondary training determined by the nature of the work that they do, as determined by the Network Operator.</p> <p>This is not an exhaustive list.</p> <p>Further training of cable jointers may be provided in specified or limited types of work, such as operating or field switching, limited line work, etc.</p> <p>Multi-trade training (eg lineworker-cable jointer) is possible.</p> <p>Training may also be required in such areas as confined spaces procedures, traffic control, etc.</p> <p>e.g. EWP, crane, etc, as appropriate</p>
		<ul style="list-style-type: none"> ▪ Operating Plant ▪ Issuing/accepting Access Permits 	<p>Certificate issued by a Registered Training Organisation</p>	

Scheme for Accreditation of Service Providers

Appendix C: Competencies
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TYPE OF WORK	TRAINING		CERTIFICATION	NOTES		
	Primary	#Secondary				
Network construction and maintenance tasks requiring live line work skills for 1500 volt DC traction systems	Line work training for live 1500 volt traction systems as provided by a Registered Training Organisation	<ul style="list-style-type: none"> ▪ Resuscitation and rescue training (see below) ▪ Knowledge of relevant work instructions and safety procedures 	Certificate issued by a Registered Training Organisation	<p>(#) Typically each worker only requires a selection of secondary training and this will be determined by the nature of the work that they do, as determined by the Network Operator.</p> <p>This list of secondary training is not an exhaustive list. Further training of DC traction lineworkers may be provided in specified or limited types of work, such as limited operating or field switching, jointing of particular types of cable, etc.</p> <p>Multi-trade training (eg DC traction lineworker-cable jointer, or general purpose lineworker – DC traction lineworker) is also possible.</p> <p>Training may also be required in such areas as confined spaces procedures, traffic control, etc.</p>		
			Documented by employer		e.g. EWP, crane, etc, as appropriate	
			Evidence of testing recorded by employer			
			Documented by employer			
		<ul style="list-style-type: none"> ▪ Entry to Substations ▪ Rail traffic control ▪ Operating Plant ▪ Issuing/accepting Access Permits 	Documented by employer			
			Documented by employer			
			WorkCover Certificate			
			Certificate issued by a Registered Training Organisation			

Scheme for Accreditation of Service Providers

Appendix C: Competencies
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TYPE OF WORK	TRAINING		CERTIFICATION	NOTES
	Primary	#Secondary		
<ul style="list-style-type: none"> ▪ Work near the network in one of the following work categories: <ul style="list-style-type: none"> ▪ Cable installation ▪ Bulk Street Lamp Replacement ▪ Substation Cleaning ▪ Trade Assistant ▪ Tree Trimming ▪ Pole and Line inspection ▪ Traffic control 	Training as required by the type of work to be undertaken (as indicated in the "Type of Work" column).	<ul style="list-style-type: none"> ▪ Resuscitation and rescue training (see below) <ul style="list-style-type: none"> ▪ Knowledge of relevant work instructions and safety procedures ▪ Entry to Substations ▪ 'Electrical Awareness' training 	Documented by employer Evidence of testing recorded by employer	(#) Typically each worker only requires a selection of secondary training and this will be determined by the nature of the work that they do, as determined by the Network Operator. This list of secondary training is not an exhaustive list.
	Training in pole & line inspection as provided by a Registered Training Organisation RTA-approved training course in traffic control	<ul style="list-style-type: none"> ▪ Operating Plant ▪ Accepting Access Permits 	Documented by employer Certificate issued by a Registered Training Organisation or accredited provider Certificate issued by a Recognised Industry Training Body Certificate issued by RTA or accredited provider WorkCover Certificate Certificate issued by a Registered Training Organisation	
				e.g. EWP, crane, etc, as appropriate

Scheme for Accreditation of Service Providers

Appendix C: Competencies
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TYPE OF WORK	TRAINING		CERTIFICATION	NOTES
	Primary	#Secondary		
Work near the network on telecommunications cables attached to poles or line supports	Training in – <ul style="list-style-type: none"> ▪ electrical awareness and hazard control ▪ working procedures when in the proximity of low voltage conductors 		Certificate issued by a Network Operator and documented by employer	An example of appropriate training is the course based on Optus Communications document 'Training Outline for Working Near Supply Authority Conductors'
		<ul style="list-style-type: none"> ▪ Resuscitation and rescue training (see below) ▪ Knowledge of relevant work instructions and safety procedures ▪ Operating Plant ▪ Accepting Access Permits 	Documented by employer Evidence of testing recorded by employer WorkCover Certificate Certificate issued by a Registered Training Organisation	(#) Typically each worker only requires a selection of secondary training and this will be determined by the nature of the work that they do, as determined by the Network Operator. This list of secondary training is not an exhaustive list. Training may also be required in such areas as confined spaces procedures, traffic control, etc. e.g. EWP, crane, etc, as appropriate

Resuscitation and Release / Rescue

At least once every 12 months, personnel who work on or near electricity works must demonstrate their competence in resuscitation and release / rescue appropriate to the area of work concerned, as follows:

- cardio-pulmonary resuscitation
- releasing a person from live electricity works
- rescuing a person from a pole, other line support structure, or elevating platform
- rescuing a person from a confined space

Procedures and associated training and assessment regimes should be established and authorised by employers. Personnel who assist those working on or near electricity works should be similarly trained and competent in resuscitation and release / rescue as appropriate.

Scheme for Accreditation of Service Providers

Appendix C - Level 1: Assessment of Grading**QUALITY SYSTEM DEVELOPMENT**

PROGRESS	SCORE
<i>No QA, No intention to seek QA</i>	0
<i>Positive steps made to set up a Quality System and seek Certification</i>	1
<i>Quality Statement in place</i>	1.5
<i>Early stages of Quality Manual development</i>	
<i>Completed Quality Manual</i>	2
<i>Quality System set up</i>	
<i>Certification underway</i>	2.5
<i>Certification by an appropriate body with non-conformances</i>	
<i>Certification by an appropriate body with correction action underway</i>	3
<i>Full Certification by an appropriate body</i>	

Note: A score of zero in any category will result in refusal of accreditation.

CAPABILITY EVALUATION**1) Availability of Trained Staff**

PROGRESS	SCORE
<i>Incapable of nominating any trained personnel</i>	0
<i>Incapable of nominating sufficient trained personnel</i>	1
<i>Capable of nominating sufficient trained personnel</i>	2
<i>Capable of nominating sufficient trained personnel plus has training/orientation program maintained for these personnel.</i>	3

Note: A score of zero in any category will result in refusal of accreditation.

Scheme for Accreditation of Service Providers

Appendix C- Level 1: Assessment of Grading

2) **Suitable Plant, Tools, Equipment** (Refer Appendixes A and B – Equipment)

PROGRESS	EVALUATION SCORE
<i>Suitable plant, tools, equipment not available</i>	0
<i>Insufficient suitable plant, tools equipment available</i>	1
<i>Sufficient suitable plant, tools, equipment available but not owned, leased or hired by primary contractor.</i>	2
<i>Sufficient suitable plant, tools, equipment available and owned, leased or hired by primary contractor and regular maintenance systems in place.</i>	3

Note: A score of zero in any category will result in refusal of accreditation.

3) **Health and Safety Systems**

PROGRESS	EVALUATION SCORE
<i>No health and safety policy or practices</i>	0
<i>Established safety policy, objectives and targets for implementation of a SMS⁴</i>	1.0
<i>Established monitoring programme to assess current status of SMS⁴ which can then be used to improve safety performance</i>	1.5
<i>Action plan to establish procedures and policies for a SMS⁴</i>	
<i>Completed health and safety environment (OH & S Manual) reference manual and critical procedures.</i>	2.0
<i>SMS⁴ audit and found to comply with the requirements of a recognised Australian or International Standard (eg. SCC*, AS/NZS 4801-2001 (Occ. Health and Safety Management) etc.)</i>	
<i>Risk assessment to identify risks inherent to business (eg. AS/NZS ISO 31000)</i>	2.5
<i>Program to develop SMS⁴ to address risk profile of business</i>	
<i>Certification to a comprehensive safety protocol which certifies SMS⁴ achievement significantly above requirements of AS/NZS 4801-2001</i>	3.0
<i>Comprehensive SMS⁴</i>	

Note: A score of zero in any category will result in refusal of accreditation.

⁴ Safety Management System

* Safety Contractor's Certificate

Scheme for Accreditation of Service Providers

Appendix C - Level 1: Assessment of Grading

4) **Environmental Management**

PROGRESS	EVALUATION SCORE
<i>No systematic environmental management procedure.</i>	0
<i>Environmental statement of intent to develop an EMS.</i>	0.5
<i>Environmental policy and procedure action plan in place. Specific training program procedures for staff inclusion in Environmental Management procedures.</i>	1.0
<i>Erosion and sediment control procedures developed for working in proximity to roads, drains, water courses or other drainage flow lines.</i>	1.5
<i>Active sediment control devices such as filter fencing, filter fabric available at all sites and or on all vehicles.</i>	2
<i>EMS audit conducted and found to comply with the relevant Australian International Standard.</i>	2.5
<i>Certification of an EMS to the requirements of AS/NZS ISO 14000</i>	3.0

Note: A score of zero in any category will result in refusal of accreditation.

5) **Capability Score Total**

1	<i>Availability of Trained staff</i>	/3
2	<i>Suitable plant, tools, equipment</i>	/3
3	<i>Health and Safety Systems</i>	/3
4	<i>Environmental Management Systems</i>	/3
AVERAGE SCORE		/3

Scheme for Accreditation of Service Providers

Appendix C - Level 1: Assessment of Grading

PAST PERFORMANCE**Work Performance**

CRITERIA	POINTS
<i>Evidence of poor work on 2 or more jobs *</i>	0
<i>No known work history (or fewer than 2 jobs)</i>	1.0
<i>References attesting satisfactory work on 2 jobs*</i>	1.5
<i>References attesting satisfactory work on more than 2 jobs</i>	2.0
<i>References attesting satisfactory work on 2 jobs * performed that specifically relate to electricity distribution.</i>	2.5
<i>References attesting satisfactory work on more than 2 jobs * performed that specifically relate to electricity distribution</i>	3.0

* A job is defined as electrical works exceeding \$10,000 in value.

Note: A score of zero in any category will result in refusal of accreditation.

Safety Performance

CRITERIA	POINTS
<i>Evidence of 2 or more separate breaches of Acts or Regulations relating to safety per \$50,000 worth of work in last 2 years relating to safety AND no safety program in place</i>	0
<i>As above – but safety program in place</i>	1
<i>Between 1 & 2 breaches of Acts or regulations relating to safety per \$50,000 of work in the last 2 years and no known history. Safety programme in place</i>	2
<i>Less than 1 breach of Acts or regulations relating to safety per \$50,000 worth of work in the last 2 years and no known history. Safety programme in place</i>	3

Note: A score of zero in any category will result in refusal of accreditation.

Past Performance Score Total

1	Work Performance	/3
2	Safety Performance	/3
AVERAGE SCORE		/3

Scheme for Accreditation of Service Providers

Appendix C - Level 1: Assessment of Grading

SCORE AND RATING SHEET

	<i>Initial Assessment</i>	<i>Renewal</i>	<i>Score</i>
<i>Quality System Development</i>	<i>Appendix D</i>	<i>Appendix D</i>	<i>/3</i>
<i>Capability</i>	<i>Appendix D</i>	<i>Appendix D</i>	<i>/3</i>
<i>Past Performance/Experience</i>	<i>Appendix D</i>	<i>Appendix E</i>	<i>/3</i>
TOTAL SCORE			<i>/9</i>

Note: Where assessment in any sub category is 1 or less, a comment must be included by the assessor to explain that score.

Rating Table		
	Score	Rating
	8.5 - 9	A
<i>All pre-requisites satisfied</i>	5.5 – 8.4	B
<i>AND</i>	1.5 – 5.4	C
<i>No score of zero in any of the above tables</i>	0 – 1.4	Nil

Note: A score of zero in any category will result in refusal of accreditation.

Scheme for Accreditation of Service Providers

Appendix D – Examples of Construction Defects

Overhead:

1. Pole or street light column of incorrect height or strength or installed in incorrect location.
2. Pole or street light column not installed with the correct depth of burial or footing strength.
3. Structure foundation or rag bolt assembly not installed with the correct footing strength.
4. Conductor erected of the wrong type or incorrectly tensioned.
5. Crossarm or other structural component of incorrect size or type for the design requirements.
6. Pole or crossarm of a type different to that specified by the local electricity distributor but meets structural or design requirements.

Underground:

1. Cable laid in different location to the design requirements or standard street allocation.
2. Cable laid to the incorrect depth or backfilled incorrectly.
3. Pillar installed in incorrect location.
4. Cables incorrectly installed and terminated in the pillar.
5. Cables incorrectly jointed.
6. Service cable not identified at termination point.
7. Service cable installed with incorrect polarity

NB This list is not exhaustive.

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Appendix E – Evidence of Insurance

A Certificate of Currency or other evidence of current insurance for the undertaking of contestable works is required for each of the following:

TYPE OF INSURANCE	MINIMUM INFORMATION REQUIRED	OTHER REQUIREMENTS
Workers' compensation or Personal accident	<ul style="list-style-type: none"> ▪ Name of insured ▪ Name of insurer ▪ Policy Number ▪ Period of insurance 	
Comprehensive motor vehicle, or Motor vehicle third party property damage	<ul style="list-style-type: none"> ▪ Name of insured ▪ Name of insurer ▪ Policy Number ▪ Limit of Liability (minimum \$20 million any one occurrence) ▪ Deductable ▪ Period of insurance 	
Public/products liability covering claims arising out of or as a consequence of the performance of the contestable works in respect of: loss of, or damage to, or loss of use of, any real or personal property, and the personal injury, disease or illness to, or death of, any person, and any occurrence in relation to any unregistered plant or unregistered vehicles used directly or indirectly in respect of the contestable works.	<ul style="list-style-type: none"> ▪ Name of insured ▪ Name of insurer ▪ Policy Number ▪ Limit of Liability (minimum \$20 million any one occurrence in respect of public liability and a minimum of \$20 million any one occurrence and in the aggregate any one period in respect of product liability) ▪ Deductable ▪ Period of insurance 	<ol style="list-style-type: none"> 1. The interests of the Electricity Distributors of New South Wales and their respective employees, consultants or agents must be noted on the insurance policy. The insurer is required to waive all rights, remedies or relief to which it might become entitled by way of subrogation against the Electricity Distributors of New South Wales. 2. If any products are supplied the insurance must be maintained for a minimum of three years from the date of last supply of any products in respect of contestable works.

Scheme for Accreditation of Service Providers

Scheme for Accreditation of Service Providers

LEVEL 1 ASP APPLICATION FORM**HOW DO YOU APPLY?**

Complete and lodge this application form with any other documents and the **relevant fee** with the Department of Trade & Investment, Regional Infrastructure and Services (DTIRIS).

Following accreditation you will receive a letter of accreditation and a letter of registration for staff and sub-contractors. It will be necessary for you to take these to the electricity distributor/s to apply for authorisation for individual staff you will employ to work on or near the distribution networks.

FEES

	Fee	GST	Total
Applications	\$1,300	\$130	\$1,320
Renewals	\$250	\$25	\$275
Registrations	\$170	\$17	\$187
Additional category	\$1,000	\$100	\$1,100

Completed applications should sent to:

Manager, Accreditation Services
 Department of Trade & Investment, Regional Infrastructure
 & Services
 GPO Box 3889
 SYDNEY NSW 2001

Cheques should be made payable to the *Department of Trade and Investment*

Enquiries may be directed to DTIRIS by:

Phone: 02 8281 7780
 Fax: 02 8281 7750
 Email: asp.scheme@industry.nsw.gov.au

PLEASE ALLOW A MINIMUM OF TEN (10) WORKING DAYS FOR PROCESSING OF
 YOUR APPLICATION

**APPLICANTS WILL BE ASSESSED BEFORE ACCREDITATION IS GRANTED AND THIS
 MAY REQUIRE ADDITIONAL TIME**

INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED

Scheme for Accreditation of Service Providers

CHECKLIST FOR LEVEL 1 APPLICATIONS

Before submitting your application please ensure you

Complete the application form

Complete the information for persons who will be seeking authorisation under your accreditation on page 35

Provide evidence (eg. copies of craft certificates) that your staff or sub-contractors have the required training in the categories you are requesting

Provide evidence that you have or can obtain the minimum necessary equipment for the services you wish to be accredited to perform

If you will use sub-contractors, include a letter from them stating that they are willing and able to provide relevant staff and/or equipment

Provide evidence of the required quality and management systems

Provide evidence you have the capability to provide these services

Provide evidence of relevant past performance

Provide evidence of insurance details (see Appendix E)

- Public and Products Liability (**Minimum \$20M**)
- Comprehensive Motor Vehicle Insurance policy
- Workers Compensation Insurance **or** Personal Accident Insurance

Ensure the **Electricity Distributors of NSW** are noted as interested parties on the Public and Products Liability Insurance Policy.

Provide payment of the accreditation fee (page 36)

Sign the application form on page 37

Scheme for Accreditation of Service Providers

LEVEL 1 APPLICANT DETAILS

Applicant: _____

(print full name of applicant – ie individual, all partners or corporation)

Corporate applicants must also provide details of directors in this form

Business name: _____

Please provide **one** of the following:

ACN _____ **OR** ABN _____

OR

NSW Business Registration Number _____

Address _____

_____ Postcode _____

Telephone: _____ Facsimile: _____

Mobile: _____ E-mail address: _____

Category of accreditation required

Overhead

Underground

Both

The Applicant may be sub-contracting out contestable services: (please circle) Yes / No

If the Applicant is **already accredited under this Scheme** then please provide:

i) Accreditation Number: _____

Level/Category of Accreditation: _____

ii) Accreditation Number: _____

Level/Category of Accreditation: _____

Scheme for Accreditation of Service Providers

CORPORATION DIRECTORS

Corporation Name _____
_____ ACN _____

Details of all directors are to be provided (*residential addresses to be given*)

Surname: _____ Given names: _____
Address _____
_____ Post code _____

Surname: _____ Given names: _____
Address _____
_____ Post code _____

Surname: _____ Given names: _____
Address _____
_____ Post code _____

Surname: _____ Given names: _____
Address _____
_____ Post code _____

Surname: _____ Given names: _____
Address _____
_____ Post code _____

(Please photocopy this form if insufficient space available)

EMPLOYEES SEEKING AUTHORISATION

The following people will be seeking, under the accreditation of the applicant, authorisation to work on or near the network in the stated electricity distribution areas:

Employee Name	Essential Energy (formerly Country Energy)	Ausgrid (formerly EnergyAustralia)	Endeavour Energy (formerly Integral Energy)	Categories
1.				
2.				
3.				
4.				

Evidence of how each person satisfies the qualifications/training requirements (eg copies of certificates) must be attached.

SUB-CONTRACTORS SEEKING AUTHORISATION

The following sub-contractors or employees will be seeking, under the accreditation of the applicant, authorisation to work on or near the network in the stated electricity distribution areas:

Employee Name	Essential Energy (formerly Country Energy)	Ausgrid (formerly EnergyAustralia)	Endeavour Energy (formerly Integral Energy)	Categories
1.				
2.				
3.				
4.				

Evidence of how each person satisfies the qualifications/training requirements (eg copies of certificates) must be attached.

PAYMENT DETAILS

Please make cheques for accreditation fees payable to:

Department of Trade and Investment

If paying by credit card, please complete the following:

Name: _____

Address: _____

Daytime Telephone No. _____

Please tick one: MasterCard Visa

Card number: _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _

Expiry date: ____/____

Cardholder's name (as shown on credit card): _____

Signature of cardholder: _____

Date: ____/____/____

UNDERTAKINGS

The Applicant undertakes that, if accredited:

1. only contestable work for which accreditation is held will be undertaken;
2. all work will be undertaken in a safe manner and in accordance with all Acts, regulations, this Scheme and the local electricity distributor's standards, network management plan (see cl. 18 *Electricity Supply (Safety and Network Management) Regulation 2008*) and electrical safety rules;
3. the Applicant, and its employees, sub-contractors or other agents, will not carry out work on or near the distribution system of a NSW electricity distributor that adopts this Scheme unless each of them is qualified under the relevant requirements of the local electricity distributor's network management plan to carry out the work, and unless the work is carried out in accordance with the relevant requirements of that plan;
4. records of contestable works undertaken, including details of qualified personnel who undertook the work, will be maintained for a period of three years. Such records shall be provided to the local electricity distributor on inspection of the works, or to Industry & Investment NSW (DTIRIS) on request;
5. suitable equipment will be used for the construction of contestable works and that equipment will be maintained to ensure safe operation;
6. management systems will be maintained to ensure compliance with the local electricity distributor's standards and network management plan;
7. the required insurances will be maintained for the duration of the accreditation period; and
8. the Applicant will indemnify the local electricity distributor against any loss or damage incurred as a result of any contestable works provided by the Applicant.

The Applicant agrees to notify DTIRIS of any circumstances that may affect the conditions of the accreditation.

The Applicant accepts as a condition of accreditation that DTIRIS may commission an independent audit of records, equipment and works to confirm compliance with the conditions of accreditation.

Signed by the Applicant:

print Applicant's full name

Applicant's signature

in the presence of:

print Witness' full name

Witness' signature

on this day:

date



Trade & Investment,
Regional Infrastructure
& Services

ACCREDITATION OF SERVICE PROVIDERS TO UNDERTAKE CONTESTABLE SERVICES

LEVEL 2

Cl. 88 *Electricity Supply (General) Regulation 2001*

July 2011

Accreditation of Service Providers

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Accreditation of Service Providers

1 Introduction

This document sets out the accreditation scheme (the Scheme) for providers of contestable services under the *Electricity Supply Act 1995* (the Act). The Scheme has been *recognised* by the Minister for Energy under clause 88 of the *Electricity Supply (General) Regulation 2001* (the Regulation).

The Act establishes the framework for competition in the design, construction and installation of electricity works that comprise or are connected to the electricity distribution networks in NSW. These networks are owned and operated by Ausgrid, Essential Energy and Endeavour Energy.

A customer can choose a service provider to provide contestable services, but the service provider must be accredited¹. The Regulation sets out the types of services that are contestable²:

1. any service comprising work relating to an extension of the distribution system or an increase in the capacity of the system; and
2. customer connection services, being
 - a. the connection of any premises to the distribution system,
 - b. an increase in the maximum capacity of any premises' existing connection to the distribution system, and
 - c. the maintenance of the capability for electricity to be supplied to any premises from the distribution system,

including the installation of service lines, transformers, meters and other equipment.

The Scheme is intended to facilitate competition in the provision to end customers of services related to the design, construction and completion of physical connection to the electricity distribution network.

The Scheme accredits Level 1, Level 2 and Level 3 Accredited Service Providers (ASPs) for different types of work.

Level 1 ASPs undertake work to extend the overhead or underground electricity network or to increase the capacity of the existing network.

Level 2 ASPs install, repair or maintain the overhead or underground service lines between the electrical wiring on a customer's premises and the electricity network. This includes installing electricity metering equipment, connecting service lines to the network and making the connection 'live'.

Level 3 ASPs design distribution network assets, both underground and overhead.

ASPs are required to comply with the electricity distributor's network management plan, the electrical safety rules and other relevant policies.

An ASP is only permitted to undertake, or to sub-contract, the type of work for which it is accredited.

¹ Section 31 of the *Electricity Supply Act 1995*.

² Part 10 of the *Electricity Supply (General) Regulation 2008*.

Accreditation of Service Providers

Accreditation indicates that an ASP has a level of skills, resources and competence generally considered necessary to undertake contestable services. Accreditation does not certify or guarantee a service provider's ability to satisfactorily complete any project.

The NSW Department of Trade and Investment, Regional Infrastructure and Services (DTIRIS) is the recognised accrediting agency for the Scheme. The Scheme does not adopt a scheme of accreditation prepared by any other accrediting agency and is not operated jointly with another accrediting agency. Where any decision or other action is to be made or carried out by DTIRIS under the Scheme, unless expressly stated otherwise, that decision or action can be made or carried out by the Manager Accreditation Services, DTIRIS.

Further information about contestable services and about this scheme can be obtained from the local electricity distributor or from DTIRIS at:

Manager, Accreditation Services
NSW Department of Trade & Investment, Regional Infrastructure &
Services
GPO Box 3889
SYDNEY NSW 2001

Phone: 02 8281 7780
Fax: 02 8281 7750
Email: asp.scheme@industry.nsw.gov.au

Scheme for Accreditation of Service Providers

2 General Information

2.1 Grant and renewal of accreditation

To become accredited under this Scheme, an applicant must apply to DTIRIS in writing, using the application form at the end of this document. Applicants must submit:

- (a) the completed application form;
- (b) evidence of the required competencies;
- (c) the completed form for the registration of persons who will be seeking to be authorised by the electricity distributor/s to undertake contestable services;
- (d) evidence of meeting the insurance requirements; and
- (e) the application fee.

Accreditation is valid for a twelve month period from the date it is granted (unless suspended or terminated during that time) and must be renewed annually. Applications for renewal will require payment of the relevant fee and evidence that the ASP holds current insurance policies of the types required.

Accreditation is available to natural persons or corporations.

Accreditation is not transferable. If there is a change in the identity of the applicant's legal entity or a change in control of the entity this is treated as a transfer and the newly constituted entity must re-apply for accreditation.

The means by which a person applying for accreditation can give evidence of his or her qualifications, experience and training is set out in the application form and in the description of required capabilities set out in Part 2 of this document. Applicants will also be required to give undertakings as set out in the application form.

2.2 Insurance requirement

ASPs are required to hold the following types of insurance cover at all times:

- Workers Compensation or Personal Accident Insurance;
- Public/Products Liability;
- Motor Vehicle Comprehensive or Third Party Property Damage Insurance; and
- (for Level 3 only) Professional Indemnity.

It is important to note the requirement that public/product liability insurance needs to cite as interested parties 'the electricity distributors of NSW'. Applications for accreditation or for renewal cannot be completed unless the public/product liability insurance policy notes these interested parties.

Evidence of current insurance policies with a reputable insurer needs to be provided with an application. This evidence is also required to be provided with each annual renewal.

Scheme for Accreditation of Service Providers

2.3 Requirements regarding employees

It is a condition of accreditation that an ASP has access to the appropriate number of staff with the required qualifications in order to undertake work as an accredited service provider. This includes ensuring that all employees working on or near a distribution network:

- have the competency to do so;
- are registered with DTIRIS; and
- are authorised by the local electricity distributor to work on or near the distribution system for the level of accreditation and the work to be undertaken.

2.4 Registration of employees

All ASPs are required to **register** with DTIRIS themselves and/or any of their employees who will be performing work on behalf of the ASP and for which the ASP is accredited. An ASP must apply to DTIRIS for the registration of employees using the separate form provided for this purpose. For new applicants, a copy of this form is included with the application form at the end of this document.

Note that no separate fee for registration is required for an applicant for accreditation or where an existing ASP is applying to add a category of accreditation.

Following registration, the local distributor/s will require employees to undertake training in relevant safety and operating procedures.

An ASP should notify DTIRIS of changes in staff. New employees will not be able to be authorised by the local electricity distributor until they have been registered by DTIRIS.

2.5 Authorisation of employees

Following registration and training, an ASP must seek to have those employees **authorised** by the local electricity distributor.

The local electricity distributor is responsible for determining who is authorised to work on or near the distribution network. The distributor/s will require employees of an ASP to be familiar with and show they can comply with their respective network management plans, electrical safety rules and other relevant policies.

Information on the authorisation process and how to contact the distributors regarding authorisation is in Part 1 of this document.

Note: Authorisation is only required for employees who will be working on or near the local electricity distributor's system. Authorisation is not required when employees are working on a part of the system which cannot be energised by operation of electrical apparatus (eg. a greenfield site). However, a service provider must be accredited before employees can perform any contestable work.

2.6 Change of name

If an ASP changes its name (but retains the same underlying legal ownership) it is not necessary to re-apply for accreditation, but you must notify DTIRIS within 10 days of the change of name.

Scheme for Accreditation of Service Providers

3 Performance Review

3.1 Application by ASP to upgrade

Where different grades are contained within a level of accreditation, an ASP can request a review of its grading for the purpose of obtaining a higher grading.

A request for review should be made in writing to DTIRIS. There is no prescribed form for this type of application. More details on the process for applying and the scoring methodology are set out in Part 2 of this document.

After receiving all relevant information and evidence, DTIRIS will review the performance of the ASP.

DTIRIS will inform the ASP of the outcome of the review in writing.

3.2 Performance monitoring by distributors

The performance of ASPs is monitored and regulated by the local electricity distributors in accordance with this Scheme and their obligations under the *Electricity Supply (Safety and Network Management) Regulation 2008*.

Each local electricity distributor will develop and operate a system to assess and manage an ASP's project performance, using its own internal assessment tools. Further information can be obtained from the relevant distributor.

If a local electricity distributor becomes aware of a safety breach or construction defect it will issue a non-conformance notice to the ASP.

In the event of a major safety breach the local electricity distributor may withdraw authorisation of the responsible individuals and take other measures as set out below. In the event of a construction defect, if the works do not comply with the relevant network management plan or policies, the distributor may require the disconnection and/or physical removal of defective work from the system.

If a local electricity distributor advises DTIRIS that it has concerns about an ASP's capacity to undertake contestable services safely due to one or more major breaches, DTIRIS may in its discretion do any of the following:

1. request further information from the local electricity distributor
2. request a report from the ASP
3. request a report from an independent inspector
4. review the circumstances
5. downgrade, suspend or cancel the ASP's accreditation as appropriate, and in accordance with the *Electricity Supply (General) Regulation 2001*.

3.3 Suspension of accreditation

DTIRIS may suspend the accreditation of an ASP at any times on the ground of safety, for the duration and on conditions imposed by DTIRIS in its absolute discretion.

Scheme for Accreditation of Service Providers

3.4 Cancellation of accreditation

DTIRIS may cancel an ASP's accreditation if satisfied that:

- (a) the ASP is no longer competent to provide the contestable service for which the ASP is accredited (having regard to the results of any inspection by DTIRIS or any audit of the ASP's performance), or
- (b) the ASP has been convicted of an offence against the Act or the *Electricity (Consumer Safety) Act 2004* or any regulations under those Acts, or
- (c) the ASP was accredited on the basis of false or misleading information or a failure to disclose or provide required information, or
- (d) the ASP has breached any undertaking given by it to DTIRIS, or
- (e) it is necessary to do so on any other grounds relating to the standard of the work carried out or to public safety.

3.5 Appeals against decisions regarding accreditation

The *Electricity Supply (General) Regulation 2001* provides a right of appeal for any person who is the subject of a decision about accreditation including a decision not to grant accreditation or to downgrade, suspend or cancel accreditation.

Information about appeals is in Part 10 of the Regulation. Appeals must be made in writing within 28 days after the person has received notice of the decision, stating the reasons why the appellant considers that the decision should be reviewed. DTIRIS must review the decision and give written reasons for its decision.

If dissatisfied with the outcome of the review the ASP can request in writing a further appeal through the use of alternative dispute resolution procedures or independent arbitration. If alternative dispute resolution is unsuccessful, the ASP may refer the appeal to arbitration. Information about these processes including time limits for lodging a further appeal is also in part 10 of the Regulation.

3.6 Definition of safety breach

A safety breach is an act or omission that:

- Threatens or has the potential to threaten the safety of any person or damage any property or disrupt the electricity network; or
- Is not compliant with relevant Acts and regulations; or
- Is not compliant with the local electricity distributor's safety rules or Network Management Plan under the *Electricity Supply (Safety and Network Management) Regulation 2008*.

3.7 Definition of construction defect

A construction defect consists of a significant non-conformance to specifications, material and/or project drawings. Non-compliance with a local electricity distributor's standards and specifications will be regarded as a construction defect. See Appendix C for examples.

Scheme for Accreditation of Service Providers

4 Definitions

In this Scheme, unless defined below, terms have the same meaning as stated in the Act.

“**accreditation**” depending on the context, means:

1. the legislation-based approval required by a person to provide contestable services as defined in the Act; or
2. the act of granting recognition to a person who meets the terms of this Scheme.

“**accreditation criteria**” means the criteria set out in section 6.2.

“**Accredited Service Provider**” or “**ASP**” means a person who has been accredited through a ministerially-recognised accreditation scheme to undertake contestable services.

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

“**applicant**” means an applicant for accreditation as an ASP.

“**authorisation**” means permission in writing to an individual given by the local electricity distributor to undertake works on or near their transmission and/or distribution system in accordance with the local electricity distributor’s network management plan. Authorisation is required from each distributor in whose network area the works are undertaken.

“**connection point**” means the point at which the service line connects to the distribution system.

“**construction defect**” is defined in section 3.7.

“**customer**” means the person wishing to have the contestable services carried out.

“**distribution system**” for the purposes of this scheme, means electricity works operated by an electricity distributor to convey and control the conveyance of electricity from a transmission system up to the point of supply of wholesale or retail electricity customers.

“**electricity distributor**” means the electricity distribution network service provider in whose network area the electricity works are or will be located.

“**independent inspector**” means a competent person independent of the local electricity distributor and the accrediting agency.

“**major breach**” means according to the context a safety breach or a construction defect of a material or non-trivial nature as defined in Section 3.7 and 3.8.

“**near**” is as defined in the National Electricity Network Safety Code (ENA Doc 001–2008) as follows: “*a situation where there is a reasonable possibility of a person, either directly or through any conducting medium, coming within the relevant safe approach distances.*”

“**person**” includes an individual, corporation, a body corporate or body politic or more than one of any of these as defined in the *Interpretation Act 1987*.

“**point of supply**” means the junction of an electricity distributor’s conductors with consumers mains

“**recognised**” means the Minister has by order published in the Gazette, declared that a specified scheme or body is recognised as an accreditation scheme or body in relation to the scheme.

Scheme for Accreditation of Service Providers

"Recoverable Works" means works on the electricity network, undertaken at the request of customers or other external parties, but which are not for the purpose of establishing a new or upgraded connection to the electricity network. Repairs to electricity assets damaged by third parties may also be included. Examples of this type of work include:

- undergrounding of electricity assets at the customer's request;
- relocation of electricity assets to allow other activity such as road works; and
- emergency repairs to electricity assets following damage such as from vehicle impacts or excavation works.

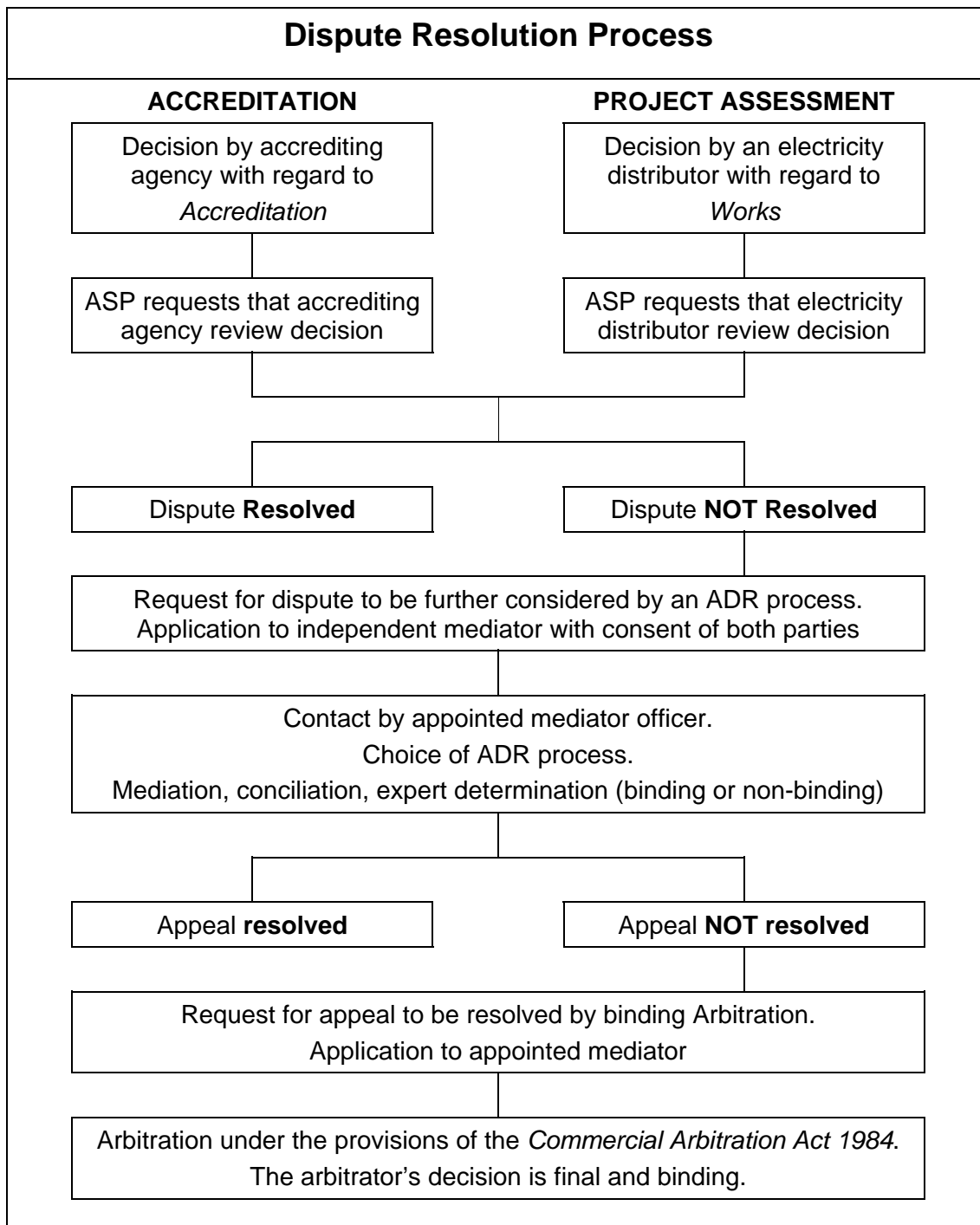
"Regulation" means the *Electricity Supply (General) Regulation 2001*

"safety breach" is defined in section 3.6

"Scheme" and **"Accreditation Scheme"** mean a Scheme for the Accreditation of Service Providers to Undertake Contestable Services recognised by the Minister for Energy.

Scheme for Accreditation of Service Providers

5 Dispute Resolution



PART 1

LEVEL 2 SERVICE PROVIDERS: CONNECTION SERVICES

6. Level 2 Accreditation

6.1 Services that can be provided under Level 2 accreditation

The services that can be undertaken by a Level 2 ASP consist of work on electricity distribution network assets **between the connection point and the point of supply**. Examples include:

- install, repair or maintain the overhead or underground service lines between the electrical wiring on the customer's premises and the electricity network
- install electricity metering equipment
- connect service lines to the network and make the connection 'live'
- disconnect premises from the network.

An entity that is accredited as a Level 2 ASP can be accredited in any of five categories:

1. *Disconnection/reconnection*

- Remove and replace a local electricity distributor security seal in accordance with local electricity distributor procedures.
- Disconnection and reconnection of consumers' mains to existing overhead service lines at the point of attachment or service fuses.
- Replacement of service fuse(s) service active and neutral links.

2. *Underground service lines*

- Remove and replace a local electricity distributor security seal in accordance with local electricity distributor procedures.
- Installation and connection of underground service lines up to the point of supply.
- Disconnection and reconnection of service lines/consumers mains to the connection point
- Replacement of service fuse(s) service active and neutral links.

3. *Overhead service lines*

- Remove and replace a local electricity distributor security seal in accordance with local electricity distributor procedures.
- Installation and connection of overhead service lines to the connection point.
- Relocate/Upgrade an existing overhead service line and restore supply on completion.
- Disconnection and reconnection of service lines at the point of attachment.
- Replacement of service fuse(s) service active and neutral links.

Scheme for Accreditation of Service Providers

4. *Installing metering (types 5 -6) and control equipment and energising installations*

- Remove and replace a local electricity distributor security seal in accordance with local electricity distributor procedures.
- Installation and removal of whole current metering equipment in accordance with the local distributor's published standards.
- Energising installations.

5. *Installing contestable market metering (Type 1 to 4)*

- Tasks involved in the installation and removal of metering equipment associated with the contestable energy market, to the standards of the local distributor and the Australian Energy Market Operator (AEMO); working in substations, high voltage work, access permits, instrument transformer work and others.

Within level 2 accreditation, ASPs are graded from A to C, with A being the highest and C the lowest. These grades are intended to reflect the general level of competence and expertise of each ASP. When work is completed by an ASP, the inspection fee charged by the local distributor will vary according to the ASP's grade. These fees are set by an independent economic regulator, the AER.

When granting accreditation DTIRIS will assign an initial grading to each ASP.

6.2 Accreditation criteria

To become accredited under this Scheme, an applicant must apply to DTIRIS in writing, lodging the application form in this document with the necessary details and application fee.

An applicant for accreditation will need to provide the names of an appropriate number of persons who are available and who possess the required competencies and qualifications to undertake this work. Evidence of these qualifications, including copies of professional or trade qualifications, will need to be provided with the application.

Appendix B outlines the competencies required of a Level 2 ASP. Further information about required competencies can be obtained from the local electricity distributor.

Details of recognised electricity supply industry training, including refresher courses, and registered training organisations for individuals seeking to work on or near a local electricity distributor's networks may be obtained from the:

National Training Information Service
www.ntis.gov.au

or the DTIRIS website: www.industry.nsw.gov.au/energy/electricity

Scheme for Accreditation of Service Providers

6.3 Accreditation fees

Accreditation fees for Level 2 ASPs are set out in the Application Form, are payable by cheque or credit card and are non – refundable. These fees will be adjusted on 1 September each year in accordance with the rate of change of the Sydney Consumer Price Index for each full year published by the Australian Bureau of Statistics for the June quarter of each year.

The electricity distributors will be charged a fee for accreditation determined by the Minister for Energy from time to time and published in the NSW Government Gazette.

6.4 Authorisation to work on or near the network

The electricity distributors should be contacted for more information about authorisation and the requirements for each ASP and employee. For Level 2 ASPs the contacts are:

Local electricity distributor	Contact
Essential Energy	02 6643 7791
Ausgrid	02 4399 8138 asplevel2@ausgrid.com.au or fax 4399 8013
Endeavour Energy	02 9853 6946

ASPs must use the information provided by the local electricity distributor(s) to ensure their employees remain familiar with the applicable standards, work practices and general requirements applicable to the type of work being undertaken.

The electricity distributors may charge a fee for the authorisation of each ASP employee. This fee is set by the Australian Energy Regulator (AER).

6.5 Applications for additional categories

Existing Level 2 ASPs who are not accredited in all categories (eg. category 1 and category 4 only) may apply to expand their accreditation to other categories. A new application form is required along with supporting evidence including evidence of access to qualified staff.

A separate fee will be charged for these applications.

Scheme for Accreditation of Service Providers

6.6 Applications for upgrades

In order to be granted a higher grade, a Level 2 ASP must obtain the appropriate score in the table below:

GRADE	MINIMUM FREQUENCY OF INSPECTIONS OF SERVICES	DEFECT REPORTS PERMITTED TO MAINTAIN GRADING (as a % of services inspected)
A	1 in 25	Less than 3%
B	1 in 5	3% to 5%
C	All	More than 5% to 20%

Following an application for an upgrade, DTIRIS will request each relevant distributor to provide data on the services completed by that ASP and inspected by the distributor.

A minimum number of services will need to be completed before an ASP (who also satisfies the defect requirement for the higher grade) can progress through the grades, as follows:

- B grade to A grade: a minimum of 30 inspections
- C grade to B grade: a minimum of 50 inspections

Scheme for Accreditation of Service Providers

Appendix A – Level 2 Equipment

The following indicates the minimum equipment a Level 2 ASP needs to provide contestable services.

Category 1

- Insulated hand tools including pliers and screwdriver
- 500 volt insulation resistance tester
- 415 volt test lamps
- earth continuity lead
- phase rotation meter
- approved insulated gloves
- approved safety helmet
- approved protective clothing
- rescue kits for overhead and underground

Category 2

- Insulated hand tools including pliers and screwdriver
- 500 volt insulation resistance tester
- 415 volt test lamps
- earth continuity lead
- enclosure access tools
- phase rotation meter
- approved insulated gloves
- approved safety helmet
- approved protective clothing
- rescue kits for overhead and underground
- insulated ground mats
- street light column protective insulation kit

Scheme for Accreditation of Service Providers

Category 3

- Insulated hand tools including pliers and screwdriver
- 500 volt insulation resistance tester
- 415 volt test lamps
- earth continuity lead
- phase rotation meter
- approved insulated gloves
- approved safety helmet
- approved lineworkers safety belt and pole strap
- approved protective clothing
- 6.4 metre insulated extension ladder plus lashings
- rescue kits for overhead and underground
- insulated mats overhead

Category 4

- Insulated hand tools including pliers and screwdriver
- 500 volt insulation resistance tester
- 415 volt test lamps
- earth continuity lead
- phase rotation meter
- approved insulated gloves
- approved safety helmet)
- approved protective clothing
- rescue kits for overhead and underground

Scheme for Accreditation of Service Providers

Appendix B – Individual Competencies

Apprentices and trainees under the direct and immediate on site supervision of a person suitably qualified for the type of work involved may carry out work for training purposes.

TYPE OF WORK	TRAINING		CERTIFICATION	NOTES
	Primary	#Secondary		
Category 1 – Disconnection and Reconnection.	Electrical trade apprenticeship or Cable jointing training or Line work training provided by a Registered Training Organisation	Testing of Service Mains and other conductors to service fuse	Trade Certificate of Proficiency	
	Training on Distributor System. See Note 1	Rescue and Resuscitation training. See Note 2 Knowledge of relevant work instructions and safety procedures	Certificate issued by Registered Training Organisation	
Category 2 – Underground Services	Electrical Trade Apprenticeship OR Cable Jointing Training provided by a Registered Training Organisation	Testing of Service Mains and other conductors to service fuse	Trade Certificate of Proficiency	
	Training on Distributor System. See Note 1	Rescue and Resuscitation training. See Note 2 Knowledge of relevant work instructions and safety procedures	Certificate issued by Registered Training Organisation	
			Certificate issued by Training Provider	

Scheme for Accreditation of Service Providers

APPENDIX B

TYPE OF WORK	TRAINING		#Secondary	CERTIFICATION	NOTES
	Primary				
Category 3 – Overhead Services	Electrical trade apprenticeship				
	OR Line work training provided by a Registered Training Organisation	Testing of Service Mains and other conductors to service fuse	Certificate issued by an Registered Training Organisation		
Category 4 – Metering and Energising Installations	Training on Distributor System. See Note 1	Rescue and Resuscitation training. See Note 2 Knowledge of relevant work instructions and safety procedures	Certificate issued by Training Provider		
	Electrical Trade Apprenticeship	Testing of Service Mains and Customer's Installation	Trade Certificate of Proficiency Certificate issued by Registered Training Organisation	List of Secondary training is not exhaustive.	
	Training on Distributor System. See Note 1	Rescue and Resuscitation training. See Note 2 Knowledge of relevant work instructions and safety procedures	Certificate issued by Training Provider		

Scheme for Accreditation of Service Providers

APPENDIX B

TYPE OF WORK	TRAINING		CERTIFICATION	NOTES
	Primary	#Secondary		
Category 5 Installation of Contestable Market Metering	Electrical Trade Apprenticeship		Trade Certificate of Proficiency	
	Specialist training as required by the type of work to be undertaken (as indicated in the "Type of Work" column	Rescue and Resuscitation training. See Note 2 Knowledge of relevant work instructions and safety procedures	Documented by Employer Evidence of testing recorded by Employer	
		Entry to Substations	Documented by Employer	
		Electrician's Licence	Qualified Supervisor's Certificate	
		Accepting Access Permits	Certificate issued by Registered Training Organisation	
		Instrument transformer Working	Certificate issued by Registered Training Organisation	

Note 1 Training on the Distributor's System means training in the system characteristics, system elements and safety and operating procedures of the local electricity distributor.

Note 2 Resuscitation and Release/Rescue

At least once every 12 months, personnel who work on or near electricity works must demonstrate their competence in resuscitation and release/rescue appropriate to the area of work concerned, as follows:

- cardio-pulmonary resuscitation
- releasing a person from live electricity works
- rescuing a person from a pole, other line support structure, or elevating platform
- rescuing a person from a confined space.

Procedures and associated training and assessment regimes should therefore be established and authorised by employers.

Personnel who assist those working on or near electricity works should be similarly trained and competent in resuscitation and release/rescue as appropriate.

Appendix C – Examples of Construction Defects

Common to all Categories

- Low Insulation Resistance
- High Connection Resistance
- Earthing Integrity Failure
- Incorrect Polarity
- Use of unspecified equipment, eg connectors, clamps, etc.
- Exposed live parts
- Failure to test prior to energising
- Failure to submit NOSW form.

Categories 2 and 3

- Inadequate clearance height
- Property encroachment
- Incorrect depth
- Incorrect type of cable enclosure
- Failure to secure column or pillar.

Category 4

- Incorrect connection of metering equipment
- Notification of incorrect meter equipment or tariff on Notification of Service Work form
- Connection of unsafe electrical installation
- Exposed live parts.

Scheme for Accreditation of Service Providers

Appendix D – Evidence of Insurance

A Certificate of Currency or other evidence of current insurance for the undertaking of contestable works is required for each of the following:

TYPE OF INSURANCE	MINIMUM INFORMATION REQUIRED	OTHER REQUIREMENTS
Workers' compensation or Personal accident	<ul style="list-style-type: none"> ▪ Name of insured ▪ Name of insurer ▪ Policy Number ▪ Period of insurance 	
Comprehensive motor vehicle, or Motor vehicle third party property damage	<ul style="list-style-type: none"> ▪ Name of insured ▪ Name of insurer ▪ Policy Number ▪ Limit of Liability (minimum \$20 million any one occurrence) ▪ Deductable ▪ Period of insurance 	
Public/products liability covering claims arising out of or as a consequence of the performance of the contestable works in respect of: loss of, or damage to, or loss of use of, any real or personal property, and the personal injury, disease or illness to, or death of, any person, and any occurrence in relation to any unregistered plant or unregistered vehicles used directly or indirectly in respect of the contestable works.	<ul style="list-style-type: none"> ▪ Name of insured ▪ Name of insurer ▪ Policy Number ▪ Limit of Liability (minimum \$20 million any one occurrence in respect of public liability and a minimum of \$20 million any one occurrence and in the aggregate any one period in respect of product liability) ▪ Deductable ▪ Period of insurance 	<ol style="list-style-type: none"> 1. The interests of the Electricity Distributors of New South Wales and their respective employees, consultants or agents must be noted on the insurance policy. The insurer is required to waive all rights, remedies or relief to which it might become entitled by way of subrogation against the Electricity Distributors of New South Wales. 2. If any products are supplied the insurance must be maintained for a minimum of three years from the date of last supply of any products in respect of contestable works.

Scheme for Accreditation of Service Providers

LEVEL 2 ASP APPLICATION FORM**HOW DO YOU APPLY?**

Complete and lodge this application form with any other documents and the **relevant fee** with the Department of Trade & Investment, Regional Infrastructure and Services (DTIRIS) (see below).

Following accreditation you will receive a letter of accreditation and a letter of registration for staff and sub-contractors. It will be necessary for you to take these to the electricity distributor/s to apply for authorisation for individual staff you will employ to work on or near the distribution networks.

FEES

	Fee	GST	Total
Applications	\$350	\$35	\$385
Renewals	\$250	\$25	\$275
Registrations	\$160	\$16	\$176
Additional category/ies	\$280	\$28	\$308

Completed applications should sent to:

Manager, Accreditation Services
 Department of Trade & Investment, Regional Infrastructure
 & Services
 GPO Box 3889
 SYDNEY NSW 2001

Cheques should be made payable to the *Department of Trade and Investment*

Enquiries may be directed to DTIRIS by:

Phone: 02 8281 7780
 Fax: 02 8281 7750
 Email: asp.scheme@industry.nsw.gov.au

PLEASE ALLOW A MINIMUM OF TEN (10) WORKING DAYS FOR PROCESSING OF
 YOUR APPLICATION

INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED

Scheme for Accreditation of Service Providers

CHECKLIST FOR LEVEL 2 APPLICATIONS

Before submitting your application please ensure you

Complete the application form

Complete the information for persons who will be seeking authorisation under your accreditation on page 34

Provide evidence (eg. copies of training certificates) that your staff or sub-contractors have the required training in the categories you are requesting

Provide evidence of insurance details (see Appendix E)

- Public and Products Liability (**Minimum \$20M**)
- Comprehensive Motor Vehicle Insurance policy
- Workers Compensation Insurance **or** Personal Accident Insurance

Ensure the **Electricity Distributors of NSW are noted as interested parties** on the Public and Products Liability Insurance Policy.

Provide payment of the accreditation fee (page 35)

Sign the application form on page 36

Scheme for Accreditation of Service Providers

LEVEL 2 APPLICANT DETAILS

Applicant: _____

(print full name of applicant – ie individual, all partners or corporation)

Corporate applicants must also provide details of directors in this form

Business name: _____

Please provide **one** of the following if appropriate:

ACN _____ OR ABN _____

OR

NSW Business Registration Number _____

Address _____

_____ Postcode _____

Telephone: _____ Facsimile: _____

Mobile: _____ E-mail address: _____

Electrical Contractor's Licence no: _____ Expires _____

If the Applicant is already accredited under this Scheme then please provide:

i) Accreditation Number: _____ Level/Category of Accreditation: _____

ii) Accreditation Number: _____ Level/Category of Accreditation: _____

Category of Accreditation applied for: (please tick as appropriate):

Category 1 Disconnection and Reconnection

Category 2 Underground Service Lines

Category 3 Overhead Service Lines

Category 4 Metering and Energising installations

Category 5 Contestable Metering

Scheme for Accreditation of Service Providers

CORPORATION DIRECTORS

Corporation Name _____

_____ ACN _____

Details of all directors are to be provided (*residential addresses to be given*)

Surname: _____ Given names: _____

Address _____

_____ Post code _____

Surname: _____ Given names: _____

Address _____

_____ Post code _____

Surname: _____ Given names: _____

Address _____

_____ Post code _____

Surname: _____ Given names: _____

Address _____

_____ Post code _____

Surname: _____ Given names: _____

Address _____

_____ Post code _____

(Please photocopy this form if insufficient space available)

Scheme for Accreditation of Service Providers

REGISTRATION OF PERSONS SEEKING AUTHORISATION TO WORK ON OR NEAR THE NETWORK

The following people will be seeking, under the accreditation of the applicant, authorisation to work on or near the network in the stated electricity distribution areas:

Employee Name	Essential Energy (formerly Country Energy)	Ausgrid (formerly EnergyAustralia)	Endeavour Energy (formerly Integral Energy)	Categories*
1.				
2.				
3.				
4.				
5.				

(Please photocopy this form if insufficient space available)

Evidence of how each person satisfies the qualifications/training requirements (eg copies of certificates) must be attached.

* Categories for employees of Level 2 ASPs:

1. Disconnection/reconnection
2. Underground service lines
3. Overhead service lines
4. Installing metering (types 5 -6) and control equipment and energising installations
5. Contestable metering

PAYMENT DETAILS

Please make cheques for accreditation fees payable to:

Department of Trade and Investment

If paying by credit card, please complete the following:

Name: _____

Address: _____

Daytime Telephone No. _____

Please tick one: MasterCard Visa

Card number: _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _

Expiry date: ___/___

Cardholder's name (as shown on credit card): _____

Signature of cardholder: _____

Date: ___/___/___

UNDERTAKINGS

The Applicant undertakes (if accredited) to comply with the following conditions:

1. Only contestable work for which accreditation is held will be undertaken. All work will be undertaken in a safe manner and in accordance with all relevant Acts, regulations, this Scheme, the local electricity distributor's network management plan, the customer installation safety plan and the Service & Installation Rules for NSW.
2. Suitable equipment will be used for the construction of contestable services and the equipment will be maintained to ensure safe operation.
3. Records must be maintained on:
 - the qualifications of personnel undertaking contestable services;
 - contestable services completed and by which authorised person; and
 - routine testing undertaken;for a period of three years from the completion of the services. Such records shall be provided to the local electricity distributor on inspection of works, or to the Department of Trade & Investment, Regional Infrastructure & Services (DTIRIS) on request.
4. Procedures must be in place to ensure that authorised personnel undertaking services have access to current local electricity distributor standards.
5. The applicant, and its employees, sub-contractors or other agents, will not carry out work on or near the transmission or distribution system of a NSW electricity distributor unless each is authorised under the relevant requirements of the electricity distributor's network management plan to carry out the work and the work is carried out in accordance with the relevant requirements of that plan (see cl. 9 *Electricity Supply (Safety and Network Management) Regulation 2008*).
6. The required insurances must be maintained for the duration of the accreditation period.
7. The Applicant will indemnify the local electricity distributors of NSW against any loss or damage incurred as a result of any defective contestable services undertaken by the Applicant.
8. The Service Provider must ensure that the following tests on all works are carried out before connecting them to supply to ensure safe operation, and, where applicable, compliance with clause 1.9.3 of AS/NZS 3000 (the Wiring Rules).

For Categories 1, 2 and 3 work: polarity, phase rotation (where applicable), insulation resistance and earthing integrity.

For Category 4 work where applicable, to ensure compliance with AS/NZS 3000, testing procedures shall be adopted from the *AS/NZS 3017 Electrical Installations – Testing Guidelines* (a copy must be retained by the Service Provider). Service Providers engaged in this category of work must not energise the installation past the main switch unless they are in possession of a copy of the relevant Certificate of Compliance - Electrical Work (CCEW) or have completed such a document indicating that all tests required have been performed.
9. The Service Provider must carry out all electrical work in accordance with any directions from the local electricity distributor. Fixtures and equipment owned by the local electrical distributor must be left in good order or returned to the distributor within 7 days after being accessed by the Service Provider.

The Applicant agrees to notify DTIRIS of any circumstances that may affect the conditions of the accreditation.

The Applicant accepts as a condition of accreditation that DTIRIS may commission an independent audit of records, equipment and works to confirm compliance with the conditions of accreditation.

Signed by the Applicant:

print Applicant's full name

Applicant's signature

in the presence of:

print Witness' full name

Witness' signature

on this day:

Date



Trade & Investment,
Regional Infrastructure
& Services

**ACCREDITATION OF SERVICE PROVIDERS
TO UNDERTAKE CONTESTABLE SERVICES**

LEVEL 3

Cl. 88 Electricity Supply (General) Regulation 2001

September 2011

Accreditation of Service Providers

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Accreditation of Service Providers

1 Introduction

This document sets out the accreditation scheme (the Scheme) for providers of contestable services under the *Electricity Supply Act 1995* (the Act). The Scheme has been *recognised* by the Minister for Energy under clause 88 of the *Electricity Supply (General) Regulation 2001* (the Regulation).

The Act establishes the framework for competition in the design, construction and installation of electricity works that comprise or are connected to the electricity distribution networks in NSW. These networks are owned and operated by Ausgrid, Essential Energy and Endeavour Energy.

A customer can choose a service provider to provide contestable services, but the service provider must be accredited¹. The Regulation sets out the types of services that are contestable²:

1. any service comprising work relating to an extension of the distribution system or an increase in the capacity of the system; and
2. customer connection services, being
 - a. the connection of any premises to the distribution system,
 - b. an increase in the maximum capacity of any premises' existing connection to the distribution system, and
 - c. the maintenance of the capability for electricity to be supplied to any premises from the distribution system,

including the installation of service lines, transformers, meters and other equipment.

The Scheme is intended to facilitate competition in the provision to end customers of services related to the design, construction and completion of physical connection to the electricity distribution network.

The Scheme accredits Level 1, Level 2 and Level 3 Accredited Service Providers (ASPs) for different types of work.

Level 1 ASPs undertake work to extend the overhead or underground electricity network or to increase the capacity of the existing network.

Level 2 ASPs install, repair or maintain the overhead or underground service lines between the electrical wiring on a customer's premises and the electricity network. This includes installing electricity metering equipment, connecting service lines to the network and making the connection 'live'.

Level 3 ASPs design distribution network assets, both underground and overhead.

ASPs are required to comply with the local electricity distributor/s' network management plan, the electrical safety rules and other relevant policies.

An ASP is only permitted to undertake, or to sub-contract, the type of work for which it is accredited.

¹ Section 31 of the *Electricity Supply Act 1995*.

² Part 10 of the *Electricity Supply (General) Regulation 2008*.

Accreditation of Service Providers

Accreditation indicates that an ASP has a level of skills, resources and competence generally considered necessary to undertake contestable services. Accreditation does not certify or guarantee a service provider's ability to satisfactorily complete any project.

The NSW Department of Trade and Investment, Regional Infrastructure and Services (DTIRIS) is the recognised accrediting agency for the Scheme. The Scheme does not adopt a scheme of accreditation prepared by any other accrediting agency and is not operated jointly with another accrediting agency. Where any decision or other action is to be made or carried out by DTIRIS under the Scheme, unless expressly stated otherwise, that decision or action can be made or carried out by the Manager Accreditation Services, DTIRIS.

Further information about contestable works and about this scheme can be obtained from the local electricity distributor or from DTIRIS at:

Manager, Accreditation Services
NSW Department of Trade & Investment, Regional Infrastructure &
Services
GPO Box 3889
SYDNEY NSW 2001

Phone: 02 8281 7780
Fax: 02 8281 7750
Email: asp.scheme@industry.nsw.gov.au

Scheme for Accreditation of Service Providers

2 General Information

2.1 Grant and renewal of accreditation

To become accredited under this Scheme, an applicant must apply to DTIRIS in writing, using the application form at the end of this document. Applicants must submit:

- (a) the completed application form;
- (b) evidence of the required competencies;
- (c) evidence of meeting the insurance requirements; and
- (d) the application fee.

Accreditation is valid for a twelve month period from the date it is granted (unless suspended or terminated during that time) and must be renewed annually. Applications for renewal will require payment of the relevant fee and evidence that the ASP holds current insurance policies of the types required.

Accreditation is available to natural persons or corporations.

Accreditation is not transferable. If there is a change in the identity of the applicant's legal entity or a change in control of the entity this is treated as a transfer and the newly constituted entity must re-apply for accreditation.

The means by which a person applying for accreditation can give evidence of his or her qualifications, experience and training is set out in the application form and in the description of required capabilities set out in Appendix C. Applicants will also be required to give undertakings as set out in the application form.

2.2 Insurance requirement

ASPs are required to hold the following types of insurance cover at all times:

- Workers Compensation or Personal Accident Insurance;
- Public/Products Liability;
- Motor Vehicle Comprehensive or Third Party Property Damage Insurance; and
- (for Level 3 only) Professional Indemnity.

It is important to note the requirement that public/product liability insurance needs to cite as interested parties 'the electricity distributors of NSW'. Applications for accreditation or for renewal cannot be completed unless the public/product liability insurance policy notes these interested parties.

Evidence of current insurance policies with a reputable insurer needs to be provided with an application. This evidence is also required to be provided with each annual renewal.

2.3 Requirements regarding employees

It is a condition of accreditation that an ASP has access to the appropriate number of staff with the required qualifications in order to undertake work as an accredited service provider.

2.4 Change of name

If an ASP changes its name (but retains the same underlying legal ownership) it is not necessary to re-apply for accreditation, but you must notify DTIRIS within 10 days of the change of name.

Scheme for Accreditation of Service Providers

3 Performance Review

3.1 Performance monitoring by distributors

The performance of ASPs is monitored and regulated by the local electricity distributors in accordance with this Scheme and their obligations under the *Electricity Supply (Safety and Network Management) Regulation 2008*.

Each local electricity distributor will develop and operate a system to assess and manage an ASP's project performance, using its own internal assessment tools. Further information can be obtained from the relevant distributor.

If a local electricity distributor becomes aware of a safety breach or construction defect it will issue a non-conformance notice to the ASP (for levels 1 or 2) or the customer (for level 3) specifying details of the breach.

In the event of a major safety breach the local electricity distributor may withdraw authorisation of the responsible individuals and take other measures as set out below. In the event of a construction defect, if the works do not comply with the relevant network management plan or policies, the distributor may require the disconnection and/or physical removal of the defective work from the system.

If a local electricity distributor advises DTIRIS that it has concerns about an ASP's capacity to undertake contestable services safely due to one or more major breaches, DTIRIS may in its discretion do any of the following:

1. request further information from the local electricity distributor
2. request a report from the ASP
3. request a report from an independent inspector
4. review the circumstances
5. downgrade, suspend or cancel the ASP's accreditation as appropriate, and in accordance with the *Electricity Supply (General) Regulation 2001*.

3.2 Suspension of accreditation

DTIRIS may suspend the accreditation of an ASP at any times on the ground of safety, for the duration and on conditions imposed by DTIRIS in its absolute discretion.

3.3 Cancellation of accreditation

DTIRIS may cancel an ASP's accreditation if satisfied that:

- (a) the ASP is no longer competent to provide the contestable service for which the ASP is accredited (having regard to the results of any inspection by DTIRIS or any audit of the ASP's performance), or
- (b) the ASP has been convicted of an offence against the Act or the *Electricity (Consumer Safety) Act 2004* or any regulations under those Acts, or
- (c) the ASP was accredited on the basis of false or misleading information or a failure to disclose or provide required information, or
- (d) the ASP has breached any undertaking given by it to DTIRIS, or
- (e) it is necessary to do so on any other grounds relating to the standard of the work carried out or to public safety.

Scheme for Accreditation of Service Providers

3.4 Appeals against decisions regarding accreditation

The *Electricity Supply (General) Regulation 2001* provides a right of appeal for any person who is the subject of a decision about accreditation including a decision not to grant accreditation or to downgrade, suspend or cancel accreditation.

Information about appeals is in Part 10 of the Regulation. Appeals must be made in writing within 28 days after the person has received notice of the decision, stating the reasons why the appellant considers that the decision should be reviewed. DTIRIS must review the decision and give written reasons for its decision.

If dissatisfied with the outcome of the review the ASP can request in writing a further appeal through the use of alternative dispute resolution procedures or independent arbitration. If alternative dispute resolution is unsuccessful, the ASP may refer the appeal to arbitration. Information about these processes including time limits for lodging a further appeal is also in part 10 of the Regulation.

3.5 Definition of safety breach

A safety breach is an act or omission that:

- Threatens or has the potential to threaten the safety of any person or damage any property or disrupt the electricity network; or
- Is not compliant with relevant Acts and regulations; or
- Is not compliant with the local electricity distributor's safety rules or Network Management Plan under the *Electricity Supply (Safety and Network Management) Regulation 2008*.

3.6 Definition of construction defect

A construction defect consists of a significant non-conformance to specifications, material and/or project drawings. Non-compliance with a local electricity distributor's standards and specifications will be regarded as a construction defect.

Scheme for Accreditation of Service Providers

4 Definitions

In this Scheme, unless defined below, terms have the same meaning as stated in the Act.

“**accreditation**” depending on the context, means:

1. the legislation-based approval required by a person to provide contestable services as defined in the Act; or
2. the act of granting recognition to a person who meets the terms of this Scheme.

“**accreditation criteria**” means the criteria set out in section 6.2.

“**Accredited Service Provider**” or “**ASP**” means a person who has been accredited through a ministerially-recognised accreditation scheme to undertake contestable works.

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

“**applicant**” means an applicant for accreditation as an ASP.

“**authorisation**” means permission in writing to an individual given by the local electricity distributor to undertake works on or near their transmission and/or distribution system in accordance with the local electricity distributor’s network management plan. Authorisation is required from each distributor in whose network area the works are undertaken.

“**connection point**” means the point at which the service line connects to the distribution system.

“**construction defect**” is defined in section 3.6.

“**customer**” means the person wishing to have the contestable services carried out.

“**distribution system**” for the purposes of this scheme, means electricity works operated by an electricity distributor to convey and control the conveyance of electricity from a transmission system up to the point of supply of wholesale or retail electricity customers.

“**electricity distributor**” means the electricity distribution network service provider in whose network area the electricity works are or will be located.

“**independent inspector**” means a competent person independent of the local electricity distributor and the accrediting agency.

“**major breach**” means according to the context a safety breach or a construction defect of a material or non-trivial nature as defined in Section 3.7 and 3.8.

“**near**” is as defined in the National Electricity Network Safety Code (ENA Doc 001–2008) as follows: “*a situation where there is a reasonable possibility of a person, either directly or through any conducting medium, coming within the relevant safe approach distances.*”

“**person**” includes an individual, corporation, a body corporate or body politic or more than one of any of these as defined in the *Interpretation Act 1987*.

“**point of supply**” means the junction of an electricity distributor’s conductors with consumers mains.

“**recognised**” means the Minister has by order published in the Gazette, declared that a specified scheme or body is recognised as an accreditation scheme or body in relation to the scheme.

Scheme for Accreditation of Service Providers

"Recoverable Works" means works on the electricity network, undertaken at the request of customers or other external parties, but which are not for the purpose of establishing a new or upgraded connection to the electricity network. Repairs to electricity assets damaged by third parties may also be included. Examples of this type of work include:

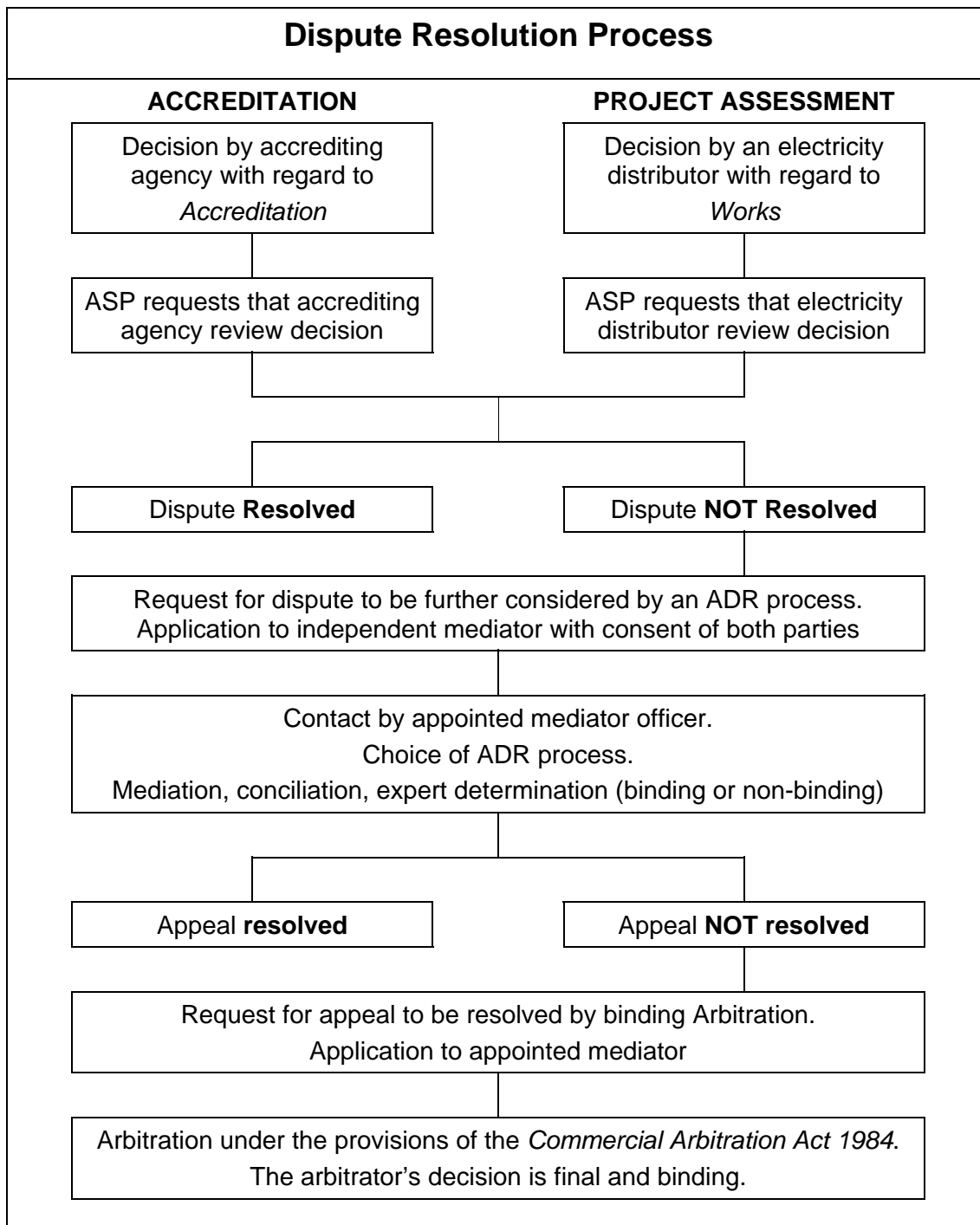
- undergrounding of electricity assets at the customer's request;
- relocation of electricity assets to allow other activity such as road works; and
- emergency repairs to electricity assets following damage such as from vehicle impacts or excavation works.

"Regulation" means the *Electricity Supply (General) Regulation 2001*

"safety breach" is defined in section 3.5

"Scheme" and **"Accreditation Scheme"** mean a Scheme for the Accreditation of Service Providers to Undertake Contestable Services recognised by the Minister for Energy.

Scheme for Accreditation of Service Providers

5 Dispute Resolution

Scheme for Accreditation of Service Providers

PART 2

LEVEL 3 SERVICE PROVIDERS: DESIGN SERVICES

6. Accreditation

6.1 Services that can be provided under Level 3 accreditation

The services that can be provided by a Level 3 ASP consist of **designing distribution works** on, or intended for connection to the networks operated by the electricity distributors.

A Level 3 Accredited Service Provider (ASP) is responsible for designing and documenting the requirements for contestable services in accordance with design information, standards and specifications prepared by the local electricity distributor, as well as all applicable laws and regulations concerning the protection of the environment, amongst other matters.

There are two categories of Level 3 ASPs:

1. underground designer and
2. overhead designer.

6.2 Accreditation criteria

To become accredited under this Scheme, an applicant must apply to DTIRIS in writing, lodging the application form in this document with the necessary details and application fee.

To qualify for accreditation, the applicant will need to demonstrate that:

- a. designs are undertaken only by competent persons meeting the qualification and experience criteria, and
- b. insurance policies are current.

An applicant for accreditation will need to provide the names of an appropriate number of persons who are available and who possess the required competencies and qualifications described below.

Criterion 1:

- a. Institution of Engineers Australia, National Professional Engineer Registration (NPER) in the area of Electrical Engineering
- b. industry experience in designing electricity reticulation systems of the category for which accreditation is required, and
- c. knowledge of the electricity distributor's construction Standards and Specifications relevant to the category for which accreditation is required.

or

Scheme for Accreditation of Service Providers

Criterion 2:

- a. Institution of Engineers Australia, National Engineering Technologists Registration (NETR) in the area of Electrical Engineering
- b. industry experience in designing electricity reticulation systems of the category for which accreditation is required, and
- c. knowledge of the electricity distributor's construction Standards and Specifications relevant to the category for which accreditation is required.

or

Criterion 3:

- a. documentary evidence of at least 5 years industry experience in designing electricity reticulation systems of the category for which accreditation is required
- b. at least one written reference from an electricity distributor or similar organisation confirming the designer's experience and competence in reticulation design, and
- c. knowledge of the electricity distributor's construction standards and specifications relevant to the category for which accreditation is required.

Applicants should refer to the electricity distributors for any local requirements that may apply to contestable design work, such as environmental management training.

6.3 Accreditation fees

Accreditation fees for Level 3 ASPs are set out in the Application Form, are payable by cheque or credit card and are non – refundable. These fees will be adjusted on 1 September each year in accordance with the rate of change of the Sydney Consumer Price Index for each full year published by the Australian Bureau of Statistics for the June quarter of each year.

The electricity distributors will be charged a fee for accreditation determined by the Minister for Energy from time to time and published in the NSW Government Gazette.

6.4 Records

Level 3 ASPs are required to maintain records of the qualifications of the individuals undertaking network design work and current insurance policies and provide copies of those records to DTIRIS or the local electricity distributor on request.

Scheme for Accreditation of Service Providers

Appendix E – Evidence of Insurance

A Certificate of Currency or other evidence of current insurance for the undertaking of contestable works is required for each of the following:

TYPE OF INSURANCE	MINIMUM INFORMATION REQUIRED	OTHER REQUIREMENTS
Workers' compensation or Personal accident	<ul style="list-style-type: none"> ▪ Name of insured ▪ Name of insurer ▪ Policy Number ▪ Period of insurance 	
Comprehensive motor vehicle, or Motor vehicle third party property damage	<ul style="list-style-type: none"> ▪ Name of insured ▪ Name of insurer ▪ Policy Number ▪ Limit of Liability (minimum \$20 million any one occurrence) ▪ Deductable ▪ Period of insurance 	
Public/products liability covering claims arising out of or as a consequence of the performance of the contestable works in respect of: loss of, or damage to, or loss of use of, any real or personal property, and the personal injury, disease or illness to, or death of, any person, and any occurrence in relation to any unregistered plant or unregistered vehicles used directly or indirectly in respect of the contestable works.	<ul style="list-style-type: none"> ▪ Name of insured ▪ Name of insurer ▪ Policy Number ▪ Limit of Liability (minimum \$20 million any one occurrence in respect of public liability and a minimum of \$20 million any one occurrence and in the aggregate any one period in respect of product liability) ▪ Deductable ▪ Period of insurance 	<ol style="list-style-type: none"> 1. The interests of the Electricity Distributors of New South Wales and their respective employees, consultants or agents must be noted on the insurance policy. The insurer is required to waive all rights, remedies or relief to which it might become entitled by way of subrogation against the Electricity Distributors of New South Wales. 2. If any products are supplied the insurance must be maintained for a minimum of three years from the date of last supply of any products in respect of contestable works.

Scheme for Accreditation of Service Providers

Scheme for Accreditation of Service Providers

LEVEL 3 ASP APPLICATION FORM**HOW DO YOU APPLY?**

Complete and lodge this application form with any other documents and the **accreditation fee** with the Department of Trade & Investment, Regional Infrastructure and Services (DTIRIS) (see below).

On accreditation you will receive a letter of accreditation and a tax invoice showing receipt of payment. It will be necessary for you to take these to the electricity distributor/s to apply for authorisation for individual staff you will employ to work on or near the distribution networks.

FEES

	Fee	GST	Total
Applications	\$400	\$40	\$440
Renewals	\$250	\$25	\$275
Registrations	\$220	\$22	\$242
Additional category	\$400	\$40	\$440

Completed applications should sent to:

Manager, Accreditation Services
 Department of Trade & Investment, Regional Infrastructure
 & Services
 GPO Box 3889
 SYDNEY NSW 2001

Cheques should be made payable to the *Department of Trade and Investment*

Enquiries may be directed to DTIRIS by:

Phone: 02 8281 7780
 Fax: 02 8281 7750
 Email: asp.scheme@industry.nsw.gov.au

PLEASE ALLOW A MINIMUM OF TEN (10) WORKING DAYS FOR PROCESSING OF
 YOUR APPLICATION

INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED

CHECKLIST FOR LEVEL 3 APPLICATIONS

Before submitting your application please ensure you

Complete the application form

Provide evidence (eg. copies of craft certificates) that you or your staff satisfy the accreditation criteria

Provide evidence of insurance details (see Appendix A)

- Public and Products Liability (**Minimum \$20M**)
- Comprehensive Motor Vehicle Insurance policy
- Workers Compensation Insurance **or** Personal Accident Insurance

Ensure the **Electricity Distributors of NSW are noted as interested parties** on the Public and Products Liability Insurance Policy.

Provide payment of the accreditation fee (page 19)

Sign the application form on page 20

LEVEL 3 APPLICANT DETAILS

Applicant: _____

(print full name of applicant – ie individual, all partners or corporation)

Corporate applicants must also provide details of directors in this form

Business name: _____

Please provide **one** of the following if appropriate:

ACN _____ OR ABN _____

OR

NSW Business Registration Number _____

Address _____

_____ Postcode _____

Telephone: _____ Facsimile: _____

Mobile: _____ E-mail address: _____

Category of accreditation required

Overhead

Underground

Both

If the Applicant is already accredited under this Scheme then please provide:

i) Accreditation Number: _____

Level/Category of Accreditation: _____

ii) Accreditation Number: _____

Level/Category of Accreditation: _____

CORPORATION DIRECTORS

Corporation Name _____

_____ ACN _____

Details of all directors are to be provided (*residential addresses to be given*)

Surname: _____ Given names: _____

Address _____

_____ Post code _____

Surname: _____ Given names: _____

Address _____

_____ Post code _____

Surname: _____ Given names: _____

Address _____

_____ Post code _____

Surname: _____ Given names: _____

Address _____

_____ Post code _____

Surname: _____ Given names: _____

Address _____

_____ Post code _____

(Please photocopy this form if insufficient space available)

PAYMENT DETAILS

Please make cheques for accreditation fees payable to:

Department of Trade and Investment

If paying by credit card, please complete the following:

Name: _____

Address: _____

Daytime Telephone No. _____

Please tick one: MasterCard Visa

Card number: _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _

Expiry date: ____/____

Cardholder's name (as shown on credit card): _____

Signature of cardholder: _____

Date: ____/____/____

UNDERTAKINGS

The Applicant undertakes that, if accredited:

1. only design work for which accreditation is held will be undertaken and that all designs will be prepared in accordance with all Acts, regulations, this scheme and the local electricity distributors' standards and specifications, including all applicable laws and regulations concerning the protection of the environment
2. only persons qualified and experienced in the design of the type of electricity works required will submit design work to the local electricity distributor
3. records will be maintained on:
 - a. the qualifications of personnel undertaking designs, and
 - b. designs completed and by which qualified person
 - c. the required insurances will be maintained for the duration of the accreditation period, and
4. the Applicant will indemnify the local electricity distributor against any loss or damage incurred as a result of any contestable works provided by the Applicant.

The Applicant will notify DTIRIS of any circumstances that may affect the conditions of the accreditation, and

The Applicant accepts as a condition of accreditation an independent audit of its records to confirm compliance with the conditions of accreditation.

Signed by the Applicant:

print Applicant's full name

Applicant's signature

in the presence of:

print Witness' full name

Witness' signature

on this day:

date

PRIVATE ADVERTISEMENTS

COUNCIL NOTICES

FAR NORTH COAST COUNTY COUNCIL

Pesticide Notification Plan

FAR NORTH COAST COUNTY COUNCIL has adopted the Pesticide Notification Plan on 24 August 2011. The Plan was placed on public exhibition for a 28 day period to allow the community to provide feedback and input. The Plan applies within the Far North Coast County Council area. The adopted Plan is available for viewing on Council's website www.fncw.nsw.gov.au. K. LAVELLE, General Manager, Far North Coast County Council, PO Box 230, Lismore NSW 2480.

[6062]

LAKE MACQUARIE CITY COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

LAKE MACQUARIE CITY COUNCIL declares with the approval of Her Excellency the Governor that the land described in Schedule 1 below, excluding the interests described in Schedule 2 below and excluding any mines or deposits of minerals in the land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for a waste treatment facility. Dated at Speers Point, this 16th day of August 2011. ANTHONY FARRELL, Acting General Manager, Lake Macquarie City Council, 126-138 Main Road, Speers Point NSW 2284 (Box 1906, HRMC NSW 2310).

SCHEDULE 1

Lot 373, DP 723259.

SCHEDULE 2

Easement for electricity transmission line 45.72 wide – *New South Wales Government Gazette* dated 18 March 1966, over Lot 373, DP 723259.

[6063]

PORT STEPHENS COUNCIL

Roads Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

PORT STEPHENS COUNCIL declares with the approval of Her Excellency the Governor that the lands described in Schedule 1 below, excluding the interests described in Schedule 2 below and excluding any mines or deposits of minerals in the lands, are acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for a public road and for compensation for other land acquired for public road. Dated at Raymond Terrace, this 1st day of September 2011. PETER GESLING, General Manager, Port Stephens Council, PO Box 42, Raymond Terrace NSW 2324.

SCHEDULE 1

Lots 3, 4, 5 and 6, DP 1160092.

SCHEDULE 2

Proposed easement for electricity transmission line and access thereto 30 wide and variable, shown as "A" in DP 1160092.

[6064]

PORT STEPHENS COUNCIL

Roads Act 1993, Section 10

Dedication of Land as Public Road

IN accordance with section 10 of the Roads Act 1993, Council dedicates the land held by it and described in Schedule 1 hereunder, as public road. PETER GESLING, General Manager, Port Stephens Council, PO Box 42, Raymond Terrace NSW 2324.

SCHEDULE 1

Lots 3, 4, 5 and 6, DP 1160092.

[6065]

THE HILLS SHIRE COUNCIL

Roads Act 1993, Section 10

NOTICE is hereby given that The Hills Shire Council dedicates the land described in the Schedule below as public road under section 10 of the Roads Act 1993. GENERAL MANAGER, The Hills Shire Council, 129 Showground Road, Castle Hill NSW 2154.

SCHEDULE

All that piece or parcel of land known as Lot 11 in DP 1157044 in The Hills Shire Council, Parish of Nelson, County of Cumberland and as described in Folio Identifier 11/1157044.

[6066]

ESTATE NOTICES

NOTICE of intended distribution of estate. – Estate of JANET HOPE LIVINGSTONE, New South Wales Grant made 17 August 2011. – Any person having any claim including an application or notice of intended application for a family provision order upon the estate of JANET HOPE LIVINGSTONE, late of Peakhurst, in the State of New South Wales, widow, who died on 30 June 2011, must send particulars of the claim to the executor, Margaret Bertram Stewart Kirk, c.o. Colin J. Duff, Solicitor, 7 Morts Road, Mortdale NSW 2223, not more than 30 days after publication of this notice. After that time the legal personal representative intends to distribute the property in the estate having regard only to the claims affecting the estate of the deceased of which at the time of distribution the legal personal representative had notice. COLIN J. DUFF, Solicitor, 7 Morts Road, Mortdale NSW 2223 (DX 11307, Hurstville), tel.: (02) 9570 2022. Reference: CJD:2114896.

[6067]

COMPANY NOTICES

NOTICE of members' final meeting. – GAMBATTE HOUSING CO-OPERATIVE LIMITED (in liquidation). – Notice is hereby given that in the terms of section 509 of the Corporations Law, the final general meeting of the Co-operative will be held at the office of the Liquidator, 1/8 Bank Street, Wellington NSW, at 9:00 a.m., Friday, 30 September 2011, for the purpose of having laid before it by the liquidator an account showing how the winding up has been conducted and the property of the co-operative disposed. PAUL CAMPION, Chartered Accountant, Liquidator, 1/8 Bank Street, Wellington NSW 2820. [6068]

NOTICE of final general meeting. – ADLARD & MURRAY PTY LIMITED, ACN 000 941 594 (in voluntary liquidation). – In accordance with section 509 of the Corporation Act, notice is hereby given that the final general meeting of the abovenamed company will be held on 30 September 2011, at 10:00 a.m., for the purpose of having laid before it by the liquidator an account showing how the winding up has been conducted and the manner in which the assets of the company have been distributed and a hearing of an explanation of the account by the liquidator and to authorise the liquidator to destroy all books and records of the company on completion of all duties. Dated 2 September 2011. LORETTA RABBITT, Liquidator, Shrubsole & Rabbitt Services Pty Limited, Unit 26, 15-23 Kumulla Road, Miranda NSW 2228, tel.: (02) 9526 8011. [6069]

NOTICE of liquidation. – MCKINNON HOLDINGS PTY LTD (in liquidation), ACN 000 702 358. – Notice is hereby given pursuant to section 509 of the Corporations Act 2001, that a resolution was passed by the Members of the Company on 9 August 2011, to place the Company into voluntary liquidation and wind up the Company. Dated 11 August 2011. ALFRED GRUBER, Liquidator, Grubers Beckett, Suite 301, 25 Lime Street, Sydney NSW 2000, tel.: (02) 9905 9266. [6070]

NOTICE of liquidation. – MCKINNON HOLDINGS PTY LTD (in liquidation), ACN 000 702 358. – Notice is hereby given pursuant to section 509 of the Corporations Act 2001, that a final meeting of members of the above named company will be held on Friday, 16 September 2011, at 10:00 a.m., at the offices of the Liquidator (see address below), for the purpose of laying before the meeting the Liquidator's final accounts and reports and giving any explanation thereof. Dated 15 August 2011. ALFRED GRUBER, Liquidator, Grubers Beckett, Suite 301, 25 Lime Street, Sydney NSW 2000, tel.: (02) 9905 9266. [6071]