



Government Gazette

OF THE STATE OF
NEW SOUTH WALES

Number 57

Friday, 27 June 2014

Published under the authority of the Government by the Parliamentary Counsel

LEGISLATION

Assents to Acts

ACTS OF PARLIAMENT ASSENTED TO

Legislative Assembly Office, Sydney, 24 June 2014

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

Act No. 26 – An Act to dissolve certain statutory bodies and provide for the transfer of their assets, rights, liabilities and functions; and for other purposes. [**Trade and Investment Cluster Governance (Amendment and Repeal) Bill**]

Act No. 27 – An Act to amend the Crimes (Domestic and Personal Violence) Amendment (Information Sharing) Act 2013 to facilitate the sharing of personal information and health information about victims and perpetrators of domestic violence for the purposes of providing domestic violence support services to those victims; and for other purposes. [**Crimes (Domestic and Personal Violence) Amendment (Information Sharing) Bill**]

Act No. 28 – An Act to make consequential amendments to the Election Funding, Expenditure and Disclosures Act 1981 following the High Court's decision in *Unions NSW & Ors v State of New South Wales*. [**Election Funding, Expenditure and Disclosures Consequential Amendment Bill**]

Act No. 29 – An Act to create the office of Advocate for Children and Young People and to provide for the functions of that office; to repeal the Commission for Children and Young People Act 1998 and the Youth Advisory Council Act 1989; and for other purposes. [**Advocate for Children and Young People Bill**]

Act No. 30 – An Act to amend the Parliamentary Electorates and Elections Act 1912 and the Election Funding, Expenditure and Disclosures Act 1981 to reconstitute the New South Wales Electoral Commission, to abolish the Election Funding Authority and to confer its functions on the Electoral Commission; to amend the Lobbying of Government Officials Act 2011 to extend the regulation of third-party and other lobbyists and to confer functions under that Act on the Electoral Commission; and for other purposes. [**Electoral and Lobbying Legislation Amendment (Electoral Commission) Bill**]

Act No. 31 – An Act to amend the Law Enforcement (Powers and Responsibilities) Act 2002 in relation to police investigations and questioning, to safeguards relating to the exercise of police powers and to search and other police powers; and for other purposes. [**Law Enforcement (Powers and Responsibilities) Amendment Bill**]

Act No. 32 – An Act to amend the Rural Fires Act 1997 in relation to vegetation clearing work in certain areas and bush fire hazard reduction certificates; and for other purposes. [**Rural Fires Amendment (Vegetation Clearing) Bill**]

Act No. 33 – An Act to repeal certain Acts and to amend certain other Acts and instruments in various respects and for the purpose of effecting statute law revision; and to make certain savings. [**Statute Law (Miscellaneous Provisions) Bill**]

Act No. 34 – An Act to appropriate out of the Consolidated Fund sums for the recurrent services and capital works and services of the Government for the year 2014–15. [**Appropriation Bill**]

Act No. 35 – An Act to appropriate amounts out of the Consolidated Fund for the year 2012–13 for the purpose of giving effect to certain Budget variations required by the exigencies of Government. [**Appropriation (Budget Variations) Bill**]

Act No. 36 – An Act to appropriate out of the Consolidated Fund sums for the recurrent services and capital works and services of the Legislature for the year 2014–15. [**Appropriation (Parliament) Bill**]

Act No. 37 – An Act to make miscellaneous amendments to certain State revenue and other legislation in connection with the Budget for the year 2014–2015; and for other purposes. [**State Revenue and Other Legislation Amendment (Budget Measures) Bill**]

RONDA MILLER,
Clerk of the Legislative Assembly

OFFICIAL NOTICES**Appointments****LOCAL GOVERNMENT ACT 1993**

Appointment of Chairperson to the
NSW Local Government Grants Commission

HER Excellency the Governor, with the advice of the Executive Council and pursuant to section 614 and Schedule 5 of the Local Government Act 1993, has appointed Richard COLLEY as the Chairperson of the NSW Local Government Grants Commission for the period commencing on 1 July 2014 and expiring on 30 June 2015.

PAUL TOOLE, M.P.,
Minister for Local Government

LOCAL GOVERNMENT ACT 1993

Appointment of Member to the
NSW Local Government Grants Commission

HER Excellency the Governor, with the advice of the Executive Council and pursuant to section 614 and Schedule 5 of the Local Government Act 1993, has appointed Graeme FLEMING as a Member of the NSW Local Government Grants Commission for the period commencing on 1 July 2014 and expiring on 30 June 2015.

PAUL TOOLE, M.P.,
Minister for Local Government

LOCAL GOVERNMENT ACT 1993

Appointment of Deputy Chairperson to the
NSW Local Government Grants Commission

HER Excellency the Governor, with the advice of the Executive Council and pursuant to section 614 and Schedule 5 of the Local Government Act 1993, has appointed Grahame GIBBS as the Deputy Chairperson of the NSW Local Government Grants Commission for the period commencing on 1 July 2014 and expiring on 30 June 2015.

PAUL TOOLE, M.P.,
Minister for Local Government

LOCAL GOVERNMENT ACT 1993

Appointment of Member to the
NSW Local Government Grants Commission

HER Excellency the Governor, with the advice of the Executive Council and pursuant to section 614 and Schedule 5 of the Local Government Act 1993, has appointed Roslyn Gae SWAIN as a Member of the NSW Local Government Grants Commission for the period commencing on 1 July 2014 and expiring on 30 June 2015.

PAUL TOOLE, M.P.,
Minister for Local Government

Roads and Maritime Services

ROADS ACT 1993

Notice of Dedication of Land as Public Road at Figtree
in the Wollongong City Council area

Roads and Maritime Services, by its delegate, dedicates
the land described in the schedule below as public road
under section 10 of the Roads Act 1993.

Anna C North
Manager, Compulsory Acquisition & Road Dedication
Roads and Maritime Services

SCHEDULE

ALL that piece or parcel of land situated in the
Wollongong City Council area, Parish of Wollongong
and County of Camden, shown as Lot 42 Deposited
Plan 1193528.

(RMS Papers: 1/497.1977 (Vol 6); RO SF2013/148923

Department of Trade and Investment, Regional Infrastructure and Services

ELECTRICITY SUPPLY ACT 1995 AND GAS SUPPLY ACT 1996

The NSW Social Programs for Energy Code

I, Anthony Roberts, M.P., Minister for Resources and Energy:

1. in accordance with clause 73 (5) of the Electricity Supply (General) Regulation 2001 and clause 15 (5) of the Gas Supply (Natural Gas Retail) Regulation 2001, revoke 'Version 1.0' of the NSW Social Programs for Energy Code, which took effect on 1 July 2013 (*NSW Government Gazette* No. 79 of 28 June 2013, page 3147), with the revocation to take effect on 1 July 2014; and
2. in accordance with clause 73 (3) of the Electricity Supply (General) Regulation 2001 and clause 15 (3) of the Gas Supply (Natural Gas Retail) Regulation 2001, adopt 'Version 2.0' of the NSW Social Programs for Energy Code ('Code') as set out in Schedule 1 to this notice, with the Code to take effect on 1 July 2014.

Dated at Sydney, this 10th day of June 2014.

ANTHONY ROBERTS, M.P.,
Minister for Resources and Energy

SCHEDULE 1

NSW SOCIAL PROGRAMS FOR ENERGY CODE

Low Income Household Rebate
Life Support Rebate
Medical Energy Rebate
Family Energy Rebate
Energy Accounts Payment Assistance (EAPA) Scheme

Effective Date: 1 July 2014.

Version: 2.0

CONTENTS

PART A

- A1. DICTIONARY
- A2. PURPOSE
- A3. OVERVIEW OF SOCIAL PROGRAMS FOR ENERGY
- A4. RETAILER OBLIGATIONS
- A5. GENERAL INFORMATION – LOW INCOME HOUSEHOLD REBATE, LIFE SUPPORT REBATE AND MEDICAL ENERGY REBATE ONLY
 - A5.1 Application of this section
 - A5.2 Information to customers
 - A5.3 Verification of new customers with the Commonwealth Department of Human Services (DHS)/ Department of Veterans' Affairs (DVA)
 - A5.4 Notifying ineligible customers
 - A5.5 Date of commencement
 - A5.6 Ensuring eligible customers continue to receive the Rebate
 - A5.7 Arrangements for retailer payment
 - A5.8 Credit balance
 - A5.9 Customers required to notify their retailer
 - A5.10 Compliance
 - A5.11 Calculation of the rebate
 - A5.12 Confidentiality

PART B

- B1. LOW INCOME HOUSEHOLD REBATE
 - B1.1 Eligibility criteria
 - B1.2 Application process
 - B1.3 Ongoing verification to ascertain continued eligibility of customers
 - B1.4 Rebate indexation

B2. LIFE SUPPORT REBATE

- B2.1 Eligibility criteria
- B2.2 Application process
- Appendix B2.1 – Approved Equipment List

B3. MEDICAL ENERGY REBATE

- B3.1 Eligibility criteria
- B3.2 Application process
- B3.3 Ongoing verification to ascertain continued eligibility of customers
- B3.4 Rebate indexation

PART C**C1. FAMILY ENERGY REBATE (FER)**

- C1.1 Eligibility criteria
- C1.2 Application process
- C1.3 Ongoing eligibility
- C1.4 Application of the rebate
- C1.5 Retailer obligations
- C1.6 Information to customers
- C1.7 Arrangements for retailer payment
- C1.8 Credit balance
- C1.9 Compliance
- C1.10 Residential Community Residents
- C1.11 Confidentiality

PART D**D1. ENERGY ACCOUNTS PAYMENT ASSISTANCE (EAPA)**

- D1.1 Overview
- D1.2 Delivery of EAPA by CWOs
- D1.3 Acceptance of EAPA by retailers
- D1.4 Circumstances where EAPA is not to be used
- D1.5 Retailers assisting CWOs
- D1.6 Prohibition on disconnection during EAPA assessment
- D1.7 Financial year expiry
- D1.8 Residential electricity and gas consumption only
- D1.9 Voucher validity
- D1.10 EAPA vouchers issued by two or more CWOs
- D1.11 Fraud or misrepresentation
- D1.12 Voucher storage
- D1.13 Loss or theft
- D1.14 Invalid or rejected vouchers
- D1.15 Recording EAPA usage
- D1.16 Acquittal statement and electronic reporting
- D1.17 Compliance

NSW SOCIAL PROGRAMS FOR ENERGY CODE

Electricity Supply Act 1995

Gas Supply Act 1996

PART A**A1. Dictionary**A1.1 *administration fee* means:

- (a) for rebates (other than the Family Energy Rebate) \$0.80/365 multiplied by the total number of eligible customers as at the end of the month and multiplied by the number of days in the month; or
- (b) for the Family Energy Rebate, \$0.80 multiplied by the total number of eligible customers paid by the retailer as at the end of the month.

A1.2 *account holder* is a residential customer.A1.3 *acquittal statement* means the relevant statement for each rebate and EAPA published by the Department.A1.4 *approved life support equipment* are the items listed at Appendix B2.1.A1.5 *department* means NSW Trade & Investment.A1.6 *EAPA* means the Energy Accounts Payment Assistance Scheme.

- A1.7 **eligible customer(s)** is as defined for each rebate at clauses B1.1, B2.1, B3.1 and C1.1.
- A1.8 **residential customer** means a customer who purchases energy principally for personal, household or domestic use at premises from an authorised energy retailer.
- A1.9 **rebate(s)** refers to any or all of the Low Income Household Rebate, Life Support Rebate, Medical Energy Rebate and Family Energy Rebate, as relevant.
- A1.10 **retailer(s)** means the holder of a retailer authorisation and includes Ergon Energy Queensland Pty Ltd (CAN 121 177 802) for the purposes of the Code.
- A1.11 **retailer payment** means the sum of the administration fee and the total value of rebates paid each month.
- A1.12 **social program for energy** means a NSW Government program to ensure that energy services (including connection services and electricity supply) are available to those who are in need, including those who suffer financial hardship and those who live in remote areas, and includes:
- any program for electricity and gas bills payment assistance, and
 - any program for rebates to eligible pensioners, and
 - any program for rebates with respect to electricity used for life support systems.
- A1.13 **supporting documentation template** means the template provided by the department to retailers for retailer compliance with A5.7.

A2. Purpose

- A2.1 This social programs for energy code (the Code) has been adopted in accordance with clause 73 of the Electricity Supply (General) Regulation 2001 and clause 15 of the Gas Supply (Natural Gas Retail) Regulation 2001 for the purpose of facilitating the delivery of the following social programs for energy:
- Low Income Household Rebate;
 - Life Support Rebate;
 - Medical Energy Rebate;
 - Family Energy Rebate; and
 - EAPA.
- A2.2 The Code takes effect from the date of gazettal and replaces the previous version 1.0.
- A2.3 The Code consists of four parts:
- Part A outlines the requirements applicable to the Low Income Household Rebate, Life Support Rebate and Medical Energy Rebate;
 - Part B outlines additional requirements that are specific to the Low Income Household Rebate, Life Support Rebate and Medical Energy Rebate;
 - Part C outlines the requirements for the Family Energy Rebate; and
 - Part D outlines the requirements for the EAPA Scheme.
- A2.4 Parts A, B, C and D apply to all electricity retailers.
- A2.5 Parts A, B, C and D apply to Ergon Energy Queensland Pty Ltd (CAN 121 177 802), as an exempt person under clause 73 (2) of the Electricity Supply (General) Regulation 2001, in relation to eligible customers connected to the distribution system of Ergon Energy Corporation Limited (CAN 087 646 062).
- A2.6 Part D applies to gas retailers.

A3. Overview of social programs for energy

- A3.1 The Low Income Household Rebate is designed to provide assistance in relation to a residential customer's energy expenses.
- A3.2 The Life Support Rebate is designed to provide assistance where approved life support equipment that is essential to support life is used by the residential customer or another person who lives at the same address as the residential customer. This rebate is not means tested and depends on the type of machine in use, and in some cases, the frequency of such use.
- A3.3 The Medical Energy Rebate is designed to provide assistance where a residential customer or a person who lives at the same address as the residential customer has an inability to self-regulate body temperature and the residential customer holds one of the required concession cards. An inability to self-regulate body temperature may be associated with certain medical conditions.
- A3.4 The Family Energy Rebate is designed to assist families to manage their energy costs. It is only available to residential customers who receive the Commonwealth Government's Family Tax Benefit A or B.
- A3.5 Each of the rebates set out in A3.1-A3.4 are applied to a residential customer's electricity bill.
- A3.6 The EAPA Scheme is designed to assist residential customers who are experiencing difficulty in paying their gas and/or electricity bill owing to a crisis or emergency situation.

A4. Retailer obligations

- A4.1 A retailer must:
- as soon as practicable after an election is made by any person who is or may be a residential customer, for the provision of energy supply, inform that person of the availability of the social programs for energy and provide an application form, if requested;

- A4.1.2 include information on the availability of social programs for energy in all bills issued to residential customers;
- A4.1.3 include information relating to the availability of social programs for energy on its website;
- A4.1.4 acknowledge that the relevant social program for energy is funded by the NSW Government in any promotional material that refers to the social program for energy; and
- A4.1.5 inform on-supplied residential community (formerly residential park) residents and on-supplied residents of retirement villages of the availability of the rebate(s) if contacted by these customers and direct them to the department's website for information on how to apply.

Note: Not all residential community and retirement village residents are on-supplied electricity. Some residential community and retirement village residents are supplied electricity directly by a retailer and are considered eligible for all rebates subject to meeting all eligibility criteria outlined in Parts B, C and D. Retailers must meet the obligations outlined in the Code for these customers.

- A4.2 Retailers may promote the social programs for energy together with their own products as part of their overall marketing strategy but must, at all times, comply with clause A4.1.

A5. General Information – Low Income Household Rebate, Life Support Rebate and Medical Energy Rebate only

A5.1 Application of this section

- A5.1.1 This section applies to the Low Income Household Rebate, Life Support Rebate and Medical Energy Rebate (rebate or rebates, depending on the context).
- A5.1.2 Retailers must have systems in place to enable them to deliver all rebates in line with the requirements contained in the Code.

A5.2 Information to customers

- A5.2.1 A residential customer may receive one or more rebates concurrently or more than one payment under the Life Support Rebate, subject to meeting the eligibility requirements for each particular rebate.
- A5.2.2 Where one or more rebates are payable, retailers must identify each rebate as a separate credit amount on the eligible customer's bill.
- A5.2.3 A retailer must use the following descriptions (as relevant) for each separate credit amount on the bill:
 - A5.2.3.1 "NSW Gvt Household rebate" or "NSW Low Income Household Rebate"; and
 - A5.2.3.2 "NSW Government Life Support Rebate" or "NSW Government Rebate for the [insert specific machine type]"; and
 - A5.2.3.3 "NSW Medical Energy Rebate"; and
 - A5.2.3.4 "NSW Family Energy Rebate".

A5.3 Verification of new customers with the Commonwealth Department of Human Services (DHS)/Department of Veterans' Affairs (DVA)

- A5.3.1 Where required under the eligibility criteria for each rebate, a retailer must verify the Pensioner Concession Card, DHS Health Care Card or DVA Gold Card status of each new customer with DHS before a rebate is applied to that customer's bill.
- A5.3.2 Despite clause A5.3.1, if a retailer verifies the eligibility of new customers with DHS in weekly or monthly batches, rather than using a single enquiry to verify a customer individually, reasonable attempts must be made by that retailer to ensure eligibility is verified before the rebate is applied to a customer's bill.

Note: To avoid errors in entering the Pensioner Concession Card, DHS Health Care Card or DVA Gold Card number in the system, retailers are encouraged to use the DHS algorithm which verifies whether the DHS customer reference number/DVA file number is genuine and prevents the system accepting incorrect numbers. To gain access to the DHS algorithm, retailers must apply directly to DHS.

A5.4 Notifying ineligible customers

- A5.4.1 A retailer must notify a customer who applies, but is found to be ineligible to receive the rebate applied for, of their ineligibility as soon as practicable.
- A5.4.2 The notification given by the retailer must include the reason(s) for declining the application.

A5.5 Date of commencement

- A5.5.1 Once a customer is assessed as eligible to receive a rebate, the retailer must pay the rebate from the date on which the application was made by the customer.
- A5.5.2 Subject to clause A5.6, rebates must not be back-dated prior to the date on which a customer's application is made.
- A5.5.3 Where a customer changes retailer, the date the customer's supply commences with the new retailer will be deemed to be the date the customer applied for the rebate. This will ensure that the rebate is continuously paid to the customer during the transfer from one retailer to another.

- A5.6 Ensuring eligible customers continue to receive the Rebate
- A5.6.1 Retailers must ensure that eligible customers continue to receive the rebate without interruption (provided there is no change to their circumstances that would render the customer ineligible) in the following circumstances:
- A5.6.1.1 after changing contracts;
- A5.6.1.2 after changing retailer;
- A5.6.1.3 after moving residence; or
- A5.6.1.4 during the annual verification process.
- A5.6.2 If a customer's rebate payments cease under any of the circumstances listed in A5.6.1, or as a result of retailer error, the retailer must reimburse the customer for the period they would have otherwise been entitled to receive the rebate.
- A5.7 Arrangements for retailer payment
- A5.7.1 A retailer payment will be provided to retailers each month.
- A5.7.2 The retailer payment for rebates must include:
- A5.7.2.1 the total value of the rebates paid to eligible customers during the month; and
- A5.7.2.2 the administration fee.
- A5.7.3 The retailer must record the total value of the rebates paid by the retailer, the administration fee claimed by the retailer and the number of eligible customers based on the figures contained in the retailer's system records.
- A5.7.4 Each retailer must submit the following documents to the department by the 10th business day of each subsequent month:
- A5.7.4.1 a completed and certified monthly acquittal statement in the form published by the department on the department's website; and
- A5.7.4.2 a tax invoice for the retailer payment; and
- A5.7.4.3 a completed supporting documentation template (published by the department) to substantiate the retailer's claims in the tax invoice and acquittal statement. The data used to complete the supporting documentation template must be sourced from the system records referred to in clause A5.7.3.
- A5.7.5 the acquittal statement must be certified and signed by an appropriately responsible person nominated by the retailer. Each retailer must communicate the name of the nominated person/s to the department for verification purposes.
- A5.7.6 any changes to the acquittal statement and/or supporting documentation template will be made by the department only after appropriate consultation with retailers.
- A5.8 Credit balance
- A5.8.1 If the total of a customer's bill is less than the rebate amount, the difference is to be applied as a credit to the customer's account and is to be carried forward to the next billing cycle.
- A5.8.2 Where a customer with a rebate credit elects to change his or her retailer or close their electricity account with a retailer, that retailer must refund to the customer the credit amount at the date of transfer to the new retailer or the date that the customer closed the account with that retailer.
- A5.9 Customers required to notify their retailer
- A5.9.1 A retailer must advise residential customers that they are required to notify their retailer, as soon as possible, of any changes in their circumstances that would affect their pending application or continued eligibility for a rebate.
- A5.10 Compliance
- A5.10.1 Retailers must establish and maintain accounting procedures and records to enable periodic reports to be prepared to substantiate compliance with the Code.
- A5.10.2 Retailers must, upon request, provide such reports to the Minister, the department or any auditor appointed by the department.
- A5.10.3 Retailers must maintain records to substantiate compliance with the Code for a period of seven years.
- A5.11 Calculation of the rebate
- A5.11.1 The Low Income Household Rebate and the Medical Energy Rebate must be calculated on the applicable daily rate basis (e.g. \$215/365 days) which is multiplied by the number of days in each billing cycle (e.g. for quarterly bills, 92 days) and offset against the gross amount of the bill before GST is applied.
- A5.11.2 The Life Support Rebate must be calculated on the applicable daily rate (24 hour or less than 24 hour) which is multiplied by the number of days in each billing cycle and offset against the gross amount of the bill before GST is applied.
- A5.12 Confidentiality
- A5.12.1 Retailers are required to protect the confidentiality of eligible customers to ensure that their records are not used for any purpose other than the delivery of the rebate or as stipulated in this Code for audit purposes.

PART B**B1. Low Income Household Rebate**

- B1.1 Eligibility criteria
- B1.1.1 To be eligible for the Low Income Household Rebate a person must:
- B1.1.1.1 be resident in New South Wales; and
- B1.1.1.2 be a customer of the retailer, or a long term resident of an on-supplied residential community (formerly known as residential park), or a resident of an on-supplied retirement village; and whose name appears on the electricity account for supply to his or her principal place of residence; and
- B1.1.1.3 hold either a:
- B1.1.1.3.1 Pensioner Concession Card issued by the DHS/DVA; or
- B1.1.1.3.2 DHS Health Care Card; or
- B1.1.1.3.3 DVA Gold Card marked with either:
- B1.1.1.3.3.1 War Widow or War Widower Pension; or
- B1.1.1.3.3.2 Totally and Permanently Incapacitated (TPI); or
- B1.1.1.3.3.3 Disability Pension (EDA).
- B1.2 Application process
- B1.2.1 A person may apply for the Low Income Household Rebate in person, in writing or by telephone.
- B1.2.2 A retailer must establish a standard pro-forma application that requires an applicant to provide the following information:
- B1.2.2.1 the full name of the applicant;
- B1.2.2.2 the applicant's address;
- B1.2.2.3 the name and number of the concession card that makes the customer eligible for the Low Income Household Rebate;
- B1.2.2.4 the date of grant or expiry of the concession card; and
- B1.2.2.5 the date of application for the Low Income Household Rebate.
- B1.2.3 The pro-forma application must include a statement to the following effect:
- B1.2.3.1 the eligibility details provided by the customer in their application will be used to check their Pensioner Concession Card/Health Care Card/Gold Card status with the DHS/DVA;
- B1.2.3.2 the customer has the right to revoke their consent to the eligibility check at any time in writing; and
- B1.2.3.3 if the customer refuses to give consent, they will no longer receive the Low Income Household Rebate unless they can provide written verification of their continuing eligibility from the DHS/DVA.
- B1.2.4 When an application is made in writing or in person, the customer must sign the application form.
- B1.2.5 When an application is made by telephone, the officer receiving the application must:
- B1.2.5.1 inform the applicant of the statements set out in clause B1.2.3;
- B1.2.5.2 request the applicant's consent to check their Pensioner Concession Card/Health Care Card/Gold Card status with the DHS /DVA; and
- B1.2.5.3 record the applicant's consent/refusal.
- B1.3 Ongoing verification to ascertain continued eligibility of customers
- B1.3.1 A retailer must verify the details of all rebate recipients who hold a DHS Health Care Card for continued eligibility with the DHS at least once every three months.
- B1.3.2 A retailer must verify the details of all other rebate recipients for continued eligibility with the DHS or DVA at least once a year.
- B1.3.3 If a customer fails a verification check, the retailer must inform the customer as soon as practicable.
- B1.3.4 The results of the above verification checks must be provided by the retailer to the department each year. The results must include the following information:
- B1.3.4.1 the number of eligible Pensioner Concession Card, Health Care Card and Gold Card holders in each category;
- B1.3.4.2 the total number of initial mismatches; and
- B1.3.4.3 the total number of customers determined as ineligible from the verification process.
- B1.3.5 All retailers must have a contractual arrangement with the DHS before verifying customers' details with the DHS.
- B1.4 Rebate indexation
- B1.4.1 For eligible customers, the rebate will be:
- B1.4.1.2 \$235 per annum between 1 July 2014 and 30 June 2015; and
- B1.4.1.3 \$235 per annum thereafter unless advised otherwise by the department.

B2. Life Support Rebate**B2.1 Eligibility criteria**

B2.1.1 To be eligible for the Life Support Rebate a person must:

B2.1.1.1 be resident in New South Wales; and

B2.1.1.2 be a customer of the retailer, or a long term resident of an on-supplied residential community (formerly known as residential park), and whose name appears on the electricity account for supply to his or her principal place of residence where approved equipment (see approved list in Appendix B2.1) is used by the customer or another person who lives at the same address; and

B2.1.1.3 submit a valid application form as provided by the department (which will be made available to customers on the department's website), duly signed by a registered medical practitioner (who is not the applicant) to verify that the use of the approved life support equipment is required at his or her principal place of residence.

B2.2 Application process

B2.2.1 Applications must be made in writing using the application form provided by the department. The application form will also be made available for download on the department's website. Relevant parts of the application form must be completed and signed by both the applicant and a medical practitioner.

B2.2.2 Applicants must send their signed application form to their retailer.

B2.2.3 Before applying the rebate to a customer's account, retailers must verify that the application form is properly completed and signed by both the applicant and a registered medical practitioner (who is not the applicant). Certificates from equipment manufacturers or from sleep clinics (without the signature of a registered medical practitioner) are not acceptable.

B2.2.4 In the event that an applicant lives in remote or regional NSW and is being treated by the Royal Flying Doctor Service (RFDS), the application form may be signed by any medical practitioner under the RFDS.

B2.2.5 The customer must re-apply for the rebate every two years.

B2.2.6 At the time of application, in order to confirm the applicant's continued eligibility for the rebate, the retailer must bring to the attention of the applicant that an updated application form will be required every two years from the date of the initial approval for the rebate.

B2.2.7 Customers who are currently receiving the rebate are not required to submit a fresh application form until they are due for their two yearly verification.

B2.2.8 In order to ensure continuity of the rebate where a customer changes his or her retailer, the date the customer's supply commences with the new retailer will be deemed to be the date the customer applied for the rebate. However, the customer must complete and submit an application to the new retailer before the rebate can be applied by the new retailer. Note that this may cause some inconvenience to the customer but the retailer requires the relevant information in order to ensure ongoing priority of supply for the customer.

B2.2.9 Retailers must conduct a verification audit of the rebate every two years to confirm it is only being provided to eligible customers and provide the results of the audit to the department, or its auditor, on request.

B2.2.10 The amount of the rebate for each item of approved life support equipment is set out at Appendix B2.1.

Appendix B2.1 – Approved Equipment List

List of Approved Life Support Equipment		
<i>Equipment</i>	<i>Examples of brand names*</i>	<i>Daily rate</i>
Positive Airways Pressure (PAP) Device	Continuous Positive Airways Pressure (CPAP), Bilevel or Variable Positive Airways Pressure (BiPAP or V-PAP) etc	\$0.16 for less than 24 hour usage \$0.32 for 24 hour usage
Enteral feeding pump	Kangaroo pump Companion-Abbott Flexiflow patrol pump	\$0.20
Phototherapy equipment	Blue light therapy	\$1.66
Home dialysis	Haemodialysis or Peritoneal automated cycler machines – Brand names include: Fresenius, Gambro, Baxter	\$0.69
Ventilators	LTV series, Breas, PLV-100 etc, Iron Lung	\$1.66

<i>Equipment</i>	<i>Examples of brand names*</i>	<i>Daily rate</i>
Oxygen concentrators	Devilbiss etc	\$0.83 for less than 24 hour usage \$1.40 for 24 hour usage
Total Parenteral Nutrition (TPN) pump	Volumatic pump Flowguard pump	\$0.38
External heart pump	Left Ventricular Assist Device	\$0.05

NOTE: List of brand names against each piece of equipment has been included for information only, and is not exhaustive.

B3. Medical Energy Rebate

B3.1 Eligibility criteria

B3.1.1 To be eligible for the Medical Energy Rebate a person must:

B3.1.1.1 be resident in New South Wales; and

B3.1.1.2 be a customer of the retailer, or a long term resident of an on-supplied residential community (formerly known as a residential park), and whose name appears on the electricity account for supply to his or her principal place of residence; and

B3.1.1.3 submit a valid application form as provided by the department (which will be made available to customers on the department's website), duly signed by a registered medical practitioner (who is not the applicant) to verify that either the customer named on the bill or anyone residing at the residence has an inability to self-regulate body temperature as defined at B3.1.2 below; and

B3.1.1.4 hold either a:

B3.1.1.4.1 Pensioner Concession Card issued by the DHS/DVA; or

B3.1.1.4.2 DHS Health Care Card; or

B3.1.1.4.3 DVA Gold Card.

B3.1.2 For the purpose of this rebate, an eligible customer has an inability to self-regulate body temperature where the eligible customer (or someone living at the supply address of the eligible customer) has been assessed by a registered treating medical practitioner (who is not the applicant) who has been treating them for at least three months as meeting one of the following four primary qualifying conditions and one of the three secondary qualifying conditions:

B3.1.2.1 Primary qualifying conditions:

B3.1.2.1.1 autonomic system dysfunction (Medical conditions in which the autonomic system has been damaged eg severe spinal cord injury, stroke, brain injury and neurodegenerative disorders);

B3.1.2.1.2 loss of skin integrity or loss of sweating capacity (for example, significant burns greater than 20%, severe inflammatory skin conditions and some rare forms of disordered sweating);

B3.1.2.1.3 objective reduction of physiological functioning at extremes of environmental temperatures (for example, advanced multiple sclerosis); and

B3.1.2.1.4 hypersensitivity to extremes of environmental temperature leading to increased pain or other discomfort or an increased risk of complications (for example, complex regional pain syndrome and advanced peripheral vascular disease).

B3.1.2.2 Secondary qualifying conditions:

B3.1.2.2.1 severe immobility (for example, such as occurs with Quadriplegia or high level Paraplegia, particularly above mid thoracic level (T7) resulting in problems with self regulation of body temperature due to loss of sympathetic nervous system control);

B3.1.2.2.2 demonstrated significant loss of autonomic regulation of sweating, heart rate or blood pressure; and

B3.1.2.2.3 demonstrated loss of physiological function or significant aggravation of clinical condition at extremes of environmental temperature.

B3.2 Application process

B3.2.1 An applicant must apply in writing using the application form provided by the department. The application form will also be made available for download on the department's website. Relevant parts of the application form must be completed and signed by both the applicant and a medical practitioner (who is not the applicant) who has been treating the patient for at least three months.

B3.2.2 An applicant must send the signed application form to their retailer.

B3.2.3 Before applying the rebate to the customer's account, a retailer must verify that the application form is properly completed and signed by both the customer and a registered medical practitioner (who is not the applicant).

- B3.2.4 In the event that a customer lives in remote or regional NSW and is being treated by the Royal Flying Doctor Service (RFDS), the application form may be signed by any medical practitioner under the RFDS if the customer has been treated by the RFDS for at least three months.
- B3.2.5 The retailer must verify each new customer's Pensioner Concession Card, DHS Health Care Card or DVA Gold Card status with the DHS before the rebate may be applied to a customer's bill.
- B3.2.6 If the customer named on the bill is claiming the rebate for another person who is living at the same address as the customer named on the bill, the retailer must check that the application form states that the address of the patient is the same as that of the customer.
- B3.2.7 In order to ensure continuity of the rebate where a customer changes his or her retailer, the date the customer's supply commences with the new retailer will be deemed to be the date the customer applied for the rebate. However, the customer must complete and submit an application to the new retailer before the rebate can be applied by the new retailer. Note that this may cause some inconvenience to the customer but the retailer requires the relevant information in order to ensure ongoing eligibility for the rebate.
- B3.3 Ongoing verification to ascertain continued eligibility of customers
 - B3.3.1 A retailer must verify the details of all rebate recipients who hold a DHS Health Care Card for continued eligibility with the DHS at least once every three months.
 - B3.3.2 A retailer must verify the details of all other rebate recipients for continued eligibility with the DHS or DVA at least once a year.
 - B3.3.3 The results of the above verification checks must be provided by the retailer to the department each year. The results must include the following information:
 - B3.3.3.1 the number of eligible Pensioner Concession Card holders, the DHS Health Care Card and Gold Card holders in each category;
 - B3.3.3.2 the total number of initial mismatches; and
 - B3.3.3.3 the total number of customers determined as ineligible from the verification process.
 - B3.3.4 All retailers must have a contractual arrangement with the DHS before verifying customers' details with the DHS.
- B3.4 Rebate indexation
 - B3.4.1 For eligible customers, the rebate will be:
 - B3.4.1.1 \$235 per annum between 1 July 2014 and 30 June 2015; and
 - B3.4.1.2 \$235 per annum thereafter unless advised otherwise by the department.

PART C

C1. Family Energy Rebate (FER)

- C1.1 Eligibility criteria
 - C1.1.1 To be eligible for the Family Energy Rebate in a given financial year a person must:
 - C1.1.1.1 be resident in New South Wales; and
 - C1.1.1.2 be an account holder of a retailer, or a long term resident of an on-supplied residential community (formerly known as a residential park), and whose name appears on the electricity account for supply to his or her principal place of residence; and
 - C1.1.1.3 have been assessed by the Federal DHS as being eligible for the Family Tax Benefit (FTB) A or B at any time during the financial year immediately preceding the financial year in which an application for the FER is made and have received a payment of FTB in respect of that eligibility.
- C1.2 Application process
 - C1.2.1 An applicant must apply in writing to the department for the rebate using either the digital application form available from the department's website or a paper application form also available from the department's website. These same application forms should also be provided by electricity retailers.
 - C1.2.2 Retailers must, on request by a customer, provide access to the department's application forms for the customer to complete and submit to the department.
- C1.3 Ongoing eligibility
 - C1.3.1 An eligible customer who completes a valid application form and receives confirmation of eligibility from the department, will be paid the rebate once per financial year.
 - C1.3.2 Customers must reapply for the rebate each year.
- C1.4 Application of the rebate
 - C1.4.1 Retailers must credit the rebate to customers' electricity accounts in accordance with a confidential data set provided by the department frequently throughout each calendar month through a dedicated, secure website. The data set will contain the following information:
 - C1.4.1.1 FER Application ID (labelled "FER Reference Number");
 - C1.4.1.2 First Name (labelled "Family Tax Benefit Recipient First Name");
 - C1.4.1.3 Last Name (labelled "Family Tax Benefit Recipient Last Name");
 - C1.4.1.4 Electricity Account Number (labelled "Electricity Account Number");

- C1.4.1.5 Meter Identifier (labelled “NMI (National Meter Identifier);
- C1.4.1.6 Rebate Amount (labelled “Rebate Amount (\$)”); and
- C1.4.1.7 Rebate Applied Flag (labelled “Rebate Credit Applied to Electricity Account”). No data is supplied in this column by the department.
- C1.4.2 Retailers must download secure departmental data sets at least weekly, and import updated data sets in the same week, thereby advising the department which customers have had a rebate credited against their accounts, and which have not.
- C1.4.3 Retailers must verify the relevant data set against the information for each customer in the retailer’s billing system and pay the relevant amount to each customer if the following conditions are met:
 - C1.4.3.1 Family Tax Benefit Recipient Last Name, Electricity Account Number and the NMI matches a valid customer account.
- C1.4.4 Retailers must display the rebate on eligible customers’ next available electricity bill after the date the retailer credits the rebate against accounts, after receiving the confidential data set from the department, and to offset it against the gross amount of the bill before GST is applied.
- C1.4.5 Retailers must supply a confidential data set to the department using the dedicated, secure website containing the following information:
 - C1.4.5.1 FER Application ID (labelled “FER Reference Number”);
 - C1.4.5.2 First Name (labelled “Family Tax Benefit Recipient First Name”);
 - C1.4.5.3 Last Name (labelled “Family Tax Benefit Recipient Last Name”);
 - C1.4.5.4 Electricity Account Number (labelled “Electricity Account Number”);
 - C1.4.5.5 Meter Identifier (labelled “NMI (National Meter Identifier);
 - C1.4.5.6 Rebate Amount (labelled “Rebate Amount (\$)”); and
 - C1.4.5.7 Rebate Applied Flag (labelled “Rebate Credit Applied to Electricity Account”). Retailer to supply only ONE of the following data options: Y or N or leave the cell blank.
- C1.5 Retailer obligations
 - C1.5.1 The obligations outlined in A4 of Part A above, also apply to the FER.
- C1.6 Information to customers
 - C1.6.1 A residential customer may receive one or more rebates concurrently, subject to meeting the eligibility requirements for each particular rebate.
 - C1.6.2 A retailer must identify each rebate as a separate credit amount on the eligible customer’s bill.
 - C1.6.3 A retailer must use the following description – “NSW Family Energy Rebate” – when crediting the rebate to the bill.
- C1.7 Arrangements for retailer payment
 - C1.7.1 A retailer payment will be provided to each applicable retailer each month.
 - C1.7.2 The retailer payment for rebates must include:
 - C1.7.2.1 the total value of rebates paid to eligible customers calculated on the basis of the data set provided by the department to the retailer; and
 - C1.7.2.2 the administration fee.
 - C1.7.3 Each retailer must submit the following documents to the department by the 10th business day of each subsequent month:
 - C1.7.3.1 a completed and certified monthly acquittal statement in the form published by the department on the department’s website; and
 - C1.7.3.2 a tax invoice for the retailer payment. This invoice must be submitted to the department for each calendar month and is for rebates that have been credited to customers’ accounts during that month (regardless of whether an actual bill has been issued in that month) in line with the dataset provided by the department to the retailer.
 - C1.7.4 The retailer must record the total value of the rebates paid by the retailer, the administration fee claimed by the retailer and the number of eligible customers based on the figures contained in the retailer’s system records.
 - C1.7.5 The acquittal statement must be certified and signed by an appropriately responsible person nominated by the retailer. Each retailer must communicate the name of the nominated person/s to the department for verification purposes.
 - C1.7.6 Any changes to the acquittal statement will be made by the department only after appropriate consultation with retailers.
- C1.8 Credit balance
 - C1.8.1 If the total of a customer’s bill is less than the rebate amount, the difference is to be applied as a credit to the customer’s account and is to be carried forward to the next billing cycle.
 - C1.8.2 Where a customer with a rebate credit elects to change his or her retailer or close their electricity account with a retailer, that retailer must refund to the customer the credit amount at the date of transfer to the new retailer or the date that the customer closed the account with that retailer.

- C1.9 Compliance
 - C1.9.1 Retailers must establish and maintain accounting procedures and records to enable periodic reports to be prepared to substantiate compliance with the Code.
 - C1.9.2 Retailers must, upon request, provide such reports to the Minister, the department or any auditor appointed by the department.
 - C1.9.3 Retailers must maintain records to substantiate compliance with the Code for a period of seven years.
- C1.10 Residential Community Residents
 - C1.10.1 Long term residents of on-supplied residential communities (formerly known as residential parks) must apply directly to the department by submitting a completed application form available on the department's website. Eligible customers will be paid the relevant rebate amount by the department.
 - C1.10.2 For eligible residential community residents, the Family Energy Rebate will be deposited via EFT into the customer's nominated bank account by the department.
- C1.11 Confidentiality
 - C1.11.1 Retailers are required to protect the confidentiality of eligible customers to ensure that their records are not used for any purpose other than the delivery of the rebate or as stipulated in this Code for audit purposes.

PART D

D1. Energy Accounts Payment Assistance (EAPA)

- D1.1 Overview
 - EAPA is a NSW Government scheme designed to help residential energy customers who are financially disadvantaged and experience difficulty paying their residential gas and/or electricity bill owing to a crisis or emergency situation. The EAPA Scheme is administered by the department and is aimed at helping these people stay connected to essential energy services.
 - D1.1.1 The EAPA Scheme is a crisis program and is not intended to offer ongoing income support, nor is EAPA intended to relieve retailers of their obligations to manage their customers' debts in a fair and equitable manner. A person who is experiencing genuine difficulty paying their residential gas and/or electricity bill should first contact their retailer to see if alternative payment arrangements can be negotiated, such as deferred payment, pay-as-you-go plans/Centrepay and budget management services.
 - D1.1.2 Community Welfare Organisations (CWOs) apply the "EAPA Delivery Guidelines" when undertaking an assessment interview with an EAPA applicant.
 - D1.1.3 It is important that retailers are aware of this Guideline and how it interacts with the retailers' hardship program. This is because, where a significant exception to the Guideline is made, it may indicate that the retailer's assistance is required to address on-going hardship with regard to access to electricity and natural gas, in accordance with their obligations under the relevant legislative and policy framework.
 - D1.1.4 Retailers are not to use EAPA to meet their obligations to assist customers in financial hardship to manage their bills.
 - D1.1.5 A residential customer may receive EAPA, concurrently with any rebates, subject to meeting the eligibility requirements for each particular social program for energy.
- D1.2 Delivery of EAPA by CWOs
 - D1.2.1 EAPA assistance is generally issued by CWOs and one particular energy retailer's hardship team, in the form of \$50 vouchers. These vouchers must either be attached by a customer to their original energy bill, taken or sent to the customer's retailer or presented via a retailer's authorised payment agent, as a contribution towards the customer's energy bills.
 - D1.2.2 Rules and procedures for the administration of EAPA by CWOs are outlined in the EAPA Delivery Guidelines (the Guidelines) issued by the department. These Guidelines cover matters such as validity of vouchers (for example, whether EAPA can be used to put an account into credit and how vouchers must be completed).
 - D1.2.3 To provide guidance to retailers as to the validity of vouchers, a copy of these Guidelines is available from the department.
 - D1.2.4 Retailers must not inform customers that they will receive a certain amount of EAPA. The amount of EAPA provided to a customer is determined by the CWO.
 - D1.2.5 Retailers must also make all attempts to assist CWOs in complying with the Guidelines (for example, by providing direct, dedicated, free call numbers to retailer hardship units and working cooperatively to resolve issues concerning customers).
- D1.3 Acceptance of EAPA by retailers
 - D1.3.1 Retailers must accept all valid EAPA vouchers offered in payment of an account (except in any of the circumstances in clause D1.4).
 - D1.3.2 Retailers must take steps to ensure that customers can make payments using EAPA vouchers at Australia Post outlets and by other over-the-counter methods.

- D1.3.3 Retailers must also keep the department informed of all payment options for EAPA, including addresses for posting EAPA vouchers.
- D1.3.4 Retailers must have systems in place to enable them to deliver EAPA in accordance with the Code.
- D1.4 Circumstances where EAPA is not to be used
 - D1.4.1 EAPA vouchers must not be accepted where this will place a customer's account into credit. In these cases, a retailer must reject as many vouchers as required to ensure the account is not placed into credit and inform the department each month using the electronic reporting system. The retailer must notify the customer of any voucher cancellation, and the effect upon the customer's account balance.
 - D1.4.2 EAPA must not be relied upon by a retailer to address on-going hardship for a specific customer, to manage bad debts or as an alternative to managing customer hardship in accordance with any relevant legislation or internal policies.
 - D1.4.3 EAPA must not be used for non-consumption related charges (for example, late fees, disconnection and reconnection fees).
- D1.5 Retailers assisting CWOs
 - D1.5.1 Each retailer must have in place a direct dedicated, telephone enquiry number for CWOs to contact that retailer to confirm the details of a customer seeking EAPA assistance. Calls to this line must be answered or call backs made as soon as reasonably practicable, as an inability to contact a retailer may cause difficulties for the CWO in assessing the customer for EAPA.
 - D1.5.2 These contact details must be provided to the department by each retailer and any changes must be notified to the department immediately.
 - D1.5.3 Current contact listings for CWOs that are able to assess customers for EAPA assistance are on the department's website at www.resourcesandenergy.nsw.gov.au.
 - D1.5.4 Retailers are required to provide to their customers information on Government funded rebates and programs, including EAPA. This means a retailer can refer a customer to one or more CWOs only if the assistance provided to a customer by the retailer is not sufficient to help a customer resolve their difficulty paying an energy bill or where additional assistance may be appropriate. CWOs will assess customers under the Guidelines and it is at the discretion of the CWO whether or not EAPA will be granted to a customer.
 - D1.5.5 Retailers can also assist their customers to be assessed for EAPA vouchers by implementing an appropriate payment plan or making other appropriate referrals, for instance, to a financial counsellor.
 - D1.5.6 Where a retailer refers a customer to a CWO, the retailer must also inform the customer of the requirement to take their original bill when they attend an EAPA assessment interview.
 - D1.5.7 The "original bill" refers to the first issued bill for the current payment period, for which the customer is seeking EAPA assistance. A copy of an original bill supplied by a retailer may be considered an original bill.
 - D1.5.8 Retailers may be required to assist a CWO to establish the details of a customer seeking EAPA assistance (for example, where a customer does not have an original bill). If a customer does not have their original bill or receives their bill via email, the CWO will be required to contact the retailer to confirm the customer's account details.
 - D1.5.9 Retailers must be aware that not all customers who seek EAPA assistance will receive EAPA vouchers. Suitability for assistance is determined following an assessment conducted by the CWO, and vouchers are granted based on availability. A retailer must explain this to a customer when making a referral to assist in managing the customer's expectations.
 - D1.5.10 It is generally not appropriate to refer customers with large debts that have been allowed to accumulate over a long period of time to a CWO without adequate consideration of other options and attempts to assist the customer in accordance with laws and internal policy and without discussing the matter with the CWO. In many cases, a CWO will not be equipped to handle such cases and other types of referrals may be more appropriate (for example, to a financial counsellor).
- D1.6 Prohibition on disconnection during EAPA assessment
 - D1.6.1 If a customer is awaiting assessment for EAPA assistance, the retailer is required to defer electricity or natural gas disconnection until a CWO has assessed the customer.
- D1.7 Financial year expiry
 - D1.7.1 EAPA vouchers remain current for one financial year. They become invalid and cannot be accepted by retailers after 14 July in the next financial year. That is, retailers may accept EAPA vouchers issued on or before 30 June if they are presented as payment within 14 days of issue. Each voucher is printed with the date to which it will remain valid.
 - D1.7.2 To identify vouchers from different financial years, vouchers are colour coded and have a unique prefix identifier.
- D1.8 Residential electricity and gas consumption only
 - D1.8.1 Vouchers may only be presented as payment towards electricity and natural gas consumption supplied under a residential tariff, and only on behalf of the person/s named on the account.

- D1.8.2 If a customer presents a voucher for non-consumption charges, the retailer must advise the customer that the vouchers have not been applied to their account because EAPA can only be used for electricity and/or natural gas consumed and that the vouchers have been cancelled. These vouchers must be rejected/cancelled and reported to the department each month using the electronic reporting system.
- D1.8.3 EAPA can only be issued to customers residing in NSW, regardless of their retailer.
- D1.9 Voucher validity
- D1.9.1 Retailers are required to assess the vouchers for validity before applying them to a customer's account. Vouchers are valid if they comply with the requirements set out in the CWO EAPA Delivery Guidelines. All vouchers must be:
- a. completed with the required information;
 - b. signed and stamped with the stamp of the issuing CWO.
- D1.9.2 Vouchers are only valid for the financial year in which they are distributed by the department.
- D1.9.3 Vouchers are only valid for the number of days from the date of issue as stated on the voucher.
- D1.10 EAPA vouchers issued by two or more CWOs
- D1.10.1 If vouchers from two or more CWOs are presented at the same time for payment of a bill, voucher(s) from only one organisation will be accepted unless the tick boxes at the right-hand side of the voucher(s) has been ticked and signed. Retailers must check that this has been done to ensure the second issue of vouchers is valid.
- D1.10.2 If the tick box has not been signed, a retailer must phone the second issuing CWO and find out if they are aware of the first issue of vouchers. If the CWO is aware and confirms the validity of the second issue of vouchers, the retailer must accept all the vouchers as payment on the account.
- D1.10.3 If the second issue of vouchers cannot be validated by the CWO, retailers must forward the vouchers to the department with an explanation. The retailer must tell the customer that these vouchers cannot be credited to their account. The customer should be sent a written acknowledgement stating the number of vouchers retained.
- D1.10.4 The department will then contact the issuing CWO with an explanation of why they have been invalidated.
- D1.11 Fraud or misrepresentation
- D1.11.1 If a retailer suspects or has evidence that either CWO or customers fraud or misrepresentation has occurred, the retailer must contact the department immediately and then confirm the suspicion in writing, either by letter or email.
- D1.12 Voucher storage
- D1.12.1 Retailers must retain EAPA vouchers for a minimum of seven years from the date of redemption and make these available for audits by the department, or an agent of the department, upon request.
- D1.13 Loss or theft
- D1.13.1 Occasionally EAPA vouchers are reported to the department as lost or stolen.
- D1.13.2 The department will track if these vouchers have been presented to a retailer via the retailer's monthly usage reports. The department will then notify the retailer of the course of action to be taken. For example, if vouchers are stolen and presented, the account to which the vouchers were applied will be reversed (to the extent of the EAPA voucher value).
- D1.14 Invalid or rejected vouchers
- D1.14.1 All invalid or rejected EAPA vouchers are to be reported by the retailer (who received them) to the department each month using the electronic reporting system.
- D1.15 Recording EAPA usage
- D1.15.1 For an account where EAPA has been received, the retailer must reference a customer's use of EAPA on their previous bill, and the amount they were presented for payment. This assists CWOs in assessing if EAPA is being used for on-going income support.
- D1.15.2 A best practice example of how EAPA voucher usage would be recorded on a customer's bill is at D1.15.3 where it would indicate that \$200 worth of EAPA vouchers were applied to the customer's account on 12 July 2013. A retailer may provide this information using an alternate method.
- D1.15.3 Payment History: "EAPA VOUCHER 12/07/2013 \$200".
- D1.16 Acquittal statement and electronic reporting
- D1.16.1 Reimbursement is made by the department for valid EAPA vouchers presented by customers to the retailer, during the previous month.
- D1.16.2 Retailers should submit a report to the department each month including information such as voucher serial numbers, pre and post EAPA balances for customer accounts and customer supply addresses, for the previous month. These reports must be in a form specified by the department. This report must be submitted using the Department's electronic reporting system.
- D1.16.3 Retailers must separately provide the department with a tax invoice and an acquittal statement corresponding to each monthly report. The acquittal statement is to state the amount for which the retailer is seeking reimbursement. Monthly reimbursement for administration costs must also be claimed at this time.

- D1.16.4 Administration costs are to be calculated based on \$0.80 per bill (per customer account) regardless of how many vouchers are presented in a transaction.
- D1.16.5 The acquittal statement must be certified and signed by an appropriately responsible person nominated by the retailer. Each retailer must communicate the name of the nominated person/s to the department for verification purposes.
- D1.16.6 Retailers must retain records of EAPA transactions including voucher serial numbers, pre and post EAPA balances for customer accounts, customer supply addresses and voucher serial numbers for those vouchers which have been cancelled or rejected by the retailer in accordance with this Code.
- D1.17 Compliance
- D1.17.1 Retailers must establish and maintain accounting procedures and records to enable periodic reports to be prepared to substantiate compliance with the Code.
- D1.17.2 Retailers must, upon request, provide such reports to the Minister, the department or any auditor appointed by the department.
- D1.17.3 Retailers must maintain records to substantiate compliance with the Code for a period of seven years.

MINERALS

(09-2904)

NOTICE is given that the following applications have been received:

Authorisation No. 201, ENDEAVOUR COAL PTY LIMITED (ACN 099 830 476), area of 484 hectares. Application for renewal received 24 June 2014.

MINING LEASE APPLICATIONS

(T14-1507)

No. 476, HUNTER VALLEY ENERGY COAL PTY LTD (ACN 062 894 464), area of about 46.84 hectares, for the purpose of all purposes, dated 19 May 2014. (Singleton Mining Division).

(09-2905)

Authorisation No. 306, ENDEAVOUR COAL PTY LIMITED (ACN 099 830 476), area of 1473 hectares. Application for renewal received 24 June 2014.

(T14-1508)

No. 477, CUMNOCK NO.1 COLLIERY PTY LIMITED (ACN 051 932 122) AND ICRA CUMNOCK PTY LTD (ACN 129 006 819), area of about 5.8 hectares, for the purpose of all purposes, dated 21 May 2014. (Singleton Mining Division).

(09-2906)

Authorisation No. 370, ENDEAVOUR COAL PTY LIMITED (ACN 099 830 476), area of 3129 hectares. Application for renewal received 24 June 2014.

(09-2907)

Authorisation No. 396, ENDEAVOUR COAL PTY LIMITED (ACN 099 830 476), area of 7225 hectares. Application for renewal received 24 June 2014.

The Hon. ANTHONY ROBERTS, M.P.,
Minister for Resources and Energy

(09-2908)

Authorisation No. 397, ENDEAVOUR COAL PTY LIMITED (ACN 099 830 476), area of 407 hectares. Application for renewal received 24 June 2014.

NOTICE is given that the following applications have been withdrawn:

MINING LEASE APPLICATIONS

(T09-0058)

Broken Hill No. 328, PINNACLE MINES PTY LTD (ACN 000 289 627), Parish of Alma, County of Yancowinna, (7133-1-N). Withdrawal took effect on 24 June 2014.

(T11-0244)

Exploration Licence No. 7952, WESTLIME PTY LIMITED (ACN 090 152 828), area of 5 units. Application for renewal received 25 June 2014.

(T09-0059)

Broken Hill No. 329, PINNACLE MINES PTY LTD (ACN 000 289 627), Parish of Alma, County of Yancowinna, (7133-1-N). Withdrawal took effect on 24 June 2014.

(T11-0245)

Exploration Licence No. 7953, WESTLIME PTY LIMITED (ACN 090 152 828), area of 6 units. Application for renewal received 25 June 2014.

The Hon. ANTHONY ROBERTS, M.P.,
Minister for Resources and Energy

The Hon. ANTHONY ROBERTS, M.P.,
Minister for Resources and Energy

REFUSAL OF APPLICATION FOR RENEWAL

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

NOTICE is given that the application for renewal in respect of the following authority has been refused:

(09-2902)

Authorisation No. 199, ENDEAVOUR COAL PTY LIMITED (ACN 099 830 476), area of 1072 hectares. Application for renewal received 24 June 2014.

(06-4150)

Exploration Licence No. 6753, GOLDEN CROSS OPERATIONS PTY. LTD. (ACN 050 212 827), County of Blaxland, Map Sheet (8132), area of 18 units. The authority ceased to have effect on 12 June 2014.

The Hon. ANTHONY ROBERTS, M.P.,
Minister for Resources and Energy

PRIMARY INDUSTRIES

ANIMAL DISEASES AND ANIMAL PESTS (EMERGENCY OUTBREAKS) ACT 1991

Section 28

9th Further Extension of Importation Order Abalone (No. 10)

I, THERESE MARGARET WRIGHT, Deputy Chief Veterinary Officer, with the powers the Minister has delegated to me pursuant to section 67 of the Animal Diseases and Animal Pests (Emergency Outbreaks) Act 1991 ('the Act') and pursuant to sections 28 and 29 of the Act extend the operation of the importation order titled "Importation Order – Abalone (No. 10)" dated 20 September 2013 and published in the *New South Wales Government Gazette* No. 115 on 23 September 2013, at pages 4177-4179 for a further period of 30 days from the date this notice is published in the *New South Wales Government Gazette*.

Dated this 23rd day of June 2014.

THERESE MARGARET WRIGHT,
Deputy Chief Veterinary Officer

Note: The importation order titled "Importation Order – Abalone (No. 10)" dated 20 September 2013, was previously extended by the extension notice titled "8th Further Extension of Importation Order – Abalone (No. 10)" dated 28 May 2014 and published in *New South Wales Government Gazette* No. 49 on 30 May 2014, at page 1969.

FISHERIES MANAGEMENT ACT 1994

FISHERIES MANAGEMENT (AQUACULTURE) REGULATION 2012

Clause 33 (4) – Notice of Aquaculture Lease Renewal

THE Minister has renewed the following Class 1 Aquaculture Leases:

OL69/130 within the estuary of Port Stephens, having an area of 2.8547 hectares to Adrian SALM and Mark SALM of Lemon Tree Passage NSW, for a term of 15 years expiring on 11 March 2029.

OL82/205 within the estuary of Wonboyn River, having an area of 0.5310 hectares to Anthony BACON of Wonboyn NSW, for a term of 15 years expiring on 17 June 2029.

OL85/192 within the estuary of Nelson Lagoon, having an area of 0.8822 hectares to Michael JAY of Brogo NSW, for a term of 15 years expiring on 23 May 2029.

OL91/019 within the estuary of Wallis Lake, having an area of 1.4540 hectares to Kristian GOODWIN, Karen EHLEFELDT and Glen McLEAN of Forster NSW, for a term of 15 years expiring on 21 January 2029.

OL64/087 within the estuary of Wallis Lake, having an area of 4.8526 hectares to TADEVEN PTY LTD of Tuncurry NSW, for a term of 15 years expiring on 6 May 2029.

OL67/492 within the estuary of Wallis Lake, having an area of 0.7974 hectares to TADEVEN PTY LTD of Tuncurry NSW, for a term of 15 years expiring on 20 May 2029.

OL83/315 within the estuary of the Manning River, having an area of 1.9946 hectares to Peter MANSFIELD and Trevor MANSFIELD of Adamstown Heights NSW, for a term of 15 years expiring on 30 November 2028.

OL68/274 within the estuary of Wallis Lake, having an area of 0.7265 hectares to Ian BLOWS of Forster NSW, for a term of 15 years expiring on 6 May 2029.

OL84/130 within the estuary of the Macleay River, having an area of 0.5409 hectares to Keith CAMERON of Quirindi NSW, for a term of 15 years expiring on 27 May 2029.

OL83/131 within the estuary of Wallis Lake, having an area of 0.8560 hectares to Timothy BRAMBLE of Nabiac NSW, for a term of 15 years expiring on 4 May 2029.

OL70/455 within the estuary of the Pambula River, having an area of 3.2410 hectares Robert MOREY of Lochiel NSW, for a term of 15 years expiring on 14 April 2029.

BILL TALBOT,
Director,
Aquaculture and Aquatic Environment,
Fisheries Division,
NSW Department of Primary Industries

FISHERIES MANAGEMENT ACT 1994

FISHERIES MANAGEMENT (AQUACULTURE) REGULATION 2012

Clause 43 (9) – Notice of Aquaculture Lease Subdivision

THE Minister has subdivided the following Aquaculture Leases:

OL80/107 within the estuary of the Hastings River has been subdivided into two leases referred to as AL13/012 having an area of 0.3014 hectares and AL13/013 having an area of 0.2025 hectares to HOLIDAY COAST OYSTERS PTY LTD of Port Macquarie NSW, expiring on 19 December 2025.

BILL TALBOT,
Director,
Aquaculture and Aquatic Environment,
Fisheries Division,
NSW Department of Primary Industries

LANDS

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

**NOTICE OF PURPOSE OTHER THAN THE
DECLARED PURPOSE PURSUANT TO
SECTION 34A (2) OF THE
CROWN LANDS ACT 1989**

PURSUANT to section 34A (2) (b) of the Crown Lands Act 1989, the Crown reserve with the declared public purpose specified in Column 2 of the Schedule, is to be used or occupied for a purpose other than the declared purpose specified in Column 1 of the Schedule.

KEVIN HUMPHRIES, M.P.,
Minister for Natural Resources, Lands and Water

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Dam (Relevant Interest – Section 34A Licence – RI 525304).	Reserve No.: 26491. Public Purpose: Travelling stock.
Grazing (Relevant Interest – Section 34A Licence – RI 525304).	Notified: 4 September 1897. File No.: 13/15430.

GRAFTON OFFICE
49-51 Victoria Street, Grafton NSW 2460
(PO Box 2185, Dangar NSW 2309)
Phone: 1300 886 235 Fax: (02) 6642 5375

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

A draft plan of management has been prepared for the main southern section of Woolgoolga Beach Reserve (including Woolgoolga Beach Caravan Park) described hereunder, which is under the trusteeship of the Woolgoolga Beach Reserve Trust.

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

1. Grafton Crown Lands Office,
Department of Trade & Investment – Crown Lands,
Level 3, 49-51 Victoria Street, Grafton NSW;
2. Coffs Harbour City Council Chambers foyer,
2 Castle Street, Coffs Harbour NSW;
3. Woolgoolga Beach Caravan Park reception,
55 Beach Street, Woolgoolga NSW.

The draft plan may also be viewed on the Crown Lands website: www.crownland.nsw.gov.au and Coffs Harbour City Council website: www.coffsharbour.nsw.gov.au.

Representations in relation to the draft plan are invited from the public. These may be made in writing for a period of 6 weeks commencing 30 June 2014 and should be sent to: Coffs Harbour City Council, Locked Bag 155, Coffs Harbour NSW 2450, Attn: Jason Bailey or by email to jason.bailey@chcc.nsw.gov.au.

KEVIN HUMPHRIES, M.P.,
Minister for Natural Resources, Lands and Water

Description of Reserve

*Land District – Grafton; Parish – Woolgoolga;
Local Government Area – Coffs Harbour;
County – Fitzroy*

Part Reserve 63076, notified in the *New South Wales Government Gazette* of 27 November 1931, comprising Lot 276, DP 726462; Part Lot 277, DP 726463; Lot 2, DP 726466; Lot 236, DP 752853; Part Lot 15, Section 3, DP 759113; Lot 7024, DP 1054532; Lot 7028, DP 1054581; Lot 7025, DP 1054657; Lot 7038, DP 1054658; Lot 7027, DP 1054660; Lot 7033, DP 1055705; Lot 7041, DP 1056979; Lot 7040, DP 1056980; Lots 265 and 266, DP 1101355; Lot 7029, DP 1114099; Lot 7300, DP 1129142; Lot 7030, DP 1055286 and Lot 7026, DP 1056171.

Location: Woolgoolga NSW.

Public Purpose: Public recreation and resting place.

File No.: 13/00683.

**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.

KEVIN HUMPHRIES, M.P.,
Minister for Natural Resources, Lands and Water
and Minister for Western NSW

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Lands Administration Ministerial Corporation.	Greenridge Recreation Reserve Trust.	Reserve No.: 25342. Public Purpose: Public recreation. Notified: 9 January 1897. File No.: GF81 R 275.

Commencing the date of this notice.

ROADS ACT 1993

ORDER

Transfer of a Crown Road to Council

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

KEVIN HUMPHRIES, M.P.,
Minister for Natural Resources, Lands and Water
and Minister for Western NSW

SCHEDULE 1

*Parish – Billinudgel; County – Rous;
Land District – Murwillumbah;
Local Government Area – Byron*

Crown public road comprising whole Garden Avenue in Mullumbimby north Lots 159//755687 and 9-11/807176, intersection Rosewood Court; Lots 5-8, DP 793740; Lots 1-3, DP 262539; Lots 1-2, DP 710480, intersection Saligna Court; Lots 18-20, DP 710480; Lot 1, DP 786006; Lot 86, DP 755687 and Lot 82, DP 755687, as shown by red colour.



SCHEDULE 2

Byron Shire Council.

Crown Lands Reference: 14/01398.

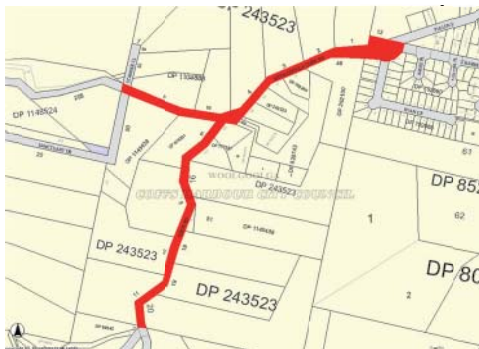
Council's Reference: Council resolution 09-638.

SCHEDULE 1

*Parish – Woolgoolga; County – Fitzroy;
Land District – Grafton;*

Local Government Area – Coffs Harbour City Council

Crown public road named Woolgoolga Creek Road extending from intersection of Stanner Close adjoining Lot 51, DP 1104888; eastward to the intersection of Pullen Street, Ryan Crescent and Crabbe Street adjoining Lot 12, DP 1059040 and Crown public road being part Greys Road commencing on the western boundary Lot 20, DP 243523; north to the intersection of Woolgoolga Creek Road adjoining Lot 111, DP 777531.



SCHEDULE 2

Coffs Harbour City Council.

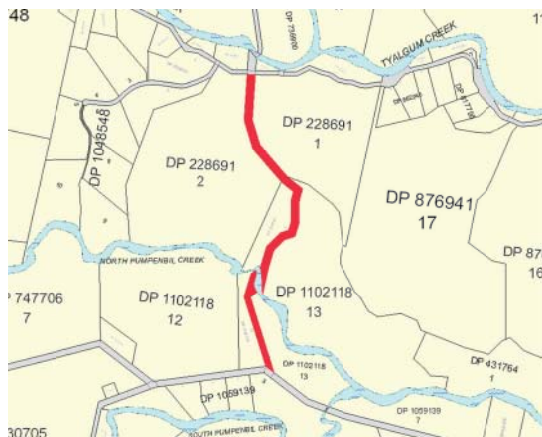
Crown Lands Reference: 13/10080.

Councils Reference: DOC14/084582.

SCHEDULE 1

*Parish – Tyalgum; County – Rous;
Land District – Murwillumbah;
Local Government Area – Tweed*

Crown public road known as Carabeen Road separating Lot 1 from Lot 2, DP 228691 and west and within Lot 13, DP 1102118.



SCHEDULE 2

Tweed Shire Council.

Crown Lands Reference: 14/05329.

Councils Reference: Crown Road Transfer.

SCHEDULE 1

*Parish – West Coraki; County – Richmond;
Local Government Area – Richmond Valley Council*

Crown public road south Lot 265 and Lot 266, DP 755631 and known as Morton Street, Coraki.

SCHEDULE 2

Richmond Valley Council.

Crown Lands Reference: 08/7200.

Councils Reference: MK:LM.

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.

KEVIN HUMPHRIES, M.P.,

Minister for Natural Resources, Lands and Water

SCHEDULE

Column 1

Land District: Grafton.

Local Government Area:

Clarence Valley Council.

Locality: Iluka.

Lot 7305, DP No. 1153847,

Parish Nanegai,

County Clarence.

Area: About 2318 square metres.

File No.: GF85 R 33.

Column 2

Reserve No.: 1037709.

Public Purpose: Public recreation.

Notes: This reservation will not affect Reserve 1011748 for the public purpose of access and public requirements, rural services, tourism purposes and environmental and heritage conservation, notified 18 August 2006.

Part Reserve 751379 for future public requirements, notified 29 June 2007, is hereby revoked by this reservation.

APPOINTMENT OF RESERVE TRUST

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

KEVIN HUMPHRIES, M.P.,

Minister for Natural Resources, Lands and Water

SCHEDULE

Column 1

Clarence Coast

Reserve Trust.

Column 2

Reserve No.: 1037709.

Public Purpose: Public recreation.

Notified: This day.

Lot/s DP.: Lot 7305,

DP 1153847, Parish

Nanegai, County Clarence.

Locality.: Iluka.

File No.: GF04 R 2.

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.

KEVIN HUMPHRIES, M.P.,
Minister for Natural Resources, Lands and Water

Description

*Parish – Murwillumbah; County – Rous;
Land District – Murwillumbah; L.G.A. – Tweed*

Road Closed: Lot 1, DP 1194676.

File No.: GF06 H 383.

Schedule

On closing, the land within Lot 1, DP 1194676 remains vested in the State of New South Wales as Crown land.

Description

*Parish – Mellburra; County – Jamison;
Land District – Narrabri; L.G.A. – Narrabri*

Road Closed: Lot 2, DP 1192314.

File No.: 13/13357.

Schedule

On closing, the land within Lot 2, DP 1192314 remains vested in the State of New South Wales as Crown land.

Description

*Parish – Boyd; County – Gough;
Land District – Glen Innes;
L.G.A. – Glen Innes Severn Shire*

Road Closed: Lot 1, DP 1195807.

File No.: 14/01954.

Schedule

On closing, the land within Lot 1, DP 1195807 remains vested in the State of New South Wales as Crown land.

Description

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

Road Closed: Lots 1-2, DP 1195816.

File No.: 14/01492.

Schedule

On closing, the land within Lots 1-2, DP 1195816 remains vested in the State of New South Wales as Crown land.

Description

*Parish – Sebastopol; County – Clarendon;
Land District – Cootamundra Central; L.G.A. – Temora*

Road Closed: Lot 1, DP 1190853.

File No.: WA06 H 381.

Schedule

On closing, the land within Lot 1, DP 1190853 remains vested in the State of New South Wales as Crown land.

Description

*Parish – Lismore; County – Rous;
Land District – Lismore; L.G.A. – Lismore*

Road Closed: Lot 1, DP 1192318.

File No.: 08/3845.

Schedule

On closing, the land within Lot 1, DP 1192318 remains vested in the State of New South Wales as Crown land.

Description

Land District – Grafton; L.G.A. – Clarence Valley

Roads Closed: Lot 1, DP 1191331 at Dirty Creek, Parish Red Rock, County Clarence.

DPI File Reference: 11/00977.

Schedule

On closing, the land within Lot 1, DP 1191331 remains vested in Clarence Valley Council as operational land for the purposes of the Local Government Act 1993.

Councils Reference: DWS654594.

Description

*Parishes – Eastlake and Mihi; County – Sandon;
Land District – Armidale; L.G.A. – Uralla*

Road Closed: Lot 1, DP 1196055.

File No.: AE07 H 66.

Schedule

On closing, the land within Lot 1, DP 1196055 remains vested in the State of New South Wales as Crown land.

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

**NOTICE OF PURPOSE OTHER THAN THE
DECLARED PURPOSE PURSUANT TO
SECTION 34A (2) OF THE
CROWN LANDS ACT 1989**

PURSUANT to section 34A (2) (b) of the Crown Lands Act 1989, the Crown reserve with the declared public purpose specified in Column 2 of the Schedule, is to be used or occupied for a purpose other than the declared purpose specified in Column 1 of the Schedule.

KEVIN HUMPHRIES, M.P.,
Minister for Natural Resources, Lands and Water

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Access (Relevant Interest – Section 34A Licence – RI 532986). Road Construction (Relevant Interest – Section 34A Licence – RI 532986).	Reserve No.: 1306 (duplicate reserve number 1002549). Public Purpose: Travelling stock. Notified: 19 January 1875. File No.: 14/02987.

MAITLAND OFFICE
141 Newcastle Road, East Maitland NSW 2323
(PO Box 2215, Dangar NSW 2309)
Phone: (02) 1300 886 235 Fax: (02) 4934 2252

ROADS ACT 1993

ORDER

Transfer of a Crown Road to a Council

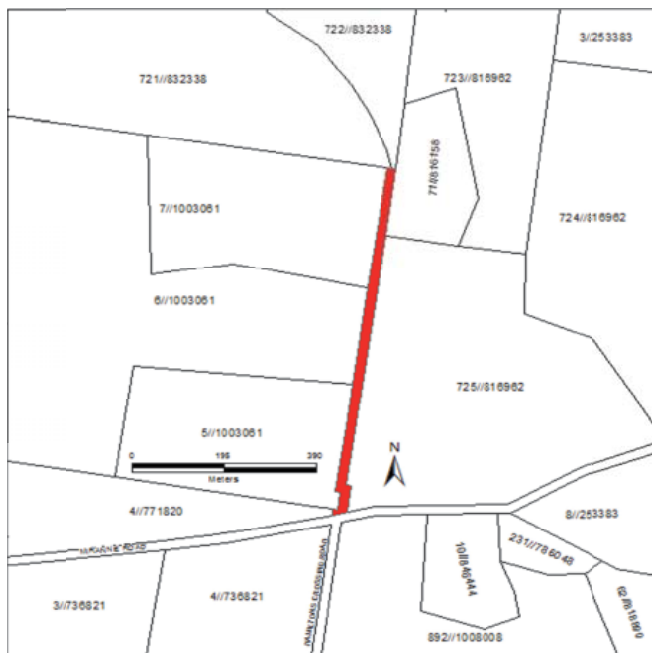
IN pursuance of the provisions of section 151, Roads Act 1993, the Crown road specified in Schedule 1 is transferred to the Roads Authority specified in Schedule 2 hereunder, as from the date of publication of this notice and as from that date, the road specified in Schedule 1 ceases to be a Crown road.

KEVIN HUMPHRIES, M.P.,
 Minister for Natural Resources, Lands and Water
 and Minister for Western NSW

SCHEDULE 1

*Parish – Mirannie; County – Durham;
 Land District – Maitland;
 Local Government Area – Singleton*

Crown public road extending north from the intersection of Mirannie Road and Hamilton Crossing Road and terminating at the southern boundary of Lots 721 and 722, DP 832338 (as highlighted in the diagram below).



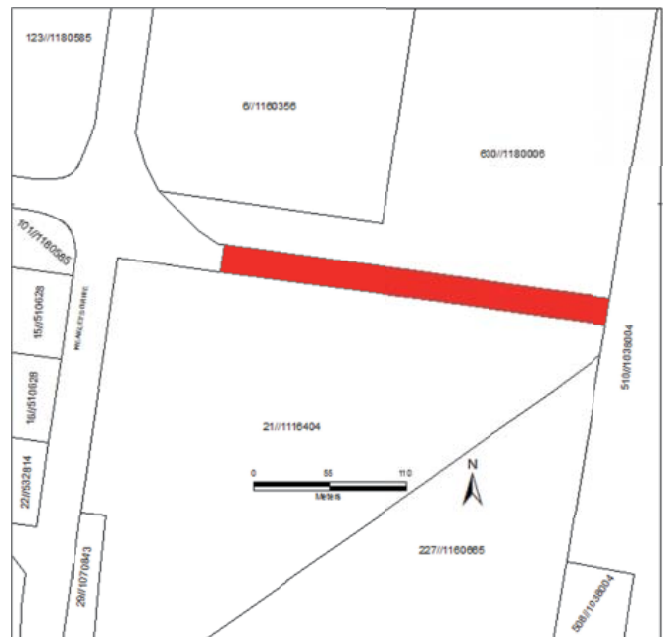
SCHEDULE 2

Roads Authority: Singleton Council.
 Council's Reference: 01/0142-2.
 Lands File Reference: 13/14674.

SCHEDULE 1

*Parish – Alnwick; County – Northumberland;
 Land District – Maitland;
 Local Government Area – Newcastle*

Crown public road commencing approximately 75m from the intersection of Weakleys Drive extending east along the northern boundary of Lot 21, DP 1116404 and terminating at the western boundary of Lot 510, DP 1038004 (as highlighted in the diagram below).



SCHEDULE 2

Roads Authority: Newcastle City Council.
 Council's Reference: 4679390.
 Lands File Reference: 14/05296.

ORDER – AUTHORISATION OF ADDITIONAL PURPOSE UNDER SECTION 121A

PURSUANT to section 121A of the Crown Lands Act 1989, I authorise by this Order, the purpose specified in Column 1 to be an additional purpose to the declared purpose of the reserves specified opposite thereto in Column 2 of the Schedule.

KEVIN HUMPHRIES, M.P.,
 Minister for Natural Resources, Lands and Water

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Urban Development.	Reserve No.: 62517. Public Purpose: Ambulance station. Notified: 20 February 1931. File No.: MD83 R 30.

**NOTICE OF PURPOSE OTHER THAN THE
DECLARED PURPOSE PURSUANT TO
SECTION 34A (2) OF THE
CROWN LANDS ACT 1989**

PURSUANT to section 34A (2) (b) of the Crown Lands Act 1989, the Crown reserve with the declared public purpose specified in Column 2 of the Schedules, is to be used or occupied for a purpose other than the declared purpose specified in Column 1 of the Schedules.

KEVIN HUMPHRIES, M.P.,
Minister for Natural Resources, Lands and Water

SCHEDULE 1

<i>Column 1</i>	<i>Column 2</i>
Site Investigation (Relevant Interest – Section 34A Licence – RI 535987). File No.: 14/05315.	Reserve No. 56146. Public Purpose: Generally. Notified: 11 May 1923.

SCHEDULE 2

<i>Column 1</i>	<i>Column 2</i>
Site Investigation (Relevant Interest – Section 34A Licence – RI 535987). File No.: 14/05315.	Reserve No.: 1011268. Public Purpose: Future public requirements. Notified: 3 February 2006.

APPOINTMENT OF TRUST BOARD MEMBERS

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

KEVIN HUMPHRIES, M.P.,
Minister for Natural Resources, Lands and Water

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Peter Charles HARVEY (re-appointment). Peter John HEDGES (re-appointment). Gregory Joseph SATTLER (re-appointment). Neil Bridgeman CROMARTY (re-appointment). Brian Thomas BOUGHTON (re-appointment).	East Maitland War Memorial and Rest Park Trust.	Dedication No.: 570070. Public Purpose: War memorial and rest park. Notified: 11 February 1955. File No.: MD80 R 196.

Term of Office

For a term commencing the date of this notice and expiring
26 June 2019.

MOREE OFFICE
Frome Street (PO Box 388), Moree NSW 2400
Phone: (02) 6752 5055 Fax: (02) 6752 1707

**NOTICE OF PURPOSE OTHER THAN THE
DECLARED PURPOSE PURSUANT TO
SECTION 34A (2) OF THE
CROWN LANDS ACT 1989**

PURSUANT to section 34A (2) (b) of the Crown Lands Act 1989, the Crown reserve with the declared public purpose specified in Column 2 of the Schedules, is to be used or occupied for a purpose other than the declared purpose specified in Column 1 of the Schedules.

KEVIN HUMPHRIES, M.P.,
Minister for Natural Resources, Lands and Water

SCHEDULE 1

<i>Column 1</i>	<i>Column 2</i>
Cultivation (Relevant Interest – Section 34A Licence – RI 511114).	Reserve No.: 26574. Public Purpose: Travelling stock. Notified: 18 September 1897. File No.: 13/14014.
Grazing (Relevant Interest – Section 34A Licence – RI 511114).	

SCHEDULE 2

<i>Column 1</i>	<i>Column 2</i>
Grazing (Relevant Interest – Section 34A Licence – RI 529182).	Reserve No.: 65977. Public Purpose: Resting place. Notified: 15 May 1936. File No.: 14/00580.
Access (Relevant Interest – Section 34A Licence – RI 529182).	

NEWCASTLE OFFICE
437 Hunter Street, Newcastle NSW 2300
(PO Box 2215, Dangar NSW 2309)
Phone: (02) 1300 886 235 Fax: (02) 4925 3517

**NOTICE OF PUBLIC PURPOSE PURSUANT TO
SECTION 34A (2) (B) OF THE
CROWN LANDS ACT 1989**

PURSUANT to section 34A (2) (b) of the Crown Lands Act 1989, the Crown reserve specified in Column 1 of the Schedule is to be occupied for the additional purpose specified in Column 2 of the Schedule.

KEVIN HUMPHRIES, M.P.,
Minister for Natural Resources, Lands and Water

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Reserve No.: 28820.	Communication facilities.
Public Purpose: Public recreation.	
Notified: 14 January 1899.	
Parish: Mulwala.	
County: Denison.	

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.

KEVIN HUMPHRIES, M.P.,
Minister for Natural Resources, Lands and Water

Description

*Parish – South Colah; County – Cumberland;
Land District – Metropolitan; L.G.A. – Hornsby*

Road Closed: Lot 55, DP 1196595.
File No.: 11/02352.

Schedule

On closing, the land within Lot 55, DP 1196595 remains vested in Hornsby Shire Council as operational land for the purposes of the Local Government Act 1993.

Council Reference: F2010/00139.

Description

*Parish – Snowy; County – Clarke;
Land District – Armidale; L.G.A. – Armidale Dumaresq*

Road Closed: Lot 4, DP 1192376.
File No.: AE06 H 439.

Schedule

On closing, the land within Lot 4, DP 1192376 remains vested in the State of New South Wales as Crown land.

Description

*Parish – Terania; County – Rous;
Land District – Lismore; L.G.A. – Lismore*

Road Closed: Lot 2, DP 1172892.
File No.: GF06 H 174.

Schedule

On closing, the land within Lot 2, DP 1172892 remains vested in the State of New South Wales as Crown land.

Description

*Parish – Duval; County – Sandon;
Land District – Armidale; L.G.A. – Armidale Dumaresq*

Road Closed: Lot 1, DP 1193590.
File No.: 09/09166.

Schedule

On closing, the land within Lot 1, DP 1193590 remains vested in the State of New South Wales as Crown land.

On closing, the land within Lot 1, DP 1193590 becomes vested in the State of New South Wales as Crown Land.

Council's Reference: A02/0006-2 INT/2010/12556.

Description

*Parish – Gladstone; County – Raleigh;
Land District – Bellingen; L.G.A. – Bellingen*

Road Closed: Lot 1, DP 1173972.
File No.: 11/02872.

Schedule

On closing, the land within Lot 1, DP 1173972 remains vested in the State of New South Wales as Crown land.

Description

*Parishes – Buddabadah and Merrillba;
Counties – Oxley and Flinders;
Land District – Nyngan; L.G.A. – Bogan*

Road Closed: Lots 1-2, DP 1188515.
File No.: 09/11680.

Schedule

On closing, the land within Lots 1-2, DP 1188515 remains vested in the State of New South Wales as Crown land.

Description

*Parish – Carrawabbity; County – Ashburnham;
Land District – Forbes; L.G.A. – Forbes*

Road Closed: Lot 2, DP 1196111.
File No.: 13/16246.

Schedule

On closing, the land within Lot 2, DP 1196111 remains vested in the State of New South Wales as Crown land.

Description

*Parish – Trigalong; County – Bland;
Land District – Temora; L.G.A. – Temora*

Road Closed: Lot 2, DP 1190294 (subject to right of carriageway created by Deposited Plan DP 1190294).

File No.: 13/04237:JT.

Schedule

On closing, the land within Lot 2, DP 1190294 remains vested in the State of New South Wales as Crown land.

Description

*Parish – Loombah; County – Gordon;
Land District – Molong; L.G.A. – Wellington*

Road Closed: Lot 3, DP 1196357.

File No.: 13/12349 RS.

Schedule

On closing, the land within Lot 3, DP 1196357 remains vested in the State of New South Wales as Crown land.

Description

*Parish – Loombah; County – Gordon;
Land District – Molong; L.G.A. – Wellington*

Road Closed: Lot 2, DP 1196357.

File No.: CL/00260 RS.

Schedule

On closing, the land within Lot 2, DP 1196357 remains vested in the State of New South Wales as Crown land.

Description

*Parish – Loombah; County – Gordon;
Land District – Molong; L.G.A. – Wellington*

Road Closed: Lot 1, DP 1196358.

File No.: 14/01098 RS.

Schedule

On closing, the land within Lot 1, DP 1196358 remains vested in the State of New South Wales as Crown land.

Description

*Parish – Bungaba; County – Bligh;
Land District – Mudgee; L.G.A. – Mid-Western Regional*

Road Closed: Lot 3, DP 1195068.

File No.: 09/15053.

Schedule

On closing, the land within Lot 3, DP 1195068 remains vested in Mid-Western Regional Council as operational land for the purposes of the Local Government Act 1993.

In accordance with section 44 of the Roads Act 1993, the Crown consents to the land in Lot 3, DP 1195068 being vested in Mid-Western Regional Council as operational land, to be given by the Council as compensation for other land acquired by the Council for the purpose of the Roads Act.

Council Reference: R0212002.

Description

*Parish – Branxton; County – Northumberland;
Land District – Maitland; L.G.A. – Cessnock*

Road Closed: Lots 2-5, DP 729973 and Lot 1, DP 1192668 (subject to right of carriageway created by Deposited Plan 1192668).

File No.: 12/05419 : BA.

Schedule

On closing, the land within Lots 2-5, DP 729973 and Lot 1, DP 1192668 remains vested in the State of New South Wales as Crown land.

Description

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

Road Closed: Lot 1, DP 1194393.

File No.: 13/10916.

Schedule

On closing, the land within Lot 1, DP 1194393 remains vested in the State of New South Wales as Crown land.

Description

*Parish – Mulyan; County – Wellington;
Land District – Orange; L.G.A. – Cabonne*

Road Closed: Lot 1, DP 1196878 (subject to right of carriageway created by Deposited Plan 1196878).

File No.: 08/3047.

Schedule

On closing, the land within Lot 1, DP 1196878 remains vested in the State of New South Wales as Crown land.

Description

*Parish – Adelyne; County – Lincoln;
Land District – Dunedoo Central; L.G.A. – Warrumbungle*

Road Closed: Lots 1-2, DP 1194674.

File No.: 12/03185.

Schedule

On closing, the land within Lots 1-2, DP 1194674 remains vested in the State of New South Wales as Crown land.

Description

*Parishes – Gilgies and Geweroo;
Counties – Canbelego and Flinders;
Land District – Nyngan; L.G.A. – Bogan*

Road Closed: Lots 1-2, DP 1195323.

File No.: 11/04072.

Schedule

On closing, the land within Lots 1-2, DP 1195323 remains vested in the State of New South Wales as Crown land.

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

ROADS ACT 1993

ORDER

Transfer of a Crown Road to Council

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

KEVIN HUMPHRIES, M.P.,
 Minister for Natural Resources, Lands and Water
 and Minister for Western NSW

SCHEDULE 1

*Land District – Picton;
 Local Government Area – Wollondilly Shire;
 Parish – Wilton; County – Camden*

Crown public road known as Wollondilly Street at Wilton as shown by solid black shading on the diagram hereunder.



SCHEDULE 2

Roads Authority: Wollondilly Shire Council.
 File No.: 14/03738.

SCHEDULE 1

*Land District – Picton;
 Local Government Area – Wollondilly Shire;
 Parish – Wilton; County – Camden*

Crown public road known as Broughton Street at Wilton as shown by solid black shading on the diagram hereunder.



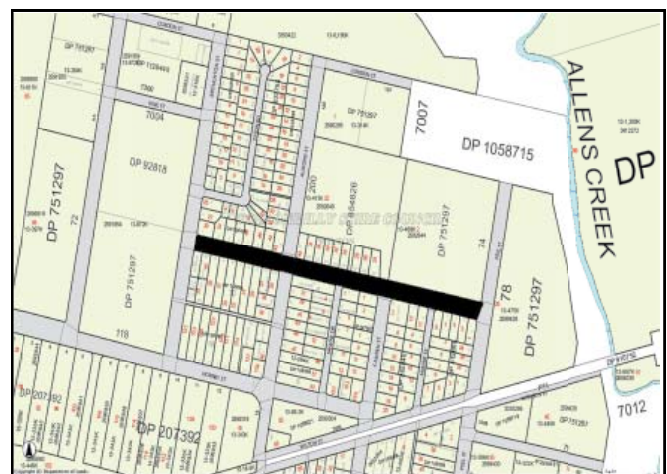
SCHEDULE 2

Roads Authority: Wollondilly Shire Council.
 File No.: 14/03738.

SCHEDULE 1

*Land District – Picton;
 Local Government Area – Wollondilly Shire;
 Parish – Wilton; County – Camden*

Crown public road known as Campsie Street at Wilton as shown by solid black shading on the diagram hereunder.



SCHEDULE 2

Roads Authority: Wollondilly Shire Council.
 File No.: 14/03738.

SCHEDULE 1

*Land District – Picton;
 Local Government Area – Wollondilly Shire;
 Parish – Wilton; County – Camden*

Crown public road known as Almond Street at Wilton as shown by solid black shading on the diagram hereunder.



SCHEDULE 2

Roads Authority: Wollondilly Shire Council.
File No.: 14/03738.

SCHEDULE 1

*Land District – Picton;
Local Government Area – Wollondilly Shire;
Parish – Wilton; County – Camden*

Crown public road known as Swaine Drive at Wilton as shown by solid black shading on the diagram hereunder.



SCHEDULE 2

Roads Authority: Wollondilly Shire Council.
File No.: 14/03738.

SCHEDULE 1

*Land District – Picton;
Local Government Area – Wollondilly Shire;
Parish – Wilton; County – Camden*

Crown public road known as Miriam Street at Wilton as shown by solid black shading on the diagram hereunder.



SCHEDULE 2

Roads Authority: Wollondilly Shire Council.
File No.: 14/03738.

SCHEDULE 1

*Land District – Picton;
Local Government Area – Wollondilly Shire;
Parish – Wilton; County – Camden*

Crown public road known as Camden Street at Wilton as shown by solid black shading on the diagram hereunder.



SCHEDULE 2

Roads Authority: Wollondilly Shire Council.
File No.: 14/03738.

SCHEDULE 1

*Land District – Picton;
Local Government Area – Wollondilly Shire;
Parish – Wilton; County – Camden*

Crown public road known as Peel Street at Wilton as shown by solid black shading on the diagram hereunder.



SCHEDULE 2

Roads Authority: Wollondilly Shire Council.
File No.: 14/03738.

SCHEDULE 1

*Land District – Picton;
Local Government Area – Wollondilly Shire;
Parish – Wilton; County – Camden*

Crown public road known as Hornby Street at Wilton as shown by solid black shading on the diagram hereunder.



SCHEDULE 2

Roads Authority: Wollondilly Shire Council.
File No.: 14/03738.

SCHEDULE 1

*Land District – Picton;
Local Government Area – Wollondilly Shire;
Parish – Wilton; County – Camden*

Crown public road known as Wonson Street at Wilton as shown by solid black shading on the diagram hereunder.



SCHEDULE 2

Roads Authority: Wollondilly Shire Council.
File No.: 14/03738.

SCHEDULE 1

*Land District – Picton;
Local Government Area – Wollondilly Shire;
Parish – Wilton; County – Camden*

Crown public road known as Wilton Street at Wilton as shown by solid black shading on the diagram hereunder.



SCHEDULE 2

Roads Authority: Wollondilly Shire Council.
File No.: 14/03738.

SCHEDULE 1

*Land District – Picton;
Local Government Area – Wollondilly Shire;
Parish – Wilton; County – Camden*

Crown public road known as Fitzroy Street at Wilton as shown by solid black shading on the diagram hereunder.



SCHEDULE 2

Roads Authority: Wollondilly Shire Council.
File No.: 14/03738.

SCHEDULE 1

*Land District – Picton;
Local Government Area – Wollondilly Shire;
Parish – Wilton; County – Camden*

Crown public road known as Argyle Street at Wilton as shown by solid black shading on the diagram hereunder.



SCHEDULE 2

Roads Authority: Wollondilly Shire Council.
File No.: 14/03738.

NOTICE OF PURPOSE OTHER THAN THE DECLARED PURPOSE PURSUANT TO SECTION 34A (2) OF THE CROWN LANDS ACT 1989

PURSUANT to section 34A (2) (b) of the Crown Lands Act 1989, the Crown reserve with the declared public purpose specified in Column 2 of the Schedules, is to be used or occupied for a purpose other than the declared purpose specified in Column 1 of the Schedules.

KEVIN HUMPHRIES, M.P.,
Minister for Natural Resources, Lands and Water

SCHEDULE 1

<i>Column 1</i>	<i>Column 2</i>
Grazing (Relevant Interest – Section 34A Licence – RI 528566).	Reserve No.: 90267.
Buffer Zone (Relevant Interest – Section 34A Licence – RI 528566).	Public Purpose: Future public requirements.
	Notified: 20 July 1973.
	File No.: 14/00371.

SCHEDULE 2

<i>Column 1</i>	<i>Column 2</i>
Encroachments (Relevant Interest – Section 34A Licence – RI 532490).	Reserve No.: 751656.
	Public Purpose: Future public requirements.
	Notified: 29 June 2007.
	File No.: 14/02361.

SCHEDULE 3

<i>Column 1</i>	<i>Column 2</i>
Environmental Protection and Sustainable Grazing (Relevant Interest – Section 34A Licence – RI 523040).	Reserve No.: 752048.
	Public Purpose: Future public requirements.
	Notified: 29 June 2007.
	File No.: 13/14094.

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

NOTIFICATION OF CLOSING OF A ROAD

IN pursuance 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.

KEVIN HUMPHRIES, M.P.,
Minister for Natural Resources, Lands and Water

Description

*Parish – Moonbi; County – Inglis;
Land District – Tamworth; L.G.A. – Tamworth Regional*

Road Closed: Lot 1, DP 1176390.

File No.: TH05 H 302.

Schedule

On closing, the land within Lot 1, DP 1176390 both remains and becomes vested in the State of New South Wales as Crown land.

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

**NOTICE OF PURPOSE OTHER THAN THE
DECLARED PURPOSE PURSUANT TO
SECTION 34A (2) OF THE
CROWN LANDS ACT 1989**

PURSUANT to section 34A (2) (b) of the Crown Lands Act 1989, the Crown reserve with the declared public purpose specified in Column 2 of the Schedules, is to be used or occupied for a purpose other than the declared purpose specified in Column 1 of the Schedules.

KEVIN HUMPHRIES, M.P.,
Minister for Natural Resources, Lands and Water

SCHEDULE 1

<i>Column 1</i>	<i>Column 2</i>
Recreation (Relevant Interest – Section 34A Licence – RI 535930).	Reserve No.: 70570. Public Purpose: Future public requirements. Notified: 22 May 1942. File No.: 14/05265.

SCHEDULE 2

<i>Column 1</i>	<i>Column 2</i>
Recreation (Relevant Interest – Section 34A Licence – RI 535930).	Reserve No.: 1011568. Public Purpose: Environmental protection, rural services, tourist facilities and services, future public requirements and public recreation. Notified: 12 May 2006. File No.: 14/05265.

SCHEDULE 3

<i>Column 1</i>	<i>Column 2</i>
Recreation (Relevant Interest – Section 34A Licence – RI 535930).	Reserve No.: 1036788. Public Purpose: Public recreation, environmental protection, rural services, future public requirements, tourist facilities and services. Notified: 16 November 2012. File No.: 14/05265.

WESTERN REGION OFFICE
45 Wingewarra Street, Dubbo NSW 2830
(PO Box 2185, Dangar NSW 2309)
Phone: (02) 6883 5400 Fax: (02) 6884 2067

GRANTING OF A WESTERN LANDS LEASE

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

The leases are subject to the provisions of the Western Lands Act 1901 and the Regulations thereunder. The land is to be used only for the purpose of **Residence**.

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

The Conditions and Reservations annexed to such leases are those Conditions published in the *New South Wales Government Gazette* of 20 March 2009, Folios 1416-1418.

All amounts due and payable to the Crown *must* be paid to the Department of Trade & Investment, Crown Lands by the due date.

KEVIN HUMPHRIES, M.P.,
Minister for Natural Resources, Lands and Water

SCHEDULE

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

WLL No.	Name of Lessee	File No.	Folio Identifier	Area (m ²)	Term of Lease	
					From	To
15212	Owen NEAN	13/15739	7/1065215	2404	18 June 2014	17 June 2034

FORFEITURE OF A WESTERN LANDS LEASE

IT is hereby notified for public information that in pursuance of section 28BA of the Western Lands Act 1901, the Western Lands Lease particularised hereunder has been forfeited.

KEVIN HUMPHRIES, M.P.,
Minister for Natural Resources, Lands and Water

Western Lands Lease No.: 14547.

Name of Lessee: Michael Moore.

Area Forfeited: Lot 81, DP 1057617 of 2496 square metres.

Administrative District: Walgett North.

Shire: Walgett.

Date of Forfeiture: 9 October 2013.

Reason for Forfeiture: Non payment of rent.

ADDITION TO RESERVED CROWN LAND

PURSUANT to section 88 of the Crown Lands Act 1989, the land specified in Column 1 of the Schedule hereunder, is added to the reserved land as specified opposite thereto in Column 2 of the Schedule.

KEVIN HUMPHRIES, M.P.,
Minister for Natural Resources, Lands and Water

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Land District: Walgett North. Local Government Area: Walgett. Locality: Lightning Ridge. Parish: Wallangulla. County: Finch. Lot 81, DP 1057617. Area: 2496 square metres. File No.: 09/18582-02.	Reserve No.: 1024168. Public Purpose: Opal mining, exploration and access.

**NOTICE OF PURPOSE OTHER THAN THE
DECLARED PURPOSE PURSUANT TO
SECTION 34A (2) OF THE
CROWN LANDS ACT 1989**

PURSUANT to section 34A (2) (b) of the Crown Lands Act 1989, the Crown reserve with the declared public purpose specified in Column 2 of the Schedules, is to be used or occupied for a purpose other than the declared purpose specified in Column 1 of the Schedules.

KEVIN HUMPHRIES, M.P.,
Minister for Natural Resources, Lands and Water

SCHEDULE 1

<i>Column 1</i>	<i>Column 2</i>
Bank Stabilisation Works (Relevant Interest – Section 34A Licence – RI 527684). Access (Relevant Interest – Section 34A Licence – RI 527684).	Reserve No.: 56146. Public Purpose: Generally. Notified: 11 May 1923. File No.: 13/16279.

SCHEDULE 2

<i>Column 1</i>	<i>Column 2</i>
Access (Relevant Interest – Section 34A Licence – RI 527684). Bank Stabilisation Works (Relevant Interest – Section 34A Licence – RI 527684).	Reserve No.: 1011268. Public Purpose: Future public requirements. Notified: 3 February 2006. File No.: 13/16279.

WATER

HUNTER WATER ACT 1991 (NSW)

HUNTER WATER REGULATION 2010 (NSW)

Notice of Water Restrictions

IT being in the public interest, for the purpose of maintaining the water supply, NOTICE is given in accordance with Clause 28 (2) of Part 4 of the Hunter Water Regulation 2010, of the following water restrictions, known as Water Wise Rules.

This notice takes effect at 12:01 a.m., on 1 July 2014. The water restrictions listed below remain in force until further notice; apply in the whole of the area of operations of Hunter Water Corporation; apply to all users of water supplied by Hunter Water Corporation and have effect despite the provisions of any contract relating to the supply of water by the Corporation.

Subject to the exclusions below, the following uses of water supplied by Hunter Water Corporation within its area of operations are not permitted at any time:

- by means of sprinklers, or other watering systems
- by means of hoses for the hosing of paths, driveways, concrete and other paved areas
- by means of hoses without a trigger nozzle for the application of water to lawns and gardens
- by means of fire fighting hoses except for fire fighting purposes or fire service testing.

The following uses are excluded from the restrictions:

- Watering of lawns and gardens before 10am and after 4pm on any day using a hand-held hose fitted with a trigger nozzle, sprinklers or watering systems including drip irrigation systems.
- Use of a hand held hose fitted with a trigger nozzle, sprinklers or other watering systems at any time by commercial nurseries, market gardeners, commercial growers, landscapers, mobile garden contractors and persons responsible for the maintenance of community gardens, bowling greens, cricket wickets, golf tees and greens, croquet, hockey, tennis and racing surfaces.
- Use of sprinklers or watering systems for the establishment of new lawn and gardens at any time for 14 days from the date of installation.
- Use of water for the purpose of cooling people or animals.
- Hosing of paths, driveways, concrete and other paved areas when cleaning with water is necessary for reasons (readily identifiable to an authorised person) of safety, health, emergency, construction activity or surface discoloration. Any use of water under this category of exclusion, which occurs as a part of any business undertaking, must be regulated so that the flow rate does not exceed 10 litres per minute, the hose used must be fitted with a trigger nozzle unless it is used to supply high pressure water cleaning equipment.

- Washing of all road vehicles (including cars, trucks, caravans and cars in car yards) and boats and their trailers using a hose fitted with a trigger nozzle, high pressure water cleaning equipment or a bucket.
- Flushing of boat engines using a hose.
- Washing of building structures, including windows, walls, gutters and roofing using a hose fitted with a trigger nozzle or high pressure water cleaning equipment.
- Filling or topping up of pools using a hose.
- The use of bore water; recycled water or rainwater except when the tank used for storage has also been supplied from Hunter Water's potable supply. The only exception is when the supply to the tank is for a purpose approved by Hunter Water.
- The use of water for fire fighting or any other essential approved purpose.
- The use of Hunter Water's water supply in the event of, or where there is a risk of, an accident, fire, hazard to health, safety or environment.
- Hunter Water is authorised to formulate both general and particular conditions of exclusion.

Note: Using water contrary to this notice is a penalty notice offence under Clause 28 (3) of Part 4 of the Hunter Water Regulation 2010. The penalty prescribed for non-compliance with these restrictions is \$220 for an individual and \$550 for a corporation.

Hunter Water Corporation is authorised to determine definitions of matters and equipment relating to water restrictions and to make these definitions available publicly.

The Hon. KEVIN HUMPHRIES, M.P.,
Minister for Natural Resources, Lands and Water

WATER ACT 1912

AN application for a new Surface Water Licence under section 10 of the Water Act 1912, as amended, has been received from:

Hugh Malcolm Roy McKENZIE and Kerrie Lee McKENZIE, for a pump and two dams on an unnamed watercourse on Lot 2, DP 1186681, Parish of Pappinbarra, County of Macquarie, for conservation of water and stock and domestic purposes (new licence). (Reference: 30SL067274).

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 NSW Office of Water, Locked Bag 10, Grafton NSW 2460, within the 28 days of this publication.

J. FINDLAY,
Senior Water Regulation Officer

Other Notices

ANTI-DISCRIMINATION ACT 1977

Exemption Order

UNDER the provisions of section 126 of the Anti-Discrimination Act 1977, an exemption is granted from sections 8 and 51, of the Anti-Discrimination Act 1977, to Northern Rivers Community Legal Centre, to advertise, recruit and employ an Aboriginal Legal Information Officer.

This exemption will remain in force for a period of three years from the date given.

Dated this 19th day of June 2014.

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

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.

Marrickville Climate Action Now Incorporated – Inc9886912
 Tocumwal Rodeo Incorporated – Inc9894614
 Orchard Hills Masonic Centre Incorporated – Inc9875109
 Deniliquin Motorcycle Association Incorporated – Inc9391802
 Icarus Performance Troupe Incorporated – Y2791402
 Jump'n Jaguars Trampoline Club Moree Incorporated – Inc9892567
 Australian College of Entertainment Incorporated – Inc9883729
 Lachlan Renewable Fuels Alliance Incorporated – Inc9886492
 Holy Trinity Faith Ministry Incorporated – Inc9894579
 Bivwak Incorporated – Inc9893353
 Sydney Fruitful Church Inc – Inc9894566
 Marsden Park/Schofields Action Group Incorporated – Inc9884376
 Castlereagh Advisory Centre Inc – Y0569020
 International Society of Developmental Biologists Congress 2005 Inc – Inc9882087
 Essere (To Be) Living Skills Inc – Inc9881576
 Metropolitan Aboriginal Association Incorporated – Y2904517
 Wirraway Aboriginal Womens Housing Scheme Inc – Y0204221
 Sydney Community Kollle Incorporated – Inc9882996
 French Lions Club of Sydney Incorporated – Inc9887190
 Cobras Rugby League Club Incorporated – Inc9886902

Y-Young Youth Services Incorporated – Inc9876127
 Macarthur Youth Commitment Inc – Inc9879384
 Rotary Club of Bathurst Macquarie Inc – Y1521838
 Nerriga Landcare Group Incorporated – Inc9880679
 Coffs Harbour Tournament Water Ski Club Incorporated – Inc9884063
 Pakistan Peoples Part Australia Incorporated – Inc9889046
 Holy Trinity Faith Ministry Incorporated – Inc9894579

Cancellation is effective as at the date of gazettal.

Dated this 25th day of June 2014.

ROBYNE LUNNEY,
Delegate of the Commissioner,
NSW Fair Trading

ASSOCIATIONS INCORPORATION ACT 2009

Cancellation of Incorporation Pursuant to Section 72

TAKE notice that the incorporation of the following associations is cancelled by this notice pursuant to section 72 of the Associations Incorporation Act 2009.

Alstonville Probus Club Ladies Inc – Y1598005
 Manly Jetz Swim Team Incorporated – Inc9878248
 Charity Tuesday Australia Incorporated – Inc9892799
 Nightingales Fundraising Association Incorporated – Inc9887814
 First Endurance International Incorporated – Inc9888407
 Oberon Senior Citizens Group Incorporated – Y2088518

Cancellation is effective as at the date of gazettal.

Dated this 25th day of June 2014.

ROBYNE LUNNEY,
Delegate of the Commissioner,
NSW Fair Trading

ASSOCIATIONS INCORPORATION ACT 2009

Cancellation of Registration Pursuant to Section 80

TAKE notice that ALLAMBI YOUTH SERVICES INCORPORATED (Y0154108) became registered under the Corporations Act 2001 as ALLAMBI CARE LIMITED – ACN 167 764 392, a public company limited by guarantee on the 11th day of June 2014 and accordingly its registration under the Associations Incorporation Act 2009 is cancelled as of that date.

Dated this 26th day of June 2014.

ANTHONY DONOVAN,
Delegate of the Commissioner,
NSW Fair Trading

CONTAMINATED LAND MANAGEMENT ACT 1997

Environment Protection Authority

Declaration of Significantly Contaminated Land

(Section 11 of the

Contaminated Land Management Act 1997)

Declaration Number 20141102; Area Number 3379

THE Environment Protection Authority (EPA) declares the following land to be significantly contaminated land under the Contaminated Land Management Act 1997 (CLM Act).

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

This declaration applies to the following land:

- The former BlueScope "Stainless Steel" site that is located at 13 Marely Place, Unanderra and identified as Lot 1 in DP 203687 and Lots 2 and 3 in DP 214572, and
- The portion of the rail corridor immediately to the north of the former BlueScope "Stainless Steel" site, which is part of Lot 45 in DP 1189567.

The site is within the local government area of Wollongong City Council.

A map showing the declared site is attached.

2. Nature of contamination affecting the site:

The EPA has found that the groundwater at the site is contaminated with the chlorinated solvent trichloroethylene (TCE).

3. Nature of harm that the contaminants may cause:

The EPA has considered the matters in section 12 of the Act and for the following reasons has determined that the land is contaminated and that the contamination is significant enough to warrant regulation under the Act:

- The groundwater beneath the northern section of the former Stainless Steel site building is contaminated with the chlorinated solvent trichloroethylene (TCE);
- The plume of contaminated groundwater has migrated off-site to the north beneath the rail corridor. An open channel lies within the rail corridor which is a tributary to Byarong Creek;
- There are potential health risks to the public (including nearby residents) who access and/or use the section of the open channel that is located within the rail corridor, as well as potential environmental risks to the waters of the channel and Byarong Creek;
- There are potential vapour risks to workers within the site building and to offsite workers performing subsurface works or accessing underground utilities; and
- The plume of contaminated groundwater may continue to migrate further off-site if the current management by the extraction of groundwater from the boundary wells were to cease.

4. Further action under the Act

The making of this declaration does not prevent the carrying out of voluntary management of the site and any person may submit a voluntary management proposal for the site to the EPA.

5. Submissions invited

The public may make written submissions to the EPA on:

- Whether the EPA should issue a management order in relation to the site; or

- Any other matter concerning the site.

Submissions should be made in writing to:

Manager Contaminated Sites
Environment Protection Authority
PO Box A290
Sydney South NSW 1232

or faxed to (02) 9995 6603

by not later than 21 July 2014.

Dated 23 June 2014.

NIALL JOHNSTON,
Manager, Contaminated Sites,
Environment Protection Authority

NOTE:**Management order may follow**

If management of the site or part of the site is required, the EPA may issue a management order under section 14 of the Act.

Amendment/Repeal

This declaration may be amended or repealed. It remains in force until it is otherwise amended or repealed. The subsequent declaration must state the reasons for the amendment or repeal (section 44 of the Act).

Information recorded by the EPA

Section 58 of the Act requires the EPA to maintain a public record. A copy of this significantly contaminated land declaration will be included in the public record.

Information recorded by councils

Section 59 of the Act requires the EPA to give a copy of this declaration to the relevant local council. The council is then required to note on its planning certificate issued pursuant to section 149 (2) of the Environmental Planning and Assessment Act 1979 that the land is declared significantly contaminated land. The EPA is required to notify council as soon as practicable when the declaration is no longer in force and the notation on the section 149 (2) certificate is no longer required.

Relationship to other regulatory instrument

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



Source: NSW SixViewer

Disclaimer: This report has been generated by various sources and is provided for information purposes only. Land and Property Information (LPI), a division of the Department of Finance and Services does not warrant or represent that the information is free from errors or omission, or that it is exhaustive. LPI gives no warranty in relation to the information, especially material supplied by third parties. LPI accepts no liability for loss, damage, or costs that you may incur relating to any use or reliance upon the information in this report.

DEFAMATION ACT 2005

ORDER

I, BRADLEY HAZZARD, M.P., Attorney General, in pursuance of section 35 (3) of the Defamation Act 2005, by this order, declare the amount that is to apply for the purposes of section 35 (1) of the Defamation Act 2005 to be \$366,000 from 1 July 2014.

Signed at Sydney this 13th day of June 2014.

BRAD HAZZARD, M.P.,
Attorney General

ELECTRICITY GENERATOR ASSETS (AUTHORISED TRANSACTIONS) ACT 2012

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land for Purposes of the Act

THE Electricity Assets Ministerial Holding Corporation, with the approval of Her Excellency the Governor, declares that the lands 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 Electricity Generator Assets (Authorised Transactions) Act 2012.

Dated at Sydney, this 13th day of June 2014.

ANDREW CONSTANCE,
Treasurer for
Electricity Assets Ministerial Holding Corporation

SCHEDULE

All that part of the public road separating Lot 38, DP 255215 and Lot 2, DP 1193227 and separating Lot 1, DP 1193227 and Lots 39 and 40, DP 255215 situated at Muswellbrook in the Parish of Liddell, the County of Durham and the Local Government Area of Muswellbrook identified as Lot 3 in DP 1193227.

HERITAGE ACT 1977

Notice of Listing on the State Heritage Register under Section 37 (1) (b)

Juanita Nielsen's House
202 Victoria Street, Potts Point
SHR No. 1929

IN pursuance of section 37 (1) (b) of the Heritage Act 1977 (NSW), the Heritage Council gives notice that the item of environmental heritage specified in Schedule "A" has been

listed on the State Heritage Register in accordance with the decision of the Minister for Heritage made on 18 June 2014 to direct the listing. This listing applies to the curtilage or site of the item, being the land described in Schedule "B".

Heritage Council of New South Wales

SCHEDULE "A"

The item known as the Juanita Nielsen's House, situated on the land described in Schedule "B".

SCHEDULE "B"

All those pieces or parcels of land known as Lot 2, DP 517879 in Parish of Alexandria, County of Cumberland shown on the plan catalogued HC 2566 in the office of the Heritage Council of New South Wales.

HERITAGE ACT 1977

Order under Section 57 (2)
to Grant Site Specific Exemptions from Approval

Juanita Nielsen's House
SHR No. 1929

I, the Minister for Heritage, on the recommendation of the Heritage Council of New South Wales, in pursuance of section 57 (2) of the Heritage Act 1977, do, by this my order, grant an exemption from section 57 (1) of that Act in respect of the engaging in or carrying out of any activities described in Schedule "C" by the [owner, mortgagee or lessee of the land] described in Schedule "B" on the item described in Schedule "A".

Dated at Sydney, this 18th day of June 2014.

The Hon. ROB STOKES, M.P.,
Minister for Heritage

SCHEDULE "A"

The item known as Juanita Nielsen's House situated on the land described in Schedule "B".

SCHEDULE "B"

All those pieces or parcels of land known as Lot 2, DP 517879 in Parish of Alexandria, County of Cumberland shown on the plan catalogued HC 2566 in the office of the Heritage Council of New South Wales.

SCHEDULE "C"

- Existing approved development:
Development in accordance with City of Sydney Council's approval of Development Application No. D/2011/265.
- Development in accordance with local council's LEP listing.
All interior changes that are consistent with the requirements of the City of Sydney Council;
- Exterior changes
Exterior changes that do not include the Victoria Street façade and roofline and which are consistent with the requirements of the City of Sydney Council.

HERITAGE ACT 1977

Notice of Listing on the State Heritage Register
under Section 37 (1) (b)

Macquarie Grove
Aerodrome Road, Cobbitty
SHR No. 493

IN pursuance of section 37 (1) (b) of the Heritage Act 1977 (NSW), the Heritage Council gives notice that the item of environmental heritage specified in Schedule "A" has been listed on the State Heritage Register in accordance with the decision of the Minister for Heritage made on 23 June 2014 to direct the listing. This listing applies to the curtilage or site of the item, being the land described in Schedule "B".

Heritage Council of New South Wales

SCHEDULE "A"

The item known as the Macquarie Grove, situated on the land described in Schedule "B".

SCHEDULE "B"

All those pieces or parcels of land known as Part Lot 101, DP 1121442 in Parish of Narellan, County of Cumberland shown on the plan catalogued HC 2577 in the office of the Heritage Council of New South Wales.

HERITAGE ACT 1977

Order under Section 57 (2)
to Grant Site Specific Exemptions from Approval

Macquarie Grove
SHR No. 493

I, the Minister for Heritage, on the recommendation of the Heritage Council of New South Wales, in pursuance of section 57 (2) of the Heritage Act 1977, do, by this my order, grant an exemption from section 57 (1) of that Act in respect of the engaging in or carrying out of any activities described in Schedule "C" by the owner of the land described in Schedule "B" on the item described in Schedule "A".

Dated at Sydney, this 23rd day of June 2014.

The Hon. ROB STOKES, M.P.,
Minister for Heritage

SCHEDULE "A"

The item known as the Macquarie Grove, situated on the land described in Schedule "B".

SCHEDULE "B"

All those pieces or parcels of land known as Part Lot 101, DP 1121442 in Parish of Narellan, County of Cumberland shown on the plan catalogued HC 2577 in the office of the Heritage Council of New South Wales.

SCHEDULE "C"

Works to enclose the verandah (fronting the rear yard) of the cottage outbuilding without altering the existing roofline or masonry walls of the building. Works are to be designed with particular regard to Macquarie Grove and its heritage significance and seeking the advice of an experienced heritage consultant is recommended. Any fixings into the masonry wall involved in the enclosure of the verandah are to occur in the mortar joints to allow for later repairs if required.

HERITAGE ACT 1977

Notice of Listing on the State Heritage Register
under Section 37 (1) (b)

Darling Harbour Woodward Water Feature
Harbour Promenade, Darling Harbour
SHR No. 1933

IN pursuance of section 37 (1) (b) of the Heritage Act 1977 (NSW), the Heritage Council gives notice that the item of environmental heritage specified in Schedule "A" has been listed on the State Heritage Register in accordance with the decision of the Minister for Heritage made on 23 June 2014 to direct the listing. This listing applies to the curtilage or site of the item, being the land described in Schedule "B".

Heritage Council of New South Wales

SCHEDULE "A"

The item known as Darling Harbour Woodward Water Feature, situated on the land described in Schedule "B".

SCHEDULE "B"

All those pieces or parcels of land known as Part Lot 1010, DP 1147364 in Parish of St Andrew, County of Cumberland shown on the plan catalogued HC 2598 in the office of the Heritage Council of New South Wales.

HERITAGE ACT 1977

Order under Section 57 (2)
to Grant Site Specific Exemptions from Approval

Darling Harbour Woodward Water Feature
SHR No. 1933

I, the Minister for Heritage, on the recommendation of the Heritage Council of New South Wales, in pursuance of section 57 (2) of the Heritage Act 1977, do, by this my order, grant an exemption from section 57 (1) of that Act in respect of the engaging in or carrying out of any activities described in Schedule "C" by the [owner, mortgagee or lessee of the land] described in Schedule "B" on the item described in Schedule "A".

Dated at Sydney, this 23rd day of June 2014.

The Hon. ROB STOKES, M.P.,
Minister for Heritage

SCHEDULE "A"

The item known as the Darling Harbour Woodward Water Feature, situated on the land described in Schedule "B".

SCHEDULE "B"

All those pieces or parcels of land known as Part Lot 1010, DP 1147364 in Parish of St Andrew, County of Cumberland shown on the plan catalogued HC 2598 in the office of the Heritage Council of New South Wales.

SCHEDULE "C"

- Existing Approved Development:
All works and activities in accordance with a valid development consent in force at the date of gazettal of the SHR listing curtilage of the Darling Harbour Water Feature.

2. Minor modifications to a valid development consent in force at the date of gazettal of the SHR listing of the Darling Harbour Water Feature:
 - a. the Heritage Council or its delegate has been notified in writing of the works proposed to be undertaken under this exemption; and
 - b. the Heritage Council or its delegate Branch is satisfied that the proposed works are substantially the same as the development for which consent was originally granted, before any modifications to that consent, for the purpose of this exemption only.
3. Re-paving, and minor alterations to existing external hard paving to the promenade surrounding the water feature that:
 - a. is compatible with the significant characteristics of the item;
 - b. does not require excavation to a depth below 20cm from the existing soil level;
 - c. will have no adverse or irreversible impact on significant fabric, including landscape and archaeological features; and
 - d. will not obstruct significant views or features towards the harbour from the water feature.
4. Replacement of non significant fixtures and fittings.

LOTTERIES AND ART UNIONS ACT 1901

Regulatory Impact Statement and Lotteries and Art Unions Regulation 2014

Invitation of Public Comment

NSW Trade & Investment's Office of Liquor, Gaming and Racing (OLGR) is proposing to make the Lotteries and Art Unions Regulation 2014. This regulation would replace the existing Lotteries and Art Unions Regulation 2007, which is due to expire on 1 September 2014.

The primary objective of the proposed regulation is to provide for certain matters that are required to be prescribed for the purposes of the Lotteries and Art Unions Act 1901. The regulation will support the Act in regulating the organisations permitted to engage in certain lotteries and games of chance and to regulate lotteries such as art unions, trade promotion lotteries, club bingo, housie, sweepstakes, raffles, no-draw lotteries, mini-number lotteries and progressive lotteries.

Before this regulation can be made, a formal process of review must be undertaken. OLGR is inviting public comment on the proposed regulation. Also, a Regulatory Impact Statement has been prepared to explain the various clauses of the regulation and its various costs and benefits.

The statement and the proposed regulation can be obtained from OLGR's website www.olgr.nsw.gov.au (under Gaming > Discussion papers).

Submissions may be emailed to: lottery.artunion@olgr.nsw.gov.au (Preferred formats are MS Word or pdf)

Alternatively, submissions may be mailed to:

The Policy and Strategy Branch,
NSW Office of Liquor, Gaming and Racing,
Level 9, 323 Castlereagh Street,
Sydney NSW 2000

Submissions will be accepted until 5:00pm on Wednesday, 22 July 2014.

PARENTS AND CITIZENS ASSOCIATIONS INCORPORATION ACT 1976

Notice of Declaration of Constitution

I, ADRIAN PICCOLI, Minister for Education, in pursuance of section 9 (1) of the Parents and Citizens Associations Incorporation Act 1976 declare the following to be the constitution of the federation.

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

CONSTITUTION OF THE FEDERATION OF PARENTS & CITIZENS ASSOCIATIONS

1.1 Definitions

In this Constitution, unless the contrary intention appears and subject always to the provisions of the Act:

- (a) **Act** means the Parents and Citizens Associations Incorporation Act 1976.
- (b) **Annual General Meeting** means the Annual General Meeting of the Federation held pursuant to Clause 8.
- (c) **Board** means the Board of Management of the Federation provided for in the Act.
- (d) **Citizen Member** means a Member who is not a Parent Member.
- (e) **Constitution** means this Constitution of the Federation.
- (f) **Councillor** means a person elected within a Federation Electoral Area as a Councillor within the meaning of the Act to undertake the duties and responsibilities of a Councillor in accordance with the Act and this Constitution.
- (g) **Delegate** means a person elected within a Federation Electoral Area to attend and participate in the Annual General Meeting of the Federation in accordance with the Act and this Constitution.
- (h) **Department** means the Department of Education and Communities of NSW.
- (i) **Election** means an election of Councillors and Delegates under Clause 13.
- (j) **Electoral Commissioner** means the electoral commissioner of New South Wales appointed under the Parliamentary Electorates and Elections Act 1912.
- (k) **Electorate** means the electorate as provided for by under section 23C (1) (a) of the Act.
- (l) **Eligible Voter** means a person who is eligible to vote in an election for a Councillor or Delegate under Clause 13.
- (m) **Executive Committee** means the Executive Committee of the Federation in accordance with the provisions of Clause 7
- (n) **Federation** means Federation of Parents and Citizens Associations of NSW constituted under the Parents and Citizens Associations Incorporation Act 1976.
- (o) **Government School** means a Government School established under the Education Act 1990
- (p) **Member** means a Parent and Citizens Association constituted under the Education Act 1990 in respect of a Government School within a Federation Electoral Area which is a member of the Federation and is up to date with affiliation fees payable to

the Federation each year in accordance with the provisions of Clause 5.

- (q) **Minister** means the Minister administering the Parents and Citizens Associations Incorporation Act 1976 from time to time.
- (r) **Parent Member** means a person who is a member of a Government School P&C Association and who is a parent, a guardian or other person having the custody or care of a child attending the Government school as at:
 - i. in respect of candidates for the Board or for delegates for the AGM, the date of the call by the Returning Officer for nominations by persons wishing to be candidates for the Board or as delegates for the AGM (the date for the close of roll), and
 - ii. in respect of voting by a person who is a member of a P&C Association who is to vote on any matter relating to an election of persons to the Board or for delegates to the AGM, the date for the close of roll.
- (s) **P&C Association** means a Parents and Citizens Association constituted under the Education Act 1990 in respect of a Government School within a Federation Electoral Area which is a member of the P&C Federation.
- (t) **President** means the President of the Executive Committee of the Board.
- (u) **President of a P&C Association** means a Parent or Citizen member who is elected as President of the local Government School's P&C Association.
- (v) **Principal** means the principal of a Government School and includes a person acting in that position.
- (w) **Returning Officer** means returning officer appointed to carry out any election in respect of the Federation.
- (x) **Roll** means a list that includes the names of member P&C Associations, Presidents of P&C Associations, Principals of Schools with a P&C Association and any other particulars prescribed in Clause 13 (i).
- (y) **Secretary** means the secretary of the Executive Committee of the Board.
- (z) **Secretary of a P&C Association** means a Parent or Citizen member who is elected as Secretary of the relevant Government School's P&C Association.
- (aa) **Special Meeting** means a special meeting of the Board.
- (bb) **Transition Period** means the period of three years commencing on the day the Minister appoints the Administrator to the Federation pursuant to Schedule 2 to the Act.

1.2 Interpretation

- (a) Words importing the singular number shall include the plural; and words importing the masculine gender shall include the feminine, and vice-versa;
- (b) The Federation is to be a not for profit organisation.

2. Name of the Corporation and Registered Office

The name of the Corporation shall be the Federation of Parents and Citizens Associations of New South Wales.

3. Aims and Objectives

The objectives of Federation shall be:

- (a) To promote public education and to facilitate community involvement in public education.
- (b) To co-operate with the Department and community organisations having an interest in public education, in relation to the matters involving public education.
- (c) To assist P&C Associations in carrying out their functions or activities.
- (d) To assist in the organisation of P&C Associations and to assist any such Association in such circumstances and such manner as may seem proper to the Federation.
- (e) To establish and expend funds both for the general conduct of the Federation and to enable the Federation to carry out its aims and objectives.
- (f) Federation shall be non-sectarian and non-party political.

4. Policy

- (a) The policy of the Federation shall be determined by the Annual General Meeting.
- (b) The Board may add to policy between Annual General Meetings but may not alter existing policy.
- (c) The Federation is required to publish any changes to policy on its website.

5. Affiliation and Membership

- (a) Members of the Federation shall be affiliated P&C Associations.
- (b) An affiliate shall be a P&C Association which has chosen to join the Federation by carrying a resolution to that effect at a general meeting and which has remitted the stipulated affiliation fee to the Federation.
- (c) The affiliation fees payable to the Federation shall be determined by the Annual General Meeting.
- (d) All affiliation fees shall become due and payable by 30 November each year.
- (e) An affiliate is an Association who pays their affiliation fees by the 30 November unless exceptional circumstances are considered by the Federation to exist.
- (f) Notwithstanding 5 (b) any P&C Association that is a member as at 30 June 2014 will be deemed to be an affiliate member for the purposes of the 2014 election.

6. Board of Management

(See Part 2, Division 3 & Schedule 1 Part 1 of the Act)

- (a) The implementation of Federation policy shall be carried out by the Board in accordance with the decisions of the Annual General Meeting and this Constitution and any By-Laws of the Federation.
- (b) Without limiting the operation of Clause 6 (a) the Board's functions are:
 - (i) to advise the Department and other entities about the Federation's views on matters relating to public education,
 - (ii) to liaise with national organisations on matters relating to public education,
 - (iii) to implement decisions of the Federation made at the Annual General Meeting,

- (iv) to determine policies of the Federation, not inconsistent with decisions of the Federation made at an Annual General Meeting, in relation to matters involving public education; and
- (v) to implement policies determined under paragraph (iv).
- (c) The Board may hold additional conferences, meetings or events from time to time at different locations around the State to allow issues to be discussed, but these do not have the function of determining the policy, decisions or actions of the Federation.
- (d) The procedure for the calling of meetings of the Board and for the conduct of business at those meetings is, subject to the provisions of the Act, particularly Part 1 of Schedule 1 of the Act and this Constitution, to be as determined by the Board.

7. Committees of the Board

(See Part 2, Division 4 & Schedule 1, Part 2 of the Act)

- (a) The Executive Committee is to consist of seven members of the Board. The Board is to elect one member of the Executive Committee as President, one as Secretary, one as Treasurer, and two Vice Presidents and two other members whose title and responsibilities (if any) may be determined by the Board from time to time.
- (b) The Board may elect from within itself such sub-committees as it deems necessary for the proper functioning of the Federation. Such committees shall have the power to co-opt individuals who are not members of the Board to assist their work, particularly to provide expertise that would not otherwise be available.
- (c) Executive Committee meetings shall be open to all Councillors to attend as observers, except that the meeting can be closed to attendance by observers by the decision of the President. The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting.
- (d) The Executive Committee is responsible for the day to day management of the Federation subject to the Act and the provision of this Constitution.
- (e) The Board must hold an election to decide the members of the Executive Committee as soon as is practicable after each election of Councillors.

Casual Vacancy in the Executive Committee

- (f) A person holding office as a member of the Executive Committee vacates office if the person:
 - (i) dies, or
 - (ii) resigns the office by instrument in writing addressed to the Board, or
 - (iii) is removed from office in accordance with procedures provided for in this Constitution; or
 - (iv) no longer satisfies the criteria to be an Executive Committee member.
- (g) If a vacancy occurs in the office of a member of the Executive Committee (other than by expiration of the term of office), the Board is to appoint a Councillor to fill the vacancy. In doing so, the Executive Committee is to appoint as a replacement the person with the next highest number of votes for the relevant position at the most recent election for that post by relying on the

determination referred to in Clause 13 (tt). In the event of an equality of votes, the President (or Secretary) is to conduct a draw to pick a candidate from amongst candidates having the same number of votes.

- (h) A Councillor appointed under subsection (g) holds office as a member during the unexpired term of the vacated office.

Terms and Duration of membership

- (i) A member of the Executive Committee holds office on the terms provided for in the Act.
- (j) A member of the Executive Committee holds office until the day Councillors and Delegates are next elected, unless the office of the member becomes vacant.
- (k) A Councillor may be elected as a member of the Executive Committee more than once.
- (l) A member of the Board or Executive Committee is to be paid allowances, for the reimbursement of reasonable costs incurred by the member in his or her capacity as member, in accordance with rates determined by the Board from time to time and approved by the Annual General Meeting.

Meetings of the Executive Committee

- (m) The Executive Committee is to meet as often as its members see fit to enable it to carry out the work of the Executive Committee.

Decisions of Executive Committee

- (n) A decision of the Executive Committee made at a meeting of the Executive Committee at which a quorum is present is a decision of the Board other than to the extent that the decision is inconsistent with the provisions of the Constitution, any legislation affecting the operation of this Federation or a decision of the Federation made at its Annual General Meeting

8. Annual General Meeting

- (a) The Annual General Meeting of the Federation shall be held once each calendar year at the place and time as determined by the Executive Committee. The President or Secretary must give each Councillor and Delegate not less than two calendar months' notice in writing of the holding of the Annual General Meeting. The agenda for the Annual General Meeting is set by the Executive Committee.
- (b) The Annual General Meeting shall be constituted by the Board and Delegates.
- (c) The Annual General Meeting shall be convened for the purpose of determining the policies of the Federation and to decide matters relating to the implementation of its policies and other activities conducted by the Federation.
- (d) The procedure for calling of the Annual General Meeting and for its conduct of business is, subject to the provisions of the Act and this Constitution, to be determined by the Executive Committee.
- (e) At the Annual General Meeting, 25 persons who are either Councillors or Delegates shall form a quorum.
- (f) The following persons are eligible to attend the Annual General Meeting: –
 - (i) Councillors;

- (ii) Delegates; and
 - (iii) other persons determined by the Executive Committee.
- (g) At the Annual General Meeting only Councillors and Delegates may vote.
 - (h) A decision of the Annual General Meeting is a decision of the Federation other than to the extent the decision is inconsistent with this Constitution or the Act.
 - (i) The President (or, in the absence of the President, a Councillor or Delegate elected to chair the meeting by the other Councillors and Delegates present) is to preside at the Annual General Meeting.
 - (j) The person presiding has a deliberative vote and, in the event of the equality of votes, has a deciding vote.
 - (k) A decision supported by a majority of the votes cast at an Annual General Meeting at which a quorum is present is a decision of the Federation.

9. Finance & Execution of Documents

- (a) The funds of the Federation shall be applied to further the aims and objectives of the Federation at such time and such manner as the Board may determine.
- (b) The income and property of the Federation however derived shall be applied solely towards the promotion of the objects of the Federation and no portion thereof shall be paid or transferred directly or indirectly by way of a dividend, bonus or otherwise by way of profit to any person provided that nothing herein shall prevent the payment in good faith of remuneration or reimbursement of approved expenses of any Officer or employees of the Federation.
- (c) The Federation shall have authority and power to borrow such sums of money on such terms and security as may be required for any purpose. Borrowing shall be carried into effect by prior resolution by the majority of the Executive Committee;
- (d) The Federation may execute a document without using its seal if the document is signed by the President and Secretary;
- (e) The Federation may execute a document with its seal if the seal is affixed to the document and the fixing of the seal is witnessed by at least two members of the Executive Committee;
- (f) The Federation may execute a document as a deed if the document is expressed to be executed as a deed and is executed in accordance with subsection (d) or (e).
- (g) This part 9 does not limit the ways in which the Federation may execute a document, including a deed.
- (h) This part 9 does not authorize the Federation to execute a document contrary to this Constitution.

10. Audit

A registered public accountant shall be appointed by the Annual General Meeting as auditor for the year. The books of accounts, vouchers and accounts shall be examined by the auditor and he shall report thereon to the following Annual General Meeting.

11. Amendment of Constitution

- (a) Following the transition period provided for in the Act, this Constitution may be amended only by the

approval of a three quarters majority of the Board voting at a Special Meeting of the Board on a motion for its amendment of which at least one months' notice has been given to each Councillor.

- (b) During the transition period, the Federation shall not recommend a change to this Constitution to the Minister unless the recommendation is supported by a three quarters majority of the Board voting at a Special Meeting of the Board on a motion for its amendment of which at least one months' notice has been given to each Councillor.

[Note the transition period ends on 23 May 2017].

12. Personal Liability

A matter or thing done or omitted to be done by the Board or Executive Committee, a member of the Board or the Executive Committee or a person acting under the direction of the Board or Executive Committee does not, if the matter or thing was done or omitted to be done in good faith for the purpose of executing any function of the Federation under the Act or this Constitution, subject that person personally to any action, liability, claim or demand.

13. Election of Councillors and Delegates

- (a) For the election by P&C Associations of persons to the Board (Councillors) and Delegates to the AGM:
 - (i) as at the date of their nomination be a Parent Member of a school based P&C Association within the Electorate from which candidature is sought;
 - (ii) have a child enrolled in the Government School where the person is a Parent Member at the time of the date of their nomination for election in the calendar year of their candidature but a person's term of office as a Councillor or Delegate does not end merely because that Councillor or Delegate ceases to be a Parent Member.
 - (iii) nominees for election must present to the Government School Principal relevant to the school to which their being a Member relates, a nomination form signed by the nominee and signed by the Government School Principal verifying that they are a parent of a child enrolled in that Government School at the date of nomination and that the surname of the candidate is on the nomination form as it appears in the school's enrolment information.
 - (iv) The President of the School P&C Association (or Secretary if the President is a candidate) is also to sign the nomination form verifying that the parent is a member of the P&C Association.
- (b) One Councillor and two Delegates are to be elected for each Electorate.
- (c) Each Electorate is represented on the Board by its Councillor.
- (d) Each Electorate is to be represented at the Annual General Meeting by its Councillor and two Delegates.

Conduct of Elections

- (e) All P&C Associations eligible to vote for election of Councillors and Delegates in each Electorate may participate in voting for election of the Councillors and Delegates for their respective Electorate in accordance this Constitution.

- (f) Elections are to be held in accordance with the provisions of sections 23D-23M of the Act and this Constitution.
- (g) In order for a P& C Association to be eligible to vote, it must provide the name of its President to the Federation. Federation will give at least 2 weeks' notice of the date on which nominations will be called for.

Returning Officer Arrangements

- (h) The Federation must appoint a Returning Officer and come to agreement with that Returning Officer as to the detail of the carrying out of the election. Unless the Regulations under the Act stipulate to the contrary, the returning officer is to be the Electoral Commissioner of NSW. That agreement must be made not later than six (6) months before any election is due under this Constitution however a non-compliance with this provision will not, of itself invalidate any election.

Calling of Election

- (i) The Federation is to provide the Returning Officer with a roll of member P&C Associations and the email addresses for the Presidents of those member Associations and the email addresses of the Principals of those schools. The mail address of each school for each member P&C is also to be provided. The Federation will provide to the Returning Officer the Roll by midday the day before nominations open.
- (j) The roll will not be available for public inspection.
- (k) The Returning Officer is to issue a notice of election to each Member which must call for one Councillor and two Delegates to be elected to in each Electorate. This election notice is to be emailed at least 2 weeks prior to the opening of nominations. This election notice must invite candidates to nominate and identify the closing date for nominations.
- (l) Notice of Election is to be sent by email to each P&C Association care of each relevant Government School's email address and copied to the Principal of each Government School at which a Member P&C Association operates.
- (m) At least 35 school days must elapse between the issue of a notice of election and the close of nominations (inclusive of the date of issue of the notice and the date of close of nominations).

Candidature for Election

- (n) A valid nomination for a candidate for Councillor or Delegate must include a statutory declaration by the candidate that they are a Parent Member and are a member of the P&C Association of the Government School where their child attends within the Electorate to which the person seeks candidacy as at the close of Rolls for the election. On this nomination form the School Principal and P&C President (or the person designated in 13 (bb)) will sign to verify the eligibility requirements as outlined in 13 (a).
- (o) Candidates may provide a passport size photograph in electronic format, identify the school at which they are a member of a P&C Association and a statement of up to 100 words in English or in a certified translation into English in favour of their candidacy. This statement

must not make reference to any other person in a way that allows the other person to be identified.

- (p) A Nomination must be lodged with the Returning Officer by no later than midday on the day of the close of nominations.
- (q) A candidate can only withdraw their nomination in writing. The signed withdrawal must be received by the Returning Officer prior to the close of nominations (an email is acceptable however it must contain the signature of the candidate).
- (r) A candidate can nominate for Councillor and Delegate. However they can only be elected to one position.
- (s) Each candidate can appoint only one scrutineer.

Procedure for Election

- (t) The Returning Officer must, as soon as possible after the date for closing of nominations, provide the Federation with details of the candidates and their supporting material. Where there is only one nominee for a position to be elected in an Electorate, that nominee is declared to be the occupant of the position if the Returning Officer accepts the nomination is duly made. If there is more than one nominee, an election is to take place;
- (u) The Federation will publish a list of candidates on its website once advised by the Returning Officer that the nominations have been accepted as duly made.
- (v) The candidate statements and photographs may be posted on Federation's website after the close of nominations. The Federation will be the sole determiner of the decision whether to publish the statement.
- (w) The Returning Officer is to create a ballot paper following a draw for each Electorate for which an election is to take place and send one ballot paper to the President of each Member P&C Association in the relevant Electorate. This may be addressed to each President care of the school to which the Association relates.
- (x) A candidate's surname and one given name will be printed on the ballot paper. The surname will be as it appears on the school enrolment documentation. Candidates are permitted:
- (i) an initial standing for that given name; or
 - (ii) a commonly accepted variation of the given name including an abbreviation or truncation; or
 - (iii) a commonly used other name specific to the candidate by which the candidate is usually identified.

No titles such as Dr for Doctor or JP for Justice of the Peace are permitted.

- (y) There are to be at least 40 school days between the time at which ballots are sent to each P&C Association and the date of closing of the relevant election.

Voting by P&C Associations

- (z) Each P&C Association is to conduct a vote at a meeting of that Association to determine the person or persons for whom that Association will vote. Only persons who are up-to-date paid Parent Members of each local P&C Association may vote in respect

of its determination of the person or persons to whom that P&C Association votes. The Government School Principal (or delegate) is to have carriage of the conduct of the vote in the election by each P&C Association but that Principal has no vote.

- (aa) The President of each P&C Association completes the ballot paper for the particular P&C Association, in accordance with the votes of the relevant P&C Association and the relevant School Principal certifies that the vote has been conducted in accordance with the rules and constitution of that P&C Association and this Constitution.
- (bb) Where the President of a P&C Association is a candidate for election to the Board or as a delegate to the Annual General Meeting, the Secretary (or another member nominated by the Association) of that P&C Association will act for the purposes of paragraph 13 (aa) in substitution for its President. Where this occurs, the President in question must nominate the other person to be the recipient of the ballot paper for the school. The President is to nominate their delegate in the election process at the time of nomination.

Method of voting

- (cc) The method of voting is to be the 'first past the post' method, that is, the candidate or candidates with the most votes is or are taken to be elected.

Election of Councillor

- (dd) Each Member shall record its vote by placing the number 1 in the square on the ballot paper next to the name of the candidate for whom it wishes to vote.
- (ee) Election of 2 Delegates
 - (i) Each Member shall record its vote by placing the numbers 1 and 2 in the squares on the ballot paper next to the names of the 2 candidates for whom they wish to vote.
 - (ii) Instructions on the ballot paper should make a provision to allow members to place the number 3 in a square on the ballot paper next to an additional candidate for Delegates where one or more candidates have nominated as both Councillor and Delegate.
 - (iii) The vote for the additional candidate will only be considered if one candidate voted for on the ballot paper is elected as councillor and becomes ineligible in the election of Delegates

Informal ballot-papers

- (gg) A ballot-paper of a Member at an election is informal if the elector has failed to record a vote on it in the manner directed on it.
- (hh) Despite subclause (gg), a ballot-paper of a Member at an election in which only one candidate is to be elected is not informal merely because a tick or a cross has been placed in one square and the other square or squares have been left blank. In such a case the tick or the cross is to be treated as one vote for that candidate.
- (ii) Despite subclause (gg), a ballot-paper of a Member at an election in which two candidates are to be elected is not informal merely because two (2) ticks or two (2) crosses have been placed in 2 squares and the other square or squares have been left blank. In such a case

the ticks or the crosses are to be treated as a vote for each of the two eligible candidates.

- (jj) Despite subclause (gg), a ballot-paper of a Member at an election in which two candidates are to be elected is not informal merely because three (3) ticks or three (3) crosses have been placed in 3 squares and the other square or squares have been left blank; and one (1) tick or one (1) cross is marked next to an ineligible candidate (i.e. a candidate elected as Councillor). In such a case the 2 remaining ticks or the 2 remaining crosses for the two eligible candidates are taken to be votes for those candidates.
- (kk) Despite subclause (gg), a ballot-paper of a Member at an election is not informal merely because a preference (other than a first preference) has been repeated or omitted so long as the ballot-paper shows up to the minimum number of preferences required by the directions.
- (ll) Despite subclause (gg), a ballot-paper of a Member at an election is not informal by virtue of the existence of an unnecessary mark on the ballot-paper if, in the opinion of the returning officer, the elector's intention is clearly indicated on the ballot-paper.
- (mm) Despite subclause (gg), a ballot-paper is not informal by reason only that the Member has placed one or more numbers, one or more ticks or a cross adjacent to but outside a square or squares if, in the opinion of the returning officer, the elector's intention is clearly indicated on the ballot-paper. In such a case, each such number, tick or cross is taken to have been placed within the relevant square.
- (nn) Nothing in this constitution authorises any person to encourage a voter to place a tick or a cross in a square on a ballot-paper.
- (oo) The decision of the Returning Officer as to the allowance or disallowance or the acceptance or rejection of any ballot paper is final.

Counting Votes and Declaration of Poll

- (pp) Each P&C Association is to return its ballot paper in the "Ballot Paper Only" Declaration Envelope provided. The Declaration Envelope would contain space for the insertion of a voter's name (the President); the name of the P&C Association; the address of the school to which the P&C Association belongs, the signature of the President and the name and signature of the witness (School Principal).
- (qq) The Declaration Envelope must be returned in the Reply Paid envelope and provided to the Returning Officer by the closing date for the election. Any ballot papers received after this date will not be admitted to the count.
- (rr) The Returning Officer shall count votes in respect of Councillors before counting votes for Delegates and shall declare the candidate elected who has the most votes for each position. In the event of an equality of votes, the Returning Officer is to draw a candidate at random from amongst candidates having the same number of votes. The drawn candidate will be elected.
- (ss) If a person nominated as both Councillor and Delegate is elected Councillor the Returning Officer is to ignore any votes for that person as Delegate.

(tt) The Returning Officer must at the conclusion of the declaration of the poll provide to the Federation a copy of the determination of the Returning Officer as to how the votes were cast for each candidate for each position.

Recount

- (uu) A candidate may request a recount of the ballot-papers used in the Electorate for which the candidate was nominated subject to the following requirements –
- (i) the request must be in writing; and
 - (ii) must be signed by the candidate; and
 - (iii) must set out the reasons and any alleged irregularities clearly stated; and
 - (iv) must be lodged with the returning officer within 24 hours after the result of the count has been published.
- (vv) Following the receipt of the request, the returning officer will determine whether or not a recount will be granted. The returning officer will not grant a recount if there is not compelling evidence of irregularity.
- (ww) If the returning officer deems a recount is necessary, it will be conducted as soon as practicable following the original count.
- (xx) The returning officer is to determine whether the cost of any recount is to be paid by the candidate. If however the recount results in an alteration in the candidates who are elected the Federation will pay the cost of any recount.

Validity of elections

- (yy) An election is not invalid just because:
- (i) there was a formal defect or error in or relating to the election, if the election was held substantially in accordance with this Constitution, or
 - (ii) there was a defect in the appointment of the returning officer, or
 - (iii) the time for closing the poll for postal voting was extended with the approval of the returning officer conducting the election.

Security of election materials

- (zz) The returning officer must after the declaration of the poll ensure that all copies of the roll, nomination papers, ballot papers, and any other papers and material that were used in the election, whether in printed or electronic form, are kept securely until the latest of the following:
- (i) the period of 6 months after the day of the count being published has expired,
 - (ii) if proceedings in a court or tribunal relating to the election have been commenced within that period – the proceedings have been finally determined.
- This clause does not extend to those materials required to be provided to the Federation pursuant to Clause 13 (tt).
- (aaa) A person must not remove or disclose any election materials unless authorised to do so by the returning officer or required or authorised to do so by or under direction of a court.

(bbb) On the expiry of the returning officer's obligations he or she may cause the election materials to be destroyed.

Term of Office

- (ddd) A Councillor or Delegate holds office until the day Councillors and Delegates are next elected under this Part, unless that Councillor's or Delegate's office becomes vacant.
- (eee) A person may be elected as Councillor or Delegate more than once.
- (fff) Where acting as Returning Officer the Electoral Commissioner may delegate to any staff of the office of the New South Wales Electoral Commission any of the returning officer's functions for the purposes of administering an election, other than this power of delegation.

14. Winding up

- (a) The Federation shall be dissolved in the event of the number of affiliate P&C Associations becoming less than one-fifth of the number of organisations qualified to affiliate, or upon the vote of a two-thirds majority at a special Annual General Meeting called for this purpose and convened with the same representation as an Annual General Meeting. P&C Associations must receive 26 weeks' written notice of any intended motion to wind up the P&C Federation.
- (b) Upon dissolution, assets and funds on hand, after payment of all expenses and liabilities, shall not be paid to or distributed among the members. The assets and funds shall be given or transferred to some other charitable institution or institutions which shall also prohibit the distribution of its or their property among its or their members. Such charitable institution or institutions to be determined by the special Annual General Meeting making the decision to dissolve P&C Federation.
- (c) The Board of the Federation and its staff are authorised to take all steps necessary to wind up the Federation notwithstanding that the Federation has ceased to exist on the date determined by the special Annual General Meeting.

15 Change of Address

The Secretary must, within 14 days after the change of the address of its official office, advise the Secretary of the Department in writing and post the change of address details on the P&C Federation's website.

16 Publication of Constitution

The President must ensure a copy of this Constitution is available on the website of the Federation.

17 Service of Documents

- (a) A document addressed to the Federation may be served on the Federation –
- (i) by leaving it at, or sending it by post to, the address of the Federation's official office, or
 - (ii) by delivering copies of it personally to the President or Secretary, or to each of two other members of the Executive Committee, or
 - (iii) in any other way provided for under this Constitution.

- (b) For the purposes of this clause, the address of the Federation's official office includes the address last notified to the Secretary of the Department by the Federation under the Act.
- (c) Nothing in this provision affects the operation of law or the rules of court authorising a document to be served on the Federation or a person in any other way.

PASSENGER TRANSPORT REGULATION 2007

Clause 76 (1) (c) Designation of Routes

Order

Bus passenger services

Transport for NSW, pursuant to clause 76 of the Passenger Transport Regulation 2007, does by this Order designate each of the following bus routes as a route for which a smartcard may be used:

Operator: Hillsbus Co Pty Limited

Routes:

600	601	602X	603	604	606	607X
608	609	610	610X	611	612X	613X
614X	615X	616X	617X	618	619	620
620N	620X	621	622	625	626	627
628	630	631	632	633	635	637
638	639	640	641	642	642X	644
650	650X	651	652X	653		

700	702	705	708	711	714	715
-----	-----	-----	-----	-----	-----	-----

M60	M61
-----	-----

N60	N61	N70	N71
-----	-----	-----	-----

S8

T60	T61	T62	T63	T64	T65	T66
-----	-----	-----	-----	-----	-----	-----

2000	2001	2002	2003	2004	2005	2006
2007	2008	2009	2010	2013	2015	2016
2017	2019	2020	2021	2023	2024	2025
2029	2031	2032	2033	2035	2039	2040
2041	2043	2044	2045	2046	2047	2048
2049	2050	2051	2052	2054	2055	2056
2057	2058	2059	2060	2063	2064	2065
2066	2067	2068	2069	2071	2072	2073
2074	2076	2077	2078	2098	2099	2100
2101	2122	2123	2133	2137	2138	2140
2141	2167	2168	2170	2500	2501	2502
2503	2504	2505	2506	2507	2508	2509
2510	2512	2514	2515	2517	2518	2520
2521	2522	2523	2524	2525	2527	2528
2529	2530	2531	2532	2534	2536	2537
2538	2539	2540	2541	2542	2543	2544
2545	2546	2547	2548	2549	2550	2551
2552	2553	2554	2555	2556	2558	2560
2561	2562	2563	2564	2565	2566	2567

2568	2569	2570	2571	2572	2573	2574
2576	2577	2578	2584	2585	2586	2590
2593	2594	2595	2597	2598	2599	2600
2601	2602	2603	2604	2605	2606	2607
2609	2610	2611	2612	2613	2614	2615
2616	2617	2618	2621	2622	2623	2625
2628	2639	2640	2650	2656	2682	2686
2694	2697	2701	2713	2794		

3000	3001	3002	3003	3004	3005	3006
3007	3008	3011	3013	3014	3016	3017
3031	3034	3036	3062	3100	3102	3103
3104	3105	3106	3107	3108	3109	3110
3111	3114	3115	3116	3117	3118	3119
3120	3121	3122	3123	3124	3125	3126
3127	3128	3129	3130	3131	3132	3133
3134	3135	3136	3137	3138	3140	3141
3142	3143	3144	3145	3146	3147	3148
3149	3150	3151	3152	3153	3154	3155
3156	3157	3158	3159	3160	3162	3163
3164	3165	3166	3167	3168	3169	3170
3171	3172	3173	3174	3175	3176	3177
3178	3179	3180	3181	3182	3183	3184
3185	3186	3187	3188	3190	3192	3194
3500	3501	3502	3503	3504	3505	3506
3507	3508	3510	3511	3512	3513	3514
3515	3516	3518	3519	3520	3521	3522
3523	3524	3525	3526	3527	3528	3529
3530	3531	3532	3533	3534	3535	3536
3537	3538	3539	3540	3541	3542	3543
3544	3545	3546	3547	3548	3549	3550
3551	3552	3553	3554	3555	3556	3557
3558	3559	3560	3561	3562	3563	3564
3565	3566	3567	3568	3569	3570	3571
3572	3573	3576	3577	3578	3579	3580
3581	3583	3584	3585	3586	3587	3588
3589	3590	3591	3592	3593	3594	3595
3596	3597	3598	3599	3600	3601	3602
3603	3604	3605	3606	3607	3608	3609
3610	3611	3612	3613	3614	3615	3616
3617	3618	3619	3620	3621	3622	3623
3624	3625	3626	3627	3628	3629	3630
3631	3632	3633	3634	3635	3636	3637
3638	3639	3640	3641	3642	3643	3644
3645	3646	3647	3649	3652	3653	3698

8001	8004	8005	8006	8007	8008	8009
8010	8011	8014	8015	8016	8018	8020
8021	8023	8024	8026	8027	8028	8029
8030	8031	8032	8038	8053	8109	8504
8507	8508	8510	8513	8514	8516	8518
8519	8520	8521	8524	8525	8526	8527

8528	8529	8531	8533	8535	8538	8552
8559	8568	8575	8579	8580	8589	8590
8591	8592	8606	8608	8610	8617	8618
8619	8620	8635	8691	8720		

Date of effect

This Order takes effect on 30 June 2014.

Dated: 20 June 2014.

FERGUS GAMMIE,
Deputy Director-General,
Transport Services
(a Delegate of Transport for NSW)

PROFESSIONAL STANDARDS ACT 1994

Notification Pursuant to Section 13

PURSUANT to section 13 of the Professional Standards Act 1994, I authorise the publication of the Victorian Bar Professional Standards Scheme. The Scheme will commence on 1 July 2014.

BRAD HAZZARD, M.P.,
Attorney General

**THE VICTORIAN BAR
PROFESSIONAL STANDARDS SCHEME**

A Scheme under the
Professional Standards Act 2003 (Vic)

PREAMBLE**Occupational Association**

- A. The Victorian Bar Inc (“the Victorian Bar”) is an incorporated association constituted under the Associations Incorporation Act 1981;
- B. The occupational group represented by the Victorian Bar consists of barristers practising in Victoria;
- C. With effect from 1 July 2008, the Victorian Bar has had in operation the Victorian Bar Professional Standards Scheme under the Professional Standards Act 2003 (Vic) (“the Act”). That Scheme expires on 30 June 2013, subject to any extension. The Victorian Bar has applied for an extension of 12 months of the period for which that Scheme is in force, that is to say, until 30 June 2014;
- D. By way of renewal, the Victorian Bar has applied for approval and gazettal of the Victorian Bar Professional Standards Scheme (“the Scheme”) as a scheme under the Professional Standards Act 2003 (Vic) (“the Act”). The Scheme has a specified commencement date of 1 July 2014;
- E. The Scheme applies to those persons referred to below in clause 3. The Scheme does not apply to all members of the Victorian Bar;
- F. The Scheme limits the occupational liability of Scheme members who provide services to the public;
- G. The approximate number of members eligible to apply to have the Scheme apply to them is 1,922;
- H. The objectives of the Victorian Bar are expressed in clause 3 of its Constitution and include:
 - (a) To maintain in the public interest a strong and independent Bar in the State of Victoria;

- (b) To promote, foster and develop within the executive and legislative arms of the Government of Victoria and within the general community, an understanding and appreciation that a strong and independent Bar is indispensable to the rule of law and to the continuation of a democratic society;
- (c) To improve the relationship between the Victorian Bar and the executive and legislative arms of the Government of Victoria without in any way diminishing the independence of the Victorian Bar and its members;
- (d) To promote, maintain and improve the quality of the Victorian Bar;
- (e) To seek to ensure that access to the courts is open to all members of the community;
- (f) To arrange training for Bar Readers and regulate entry to membership of the Bar;
- (g) To arrange and promote Continuing Professional Development;
- (h) To promote the resolution of disputes by mediation, arbitration and other appropriate methods of alternative dispute resolution;
- (i) To perform such functions as may be assigned, permitted, referred or delegated to the Victorian Bar by or under legislation regulating the legal profession or the practice of law;
- (j) To seek to ensure that as far as practicable chambers are available for counsel;
- (k) To seek to promote the welfare of members of the Victorian Bar;
- (l) To promote the rule of law including the proper administration of justice; and
- (m) Without limiting (l), to make recommendations with respect to legislation, law reform, rules of court and the business and procedure of courts.

Nature of the Scheme

- I. The Scheme operates for the purpose of improving the occupational standards of professionals and others, and to protect the consumers of their services. It also limits the civil liability of persons to whom the Scheme applies;
- J. The liability limited by the Scheme includes, to the extent permitted by the Act, civil liability arising (in tort, contract or otherwise) directly or vicariously from anything done or omitted by a member of the Victorian Bar or to any person to whom this Scheme applies in acting in the performance of his or her occupation. However the Scheme does not apply to liability for damages arising from any matter to which the Act does not apply;
- K. The Scheme does not affect damages which are below the monetary ceiling specified in the Scheme for each member. The Scheme limits liability for damages to the monetary ceiling specified for that member provided that the person has insurance as required by s23 of the Act;

Risk Management

- L. The Victorian Bar has adopted strategies which cover requirements for professional entry to practice at the Bar and continuing professional development in the areas of ethics and regulation of the profession; management; substantive law, practice and procedure, and evidence, and advocacy, mediation and other barristers’ skills;

- M. The complaints and disciplinary system operates pursuant to the requirements of the Legal Profession Act 2004;
- N. The Bar Association will report annually on the implementation and monitoring of its risk management strategies, the effect of those strategies and any changes made or proposed to be made to them;

Standards of Insurance

- O. Scheme members are required to maintain current professional indemnity insurance policies required of barristers with a Victorian practising certificate and otherwise to comply with any regulations relating to professional indemnity insurance from time to time of the Victorian Bar Council;
- P. The Legal Services Board determines the statutory minimum level of professional indemnity insurance required to be taken out by barristers and also approves the professional indemnity insurance policy on offer from the Legal Practitioners Liability Committee;

Claims Monitoring

- Q. The Victorian Bar has established a relationship with the Legal Practitioners Liability Committee who provides cover for Scheme members which will ensure the Victorian Bar will be able to obtain and monitor claims data. The Victorian Bar will report annually on claims monitoring, tactics, performance measures and monitoring systems;

Complaints and Discipline

- R. Scheme members are subject to a complaints and discipline system operating under the Legal Profession Act 2004. All scheme members must comply with the provisions of that Act, the Constitution and rules and regulations of the Victorian Bar;

Scheme Administration

- S. Responsibility for administration of the Scheme and ensuring that it complies with the requirements of the Professional Standards Act 2003 (Vic) and of the Professional Standards Council rests with the Victorian Bar

THE VICTORIAN BAR PROFESSIONAL STANDARDS SCHEME

1. Occupational Association

- (1) The Victorian Bar Professional Standards Scheme is a scheme under the Professional Standards Act 2003 (Vic) ("the Act") of the Victorian Bar whose registered address is 205 William Street, Melbourne, Victoria.

2. Definitions

- (1) Unless the context otherwise requires –
- “damages” has the meaning given it in section 4 of the Act;
- “Scheme register” means the register of members to whom the Scheme applies maintained by the Victorian Bar Council;
- “the Act” means the Professional Standards Act 2003 (Vic) as amended from time to time.

3. Persons to whom the Scheme applies (participating members and other persons)

- (1) The Scheme applies;
- (a) to the class of persons within the Victorian Bar more particularly specified in sub-clause 3(2) of this Scheme document; and
- (b) to persons to whom the Scheme applies by virtue of sections 20, 21 and 22 of the Act.
- (2) The class of Scheme members referred to in sub-clause 3 (1) (a) comprises all members of the Victorian Bar –
- (a) who hold a current practising certificate issued by the Victorian Legal Services Board or the Victorian Bar;
- (b) who are admitted to membership of the Scheme by resolution of the Victorian Bar Council; and
- (c) whose names remain on the Scheme register maintained by the Victorian Bar Council.
- (3) On application in writing by a member to whom the Scheme applies, the Victorian Bar may exempt the member from the Scheme.

4. Limitation of Liability

- (1) If a person to whom the Scheme applies and against whom a cause of action relating to occupational liability is brought, is able to satisfy the court that the person has the benefit of an insurance policy or more than one insurance policy –
- (a) that insures the person against that occupational liability; and
- (b) under which the amount payable in respect of the occupational liability relating to that cause of action is not less than the maximum amount of liability specified in the Scheme in relation to the class of person and the kind of work to which the cause of action relates at the time at which the act or omission giving rise to the cause of action occurred
- the person is not liable in damages in relation to that cause of action for anything done or omitted on or after the commencement of the Scheme for any amount above the monetary ceiling (a maximum amount of liability) subject to clause 4 (2), of \$2 million.

- (2) If on application from time to time or at any time by a person to whom the Scheme applies, in all cases or any specified case or class of case, the Victorian Bar has specified pursuant to the conferral of discretionary authority in clause 5 of this Scheme document a higher maximum amount of liability than would otherwise apply under the Scheme in relation to the person, the monetary ceiling (maximum amount of liability) in relation to that person either in all cases or in any specified case or class of case (as the case may be) is that higher maximum amount of liability.
- (3) In this Scheme document –
- (a) “occupational liability” has the same meaning as it has in the Act and excludes any liability which may not from time to time be limited pursuant to the Act; and

(b) a reference in clause 4 (1) to the amount payable under an insurance policy in respect of occupational liability includes a reference to –

- (i) defence costs payable in respect of a claim, or notification that may lead to a claim (other than reimbursement of the defendant for time spent in relation to the claim), but only if those costs are payable out of the one sum insured under the policy in respect of the occupational liability; and
- (ii) the amount payable or in relation to the policy by way of excess.

(4) If the provisions of section 23 of the Act are amended by any subsequent Act or Acts, the provisions of clause 4 (1) above shall be taken to have been amended correspondingly and shall operate as so amended.

5. Discretionary authority

(1) The Victorian Bar has a discretionary authority, on application from time to time or at any time by a person to whom the Scheme applies, to specify in relation to the person a higher maximum amount of liability than would otherwise apply under the scheme in relation to the person either in all cases or in any specified case or class of case.

6. Commencement of the Scheme

- (1) The Scheme is intended to commence on 1 July 2014 in Victoria, New South Wales, Queensland, South Australia, Western Australia, the Australian Capital Territory and the Northern Territory.
- (2) If the Scheme or a notice relating to the Scheme is published in the gazette of any jurisdiction after 1 July 2014, the Scheme will commence in that jurisdiction on the date which is 2 months after the date of its publication in the *NSW Government Gazette* of that jurisdiction.

7. Duration

- (1) It is intended for the Scheme to remain in force in Victoria for a period of 5 years from its commencement unless it is revoked, extended or otherwise ceases in accordance with section 34 of the Act.
- (2) It is intended for the Scheme to remain in force in New South Wales, Queensland, South Australia, Western Australia, the Australian Capital Territory and the Northern Territory respectively until:
 - (a) that period of 5 years from its commencement ends; or
 - (b) the Scheme's operation in relation to any of those respective jurisdictions is terminated; or
 - (c) the Scheme ceases to have effect in Victoria; or
 - (d) the Scheme is disallowed under legislation of any of those respective jurisdictions.

8. Territorial application of the Scheme

(1) The Scheme is intended to operate as a scheme of Victoria, New South Wales, Queensland, South Australia, Western Australia, the Australian Capital Territory and the Northern Territory.

PROFESSIONAL STANDARDS ACT 1994

Notification Pursuant to Section 13

PURSUANT to section 13 of the Professional Standards Act 1994, I authorise the publication of the Western Australian Bar Association Scheme. The Scheme will commence on 1 July 2014.

BRAD HAZZARD, M.P.,
Attorney General

Professional Standards Act 1997 (WA)

THE WESTERN AUSTRALIAN BAR ASSOCIATION SCHEME

PREAMBLE

Occupational Association

- A. The Western Australian Bar Association (Association) is an occupational association, constituted as an incorporated body under the Associations Incorporation Act 1987 (WA).
- B. The Association represents independent barristers practising in Western Australia, who are members of the Association.
- C. The Western Australian Bar Association Scheme (the Scheme) is a scheme under the Professional Standards Act 1997 (WA) (the Act) prepared by the Association whose business address is: 16th Floor, Allendale Square, 77 St George's Terrace, Perth WA 6000.
- D. The Scheme limits the occupational liability of Scheme Participants who provide services to the public.
- E. The approximate number of members eligible to be Scheme Participants is presently 195.
- F. The objectives of the Association are expressed in clause 2 of its Constitution and include:
 - (a) To promote the worthy traditions of the Western Australian Bar.
 - (b) To uphold the honour and promote the interests of the Bar.
 - (c) To promote fair and honourable practice by and amongst barristers.
 - (d) To confer and collaborate with and in matters relating to the practice of the law generally to act through the Law Society of Western Australia Incorporated (Law Society), and to that end, to enter into arrangements with that Law Society whereby Members of the Association can be provided with the benefits of membership of the Law Society.
 - (e) To join or affiliate with the Australian Bar Association (ABA) and the Law Council of Australia (LCA).
 - (f) To further legal education and study including by providing or arranging a Bar Readers' Course for barristers or persons aspiring to join the Bar and to provide continuing legal education to its Members or to other legal professionals.
 - (g) To encourage friendly relations and social and sporting activities among Members.
 - (h) To assist needy Members and ex-Members and dependents of Members, ex-Members and deceased Members.

- (i) To provide funds and facilities for and to do all such things as are conducive or incidental to the attainment of the above objects or any of them.

Nature of the Scheme

- G. The Scheme operates for the purpose of improving the occupational standards of professionals and others, and to protect the consumers of their services. It also limits the civil liability of persons to whom the Scheme applies.
- H. The liability limited by the Scheme includes, to the extent permitted by the Act, civil liability arising (in tort, contract or otherwise) directly or vicariously from anything done or omitted by a Scheme Participant in acting in the performance of his or her occupation. However the Scheme does not apply to liability for damages arising from any matter to which the Act does not apply.
- I. The Scheme does not affect damages which are below the monetary ceiling specified in the Scheme for each Scheme Participant. The Scheme limits liability for damages to the monetary ceiling specified for that Scheme Participant provided that the person has insurance as required by s 34 of the Act.

Risk Management

- J. The Association has adopted strategies which cover requirements for admission as a member and continuing professional development in the areas of ethics and regulation of the profession; management; substantive law, practice and procedure, and evidence, advocacy, mediation and other barristers' skills.
- K. The complaints and disciplinary system operates pursuant to the requirements of the Legal Profession Act 2008 (WA).
- L. The Association will report annually on the implementation and monitoring of its risk management strategies, the effect of those strategies and any changes made or proposed to be made to them.

Standards of Insurance

- M. Scheme Participants are required to maintain current professional indemnity insurance policies that comply with the standards determined by the Association and to comply with regulations relating to professional indemnity insurance.
- N. The Legal Profession Act 2008 (WA) and associated rules and regulations require (relevantly) that barristers have compulsory professional indemnity insurance. The Association reviews and determines such policies for the required standards for professional indemnity insurance cover.

Complaints and Discipline

- O. Scheme Participants are subject to a complaints and discipline system operating under the Legal Profession Act 2008 (WA). All Scheme Participants must comply with the provisions of that Act, the Constitution and rules and regulations of the Association.

Scheme Administration

- P. The Scheme will be administered by the Association's Bar Council, the Professional Responsibility Committee, and the Association's staff.
- Responsibility for administration of the Scheme and ensuring that it complies with the requirements of the

Act and of the Professional Standards Council rests with the Association.

Duration of the Scheme

- Q. Subject to clause 44A of the Act, the Scheme commences on 1 July 2014 and will remain in force for five (5) years from its commencement.

THE WESTERN AUSTRALIAN BAR ASSOCIATION SCHEME

1. Occupational Association

- 1.1 The Association is an occupational association, constituted as an incorporated body under the Associations Incorporation Act 1987 (WA).
- 1.2 The Association represents independent barristers practising in Western Australia, who are members of the Association.
- 1.3 The Western Australian Bar Association Scheme (the Scheme) is a scheme under the Professional Standards Act 1997 (WA) (the Act) prepared by the Western Australian Bar Association (Association) whose business address is: 16th Floor, Allendale Square, 77 St George's Terrace, Perth WA 6000.
- 1.4 Relevant definitions for the purposes of this Scheme (including the Preamble) are as follows:
- (a) "court" has the same meaning as it has in the Act,
- (b) "damages" has the same meaning as it has in the Act,
- (c) "occupational liability" has the same meaning as it has in the Act,
- (d) "Interstate Member" has the same meaning as in the Association's constitution, as amended from time to time,
- (e) "relevant time" refers to the time of the act or omission that gave rise to the cause of action for occupational liability, and
- (f) "Scheme Participant" means those persons specified in clause 2.1.

2. Persons to Whom the Scheme Applies

- 2.1 The Scheme applies to all persons who, at the relevant time:
- 2.1.1 are members of the Association;
- 2.1.2 are not exempted from participating in the Scheme under clause 2.2 or, if exempted, have had his/her exemption revoked in accordance with clause 2.3;
- 2.1.3 have professional indemnity insurance in respect of a liability potentially limited by the Scheme of a kind which complies with the standards determined by the Association; and,
- 2.1.4 by virtue of sections 31, 32, 33 and 33A of the Act, are covered by the Scheme, but does not apply to Interstate Members of the Association.
- 2.2 The Association may, upon application by a member, exempt a member from participation in the Scheme with effect from a date specified by

the Association on or after the date on which the exemption is granted.

- 2.3 The Association may, upon application by a member, revoke an exemption of that person from participation in the Scheme with effect from a date specified by it.

3. Limitation of liability

- 3.1 This Scheme only affects the liability for damages arising from a single cause of action to the extent to which the liability results in damages exceeding \$500,000.

- 3.2 If a person, who was at the time of the act or omission giving rise to occupational liability, a person to whom the Scheme applied, against whom a proceeding relating to occupational liability is brought, is able to satisfy the court that such person has the benefit of an insurance policy:

- (a) of a kind which complies with the standards determined by the Association,
- (b) insuring such person against that occupational liability, and
- (c) under which the amount payable in respect of that occupational liability is not less than the monetary ceiling specified in clause 3.3 of this Scheme,

that person is not liable in damages in relation to that cause of action above the monetary ceiling specified in clause 3.3 of this Scheme.

- 3.3 The monetary ceiling (maximum amount of liability) is \$2 million.
- 3.4 The monetary ceiling referred to in clause 3.3 above may be higher for a particular Scheme Participant if the Association has, on application by a Scheme Participant, approved a higher maximum amount of liability.
- 3.5 Clause 3.2 does not limit the amount of damages to which a person to whom the Scheme applies is liable if the amount is less than the amount specified in clause 3.3 in relation to a person to whom the Scheme applies.
- 3.6 The Scheme limits the occupational liability in respect of a cause of action founded on an act or omission occurring during the period when the Scheme was in force of any person to whom the Scheme applied at the time the act or omission occurred.

4. Discretionary authority

The Association will have a discretionary authority, on application by a Scheme Participant, to approve a higher maximum amount of liability than would otherwise apply under the Scheme in relation to that Scheme Participant.

5. Commencement and Duration of the Scheme

- 5.1 Subject to:

- 5.1.1 section 27 of the Act, the Scheme commences in Western Australia on 1 July 2014; and
- 5.1.2 the corresponding law of a State or Territory, being a State or Territory referred to in clause 6, the Scheme commences in that State or Territory on 1 July 2014.

- 5.2 Subject to:

- 5.2.1 section 44A of the Act, the Scheme will remain in force in Western Australia for a period of 5 years from its commencement; and
- 5.2.2 the corresponding law of a State or Territory, being a State or Territory referred to in clause 6, the Scheme will remain in force in that State or Territory for a period of 5 years from its commencement.

6. Territorial application of the Scheme

The Scheme is intended to operate as a scheme of Western Australia, New South Wales, Queensland, South Australia, Victoria, the Australian Capital Territory and the Northern Territory.

PROFESSIONAL STANDARDS ACT 1994

Notification Pursuant to Section 13

PURSUANT to section 13 of the Professional Standards Act 1994, I authorise the publication of the Law Society of Western Australia Scheme. The Scheme will commence on 1 July 2014.

BRAD HAZZARD, M.P.,
Attorney General

THE LAW SOCIETY OF WESTERN AUSTRALIA SCHEME

Professional Standards Act 1997 (WA)

PREAMBLE

- A. The Law Society of Western Australia ("Law Society WA") is a voluntary occupational association for legal practitioners in Western Australia.
- B. The Law Society WA has made an application to the Professional Standards Council ("PS Council") appointed under the Professional Standards Act 1997 WA ("Act"), for a scheme under the Act and this document comprises the scheme ("Scheme").
- C. The scheme has been prepared by the Law Society WA for the purpose of limiting Occupational Liability of Participating Members to the extent to which such liability may be limited under the Act.
- D. The Scheme is to apply to all Participating Members.
- E. The Law Society WA has furnished the PS Council with a detailed list of the risk management strategies intended to be implemented in respect of its Participating Members and the means by which those strategies are intended to be implemented.
- F. The Scheme is intended to remain in force for a period of five (5) years from its commencement, subject to section 44A of the Act.
- G. The Scheme commences on 1 July 2014.
- H. The scheme is intended to apply in Western Australia, New South Wales, Victoria, Queensland and South Australia, Northern Territory and Australian Capital Territory.

THE LAW SOCIETY OF WESTERN AUSTRALIA SCHEME

1 Preparation of the Scheme

1.1 The Scheme is a scheme under the Professional Standards Act 1997 WA prepared by the Law Society WA whose business address is Level 4, 160 St Georges Terrace, Perth, Western Australia.

1.2 Relevant definitions for the purpose of this Scheme are as follows:

“Australian Practising Certificate” has the same meaning as it has in the Legal Profession Act 2008 WA.

“Court” has the same meaning as it has in the Act.

“Damages” has the same meaning as it has in the Act.

“Financial Year” means a financial accounting period ending 30 June.

“Occupational Liability” has the same meaning as it has in the Act.

“Participating Members” means those persons specified in clause 2.1 of the Scheme.

“Principal” has the same meaning as in section 6 (3) of the LP Act:

A principal of a law practice is an Australian legal practitioner who is –

- a sole practitioner (in the case of a law practice constituted by the practitioner); or
- a partner in the law practice (in the case of a law firm); or
- a legal practitioner director in the law practice (in the case of an incorporated legal practice); or
- a legal practitioner partner in the law practice (in the case of a multi-disciplinary partnership).

“Relevant Time” refers to the time at which the act or omission occurs, not the time when the claim is brought.

“Total Annual Fee Income” means the amount charged during a Financial Year for services provided by or on behalf of a law practice some of whose members are Participating Members.

2 Persons to Whom the Scheme Applies

2.1 The Scheme applies to:

2.1.1 Incorporated Legal Practice members, and ordinary and life members of the Law Society WA who hold an Australian Practising Certificate who are not exempted under clause 2.2 of the Scheme;

2.1.2 All persons to whom, by virtue of sections 31, 32, 33 and 34A of the Act, the Scheme applies;

2.1.3 All persons to whom clause 2.1.1 applied at the Relevant Time but no longer applies;

2.1.4 All persons to whom clause 2.1.2 applied at the Relevant Time but no longer applies.

2.2 A person referred to in clause 2.1 may, on application by that person, be exempted by the Law Society WA from participation in the Scheme.

3 Limitation of liability

3.1 The Scheme only limits the Occupational Liability of a Participating Member for damages¹:

3.1.1 arising from a single cause of action founded on an act or omission occurring during the period when the Scheme was in force, of any person to whom the Scheme applied at the time of the act or omission.

3.1.2 to the extent that those Damages exceed \$1.5 million for Participating Members in class 1 of the table in clause 3.3, or, as the case may be, \$5 million for Participating Members in class 2 and \$10 million for Participating Members in class 3.

3.2 If a Participating Member against whom a proceeding relating to Occupational Liability is brought is able to satisfy the Court that:

3.2.1 the Participating Member has the benefit of an insurance policy or policies insuring him or her against the occupational liability to which the cause of action relates; and

3.2.2 the amount payable under the policy or policies in respect of that occupational liability is not less than the amount of the monetary ceiling (maximum amount of liability) specified in clause 3.3 as applying to such Participating Member to which the cause of action relates,

the Participating Member is not liable for damages in relation to that cause of action above the amount of that monetary ceiling.

3.3 The monetary ceiling (maximum amount of liability) applicable for the purpose of limitation of liability under the Scheme at the Relevant Time is to be determined according to the following table.

<i>Tier</i>	<i>Description</i>	<i>Monetary ceiling (Maximum amount of liability)</i>
1	Participating Members who were at the Relevant Time in a Law Practice that generated a total annual fee income for the financial year immediately preceding the Relevant Time up to and including \$5 million	\$1.5 million
2	Participating Members who were at the Relevant Time in a Law Practice that generated a total annual fee income for the financial year immediately preceding	\$5 million

¹ “Damages” as defined in section 4 of the Act means –

- (a) damages awarded in respect of a claim or counter claim or claim by way of set-off; and
- (b) costs in or in relation to the proceedings ordered to be paid in connection with such an award (other than costs incurred in enforcing a judgment or incurred on an appeal made by the defendant); and
- (c) any interest payable on the amount of those damages or costs.

<i>Tier</i>	<i>Description</i>	<i>Monetary ceiling (Maximum amount of liability)</i>
2 <i>cont</i>	the Relevant Time of more than \$5 million and up to \$10 million	
3	Participating Members who were at the Relevant Time in a Law Practice that generated a total annual fee income for the financial year immediately preceding the Relevant Time of more than \$10 million	\$10 million

4 Conferral of discretionary authority

4.1 The Law Society WA has discretionary authority, on application by a Participating Member, to specify in relation to a Participating Member, a higher maximum amount of liability (monetary ceiling) than would otherwise apply under the Scheme in relation to him or her either in all cases or any specified case or class of case.

4.2 If, in exercise of its discretion under clause 4.1 the Law Society of WA has specified a higher maximum amount of liability (monetary ceiling) than would otherwise apply under the Scheme in relation to a Participating Member, the maximum amount of liability (monetary ceiling) in relation to that Participating Member is that higher maximum amount.

5 Duration

5.1 Subject to section 44A of the Act, the Scheme will remain in force for a period of 5 years from the date of commencement. The date of the Scheme's commencement is 1 July 2014.

SCALE OF ALLOWANCES PAID TO WITNESSES

I, Brad Hazzard, Attorney General, have approved the repeal of the scale of allowances to witnesses attending (1) criminal trials at the Supreme Court and the District Court, and (2) Local Courts, Licensing Courts and Coroner's Courts, as published in the *NSW Government Gazette*. In its place, I have approved a fresh scale of allowances, as shown in the attached Schedule. The new rates are to take effect from 1 July 2014.

BRAD HAZZARD, M.P.,
Attorney General

SCHEDULE

Scale of Allowances to:

- (a) All Crown witnesses and witnesses for the defence attending criminal trials at the Supreme Court and District Court of New South Wales (i) where such witnesses have been subpoenaed by the Crown to give evidence, or (ii) where legal aid has been granted, and

- (b) Witnesses requested or subpoenaed by the Director of Public Prosecutions or Police to attend at Local Courts, Licensing or Coroner's Courts in New South Wales.

These allowances apply to: (1) fees, loss of income, salary or wages, (2) meals and (3) transport.

Fees, Loss of Income, Salary or Wages

- (a) Ordinary witnesses (being witnesses not specified in (b) below):

Upon furnishing a certificate of loss of income, salary or wages, ordinary witnesses shall be entitled as follows:

- (i) up to 4 hours loss of working time on that day, not exceeding \$50.05 per day
(ii) more than 4 hours loss of working time on that day, not exceeding \$100.80 per day

- (b) Experts summoned to give expert evidence:

- (i) In respect of the period of absence from home, hospital, place of employment or other place in travelling to and from Court, and attendance at Court:
- Fee for the first two hours or part thereof \$108.05 per day
 - Fee thereafter for each additional half-hour or part thereof up to a maximum of \$204.60 per day \$20.70 per half hour
- (ii) IN ADDITION, where evidence is expert evidence, a fee of \$14.00 per case

Meal Allowance

All Witnesses:

- (a) For every meal taken while in attendance at or travelling to and from Court where no allowance is payable under (b) below. *
- (b) the witness resides at such a distance from the Court that he/she cannot travel to and from the Court on the same day
- (i) for each day of 24 hours: **
- (ii) for any additional part of a day (based on the hourly rate applicable under (b) (i): **
- (iii) where the witness is absent from his/her residence overnight but for a period less than 24 hours he/she may be paid as for a full day.

Children aged 5 years and over to be paid meal allowance as in the case of adult witnesses. No meal allowance to be paid to children under the age of 5 years.

Cost of Transport

All Witnesses:

To be paid actual cost of fares paid by them in travelling by rail, bus, ferry or other available means of public transport to and from the Court at which they are required to attend.

Witnesses are not to be reimbursed the cost of travel by plane unless prior approval has been given to travel by this method.

If unable to travel by any available public transport, to receive for every kilometre travelled by own vehicle, the rate of: ***

Kilometrage to be paid in respect of one journey to and from the Court. Where a witness travels otherwise when transit by public transport is available such witness is to be paid only an amount equal to the cost of travelling by means of the available transport. Notwithstanding the foregoing, medical practitioners required to attend Court on successive days to give evidence shall be paid appropriate kilometrage in respect of each day of travel.

* This rate to vary as prescribed for Lunch in accordance with Clause 29.1.3, Table 1 (Item No. 1), Part B-Monetary Rates to the Crown Employees (Public Service Conditions of Employment) Award 2009. Variations to apply are from date specified in the Public Service Notices pending amendment of the relevant Award.

** These rates to vary in accordance with the rate prescribed in Clause 26.8.2, Table 1 (Item No. 2), Part B-Monetary Rates to the Crown Employees (Public Service Conditions of Employment) Award 2009. Variations to apply are from date specified in the Public Service Notices pending amendment of the relevant Award.

*** This rate to vary in accordance with the Casual rate for private motor vehicles with engine capacity 2601cc and over in accordance with Clause 36.3, Table 1 (Item No. 6), Part B-Monetary Rates to the Crown Employees (Public Service Conditions of Employment) Award 2009. Variations to apply are from date specified in the Public Service Notices pending amendment of the relevant Award.

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

Notice of Compulsory Acquisition of Land for
the Purposes of Transport for NSW

TRANSPORT for NSW, with the approval of Her Excellency the Governor with the advice of the Executive Council, declares that the land described in the Schedule hereto is acquired by compulsory process with immediate vacant possession under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 (NSW) for the purposes of exercising the functions of Transport for NSW in respect of the construction, operation and maintenance of the transport infrastructure project known as Sydney Light Rail providing light rail from Circular Quay to Kingsford and Randwick via Surry Hills and Moore Park as authorised by the Transport Administration Act 1988 (NSW).

Dated this 13th day of June 2014.

CHRIS LOCK,
Deputy Director General,
Transport Projects,
Transport for NSW

SCHEDULE

All that piece or parcel of land situated at Randwick, in the Local Government Area of Randwick, Parish of Alexandria, County of Cumberland, being the land described as Lot 2008 in Deposited Plan 1169042, and said to be in the ownership of Anson City Developments 1 (Australia) Pty Ltd.

TfNSW Ref: 3165768_1

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

Notice of Compulsory Acquisition of Land for
the Purposes of Transport for NSW

TRANSPORT for NSW, with the approval of Her Excellency the Governor, declares that the land described in the Schedule hereto is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of Transport for NSW, as authorised by the Transport Administration Act 1988.

Dated this 23rd day of June 2014.

TERRY BRADY,
General Manager,
Country Rail Contracts,
Transport Services Division

SCHEDULE

All those pieces or parcels of land situated in the locality of the Singleton Military Area in the Local Government Area of Singleton, Parishes of Belford and Whittingham, County of Northumberland and State of New South Wales, being identified as Lot 302 in Deposited Plan 1179681 and Lot 303 in Deposited Plan 1179681 and having an area of 1573.5 square metres and said to be in the ownership of the Singleton Shire Council.

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

Notice of Compulsory Acquisition of Land for
the Purposes of Transport for NSW

TRANSPORT for NSW, with the approval of Her Excellency the Governor, declares that the land described in the Schedule hereto is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of Transport for NSW, as authorised by the Transport Administration Act 1988.

Dated this 23rd day of June 2014.

TERRY BRADY,
General Manager,
Country Rail Contracts,
Transport Services Division

SCHEDULE

All those pieces or parcels of land situated in the locality of Belford in the Local Government Area of Singleton, Parish of Belford, County of Northumberland and State of New South Wales, being identified as Lot 406, Lot 407, Lot 408 and Lot 409 in Deposited Plan 1141524 and having an area of 3 hectares 5668 square metres and said to be in the ownership of the State of NSW.

TRANSPORT ADMINISTRATION ACT 1988**LAND ACQUISITION (JUST TERMS
COMPENSATION) ACT 1991****Notice of Compulsory Acquisition of Land for
the Purposes of Transport for NSW**

TRANSPORT for NSW, with the approval of Her Excellency the Governor, declares that the land described in the Schedule hereto is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of Transport for NSW, as authorised by the Transport Administration Act 1988.

Dated this 23rd day of June 2014.

TERRY BRADY,
General Manager,
Country Rail Contracts,
Transport Services Division

SCHEDULE

All those pieces or parcels of land situated in the locality of Belford in the Local Government Area of Singleton, Parish of Belford, County of Northumberland and State of New South Wales, being identified as Lot 301 and Lot 302 in Deposited Plan 1141523 and Lot 22 in Deposited Plan 1126305 and having an area of 2624.9 square metres and said to be in the ownership of the State of NSW.

TRANSPORT ADMINISTRATION ACT 1988**LAND ACQUISITION (JUST TERMS
COMPENSATION) ACT 1991****Notice of Compulsory Acquisition of Land for
the Purposes of Transport for NSW**

TRANSPORT for NSW, with the approval of Her Excellency the Governor, declares that the land described in the Schedule hereto is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of Transport for NSW, as authorised by the Transport Administration Act 1988.

Dated this 23rd day of June 2014.

TERRY BRADY,
General Manager,
Country Rail Contracts,
Transport Services Division

SCHEDULE

All those pieces or parcels of land situated in the locality of Urunga in the Local Government Area of Bellingen, Parish of Newry, County of Raleigh and State of New South Wales, being identified as Lot 2 in Deposited Plan 1175389 and Lot 3 in Deposited Plan 1175389, having an area of 327 square metres and said to be in the ownership of Bellingen Shire Council.

HEALTH SERVICES ACT 1997Order Amending the Scale of Fees
for Hospital and Other Health Services

PURSUANT to section 69 of the Health Services Act 1997, I, Dr MARY FOLEY, Secretary of the Ministry of Health, as the duly appointed delegate of the Minister for Health, do by this Order hereby amend the currently applying Scale of Fees for hospital services and other health services to the extent and in the manner set forth in the Schedule below, to take effect on and from 1 July 2014.

Signed at Sydney this 24th day of June 2014.

Dr MARY FOLEY,
Secretary, NSW Health

SCHEDULE

Amendment of Scale of Fees

The Schedule entitled "Scale of Fees" which is attached to the "ORDER FIXING A SCALE OF FEES FOR HOSPITAL AND OTHER HEALTH SERVICES" and as in effect at the date of this order is amended as follows:

(a) delete from Part 1 in its entirety item 1A. relating to "ACCOMMODATION CHARGES", and insert instead the following matter:

1A. ACCOMMODATION CHARGES

In respect of patients admitted to NSW public hospitals and receiving public hospital services pursuant to the National Health Reform Agreement.

	Daily Fee \$
1A.1. Public Patients	
1A.1.1 treated by a doctor nominated by the hospital	Nil
1A.1.2 accommodated in a shared room (single room accommodation without charge may be provided on the grounds of medical need)	Nil
1A.2. Private Patients (Overnight Stay)	
1A.2.1 treated by a doctor nominated by the patient and accommodated in a shared room	335
1A.2.2 treated by a doctor nominated by the patient and accommodated at the patient's request, in a single room or as sole occupant of a shared room.	638
1A.3. Private Patients (Same Day Patient)	
Band 1	243
Band 2	271
Band 3	298
Band 4	335
<i>Note: These bands are as categorised by the Commonwealth under the National Health Act 1953.</i>	
1A.4. Ineligible Patients	
1A.4.1 Work Visa holders 457 & 485 and Student Visa holders 570 to 576	
1A.4.1.1 Inpatient Patient Services	
Public Hospitals – Critical Care	2,835
Public Hospitals – other than Critical Care	1,140
Public Psychiatric Hospitals	480
Other (e.g. Residential Aged Care Facilities)	270
1A.4.2 Other than Work Visa holders 457 & 485 and Student Visa holders 570 to 576	
1A.4.2.1 Acute Admitted Patient Services – All Hospitals	
Inpatient – Critical Care – first 21 days per episode	4,945
Inpatient – Critical Care – over 21 days	2,835
Other Inpatient – first 21 days per episode	1,950
Other Inpatient – over 21 days	1,140
1A.4.2.2 Sub-Acute and Non-Acute Admitted Patient Services	
Public Hospitals	1,140
Public Psychiatric Hospitals	480
Other (eg Residential Aged Care Facilities)	270
1A.4.3 Hospital in the Home Fees – All Hospitals	220
1A.4.4 Dialysis – All Hospitals (per session)	625

With the exception of:

- 1 A visitor to Australia who holds a temporary entry permit, and who has applied for but has not yet been issued with an entry permit granting permanent residence.

2	A Norfolk Island resident who is admitted to a public hospital under the Norfolk Island Health Care Scheme (refer item 1A.8.).	
3	A person who is admitted to a public hospital under the Asylum Seeker Assistance Scheme (refer item 1A.9.).	
4	Persons entitled to free public hospital treatment under the terms of a Reciprocal Health Care Agreement between Australia and their country.	
		Daily Fee \$
1A.5.	Compensable Patients (other than Workers Compensation or Motor Vehicles Compensation)	
1A.5.1	Acute Admitted Patient Services – All Hospitals (where a patient was admitted prior to 1 April 2014 and not discharged as of 1 July 2014, the following per diem rates apply from 1 July 2014)	
	Normal Admission – first 21 days per episode	1,870
	Normal Admission – over 21 days	1,095
	Critical Care Admission – first 21 days per episode	4,745
	Critical Care Admission – over 21 days	2,720
1A.5.2	Acute Admitted Patient Services – All Hospitals (where a patient was admitted on or after 1 April 2014 the following charging arrangements apply from 1 July 2014) The patient episode reflecting the applicable AR-DRG version 7.0 grouping aligned to the National Weighted Activity Unit (NWAU (14)) with adjustments applied as applicable in accordance with the Independent Hospital Pricing Authority (IHPA) publication National Efficient Price Determination 2014-2015. The NWAU (14) is adjusted to reflect that Visiting Medical Officers (VMOs) and Staff Specialists bill separately for compensable admitted patients. The removal of assessed VMO and Staff Specialist costs reduces each NWAU by 11% creating an adjusted NWAU (14) for the purposes of charging this category of compensable patients.	
	multiplied by	
	The National Efficient Price (NEP) of \$5,007 as determined by the Independent Hospital Pricing Authority (IHPA).	
1A.5.3	Emergency Department (ED) Admitted Services – All Hospitals excluding EDs of small rural hospitals not collecting nor required to collect patient level data. The ED episode reflecting the applicable URG version 1.4 or UDG version 1.3 grouping aligned to the National Weighted Activity Unit (NWAU (14)) with adjustments applied as applicable in accordance with the IHPA publication National Efficient Price Determination 2014-2015. The NWAU (14) is adjusted to reflect that Visiting Medical Officers (VMOs) and Staff Specialists bill separately for compensable admitted patients. The removal of assessed VMO and Staff Specialist costs reduces each NWAU by 11% creating an adjusted NWAU (14), which is applicable for the purposes of charging ED admitted compensable patients.	
	multiplied by	
	The National Efficient Price (NEP) of \$5,007 as determined by the Independent Hospital Pricing Authority (IHPA).	
1A.5.4	Emergency Department (ED) of small rural hospitals not collecting nor required to collect patient level data. Per occasion of service at set rates as advised in section 4B.3 of this order.	
1A.5.5	Sub-Acute and Non-Acute Admitted Patient Services.	
	Public Hospitals	1,095
	Public Psychiatric Hospitals	460
	Other (eg Residential Aged Care Facility)	255
1A.5.6	Dialysis – All Hospitals (per session)	615
	<i>Note:</i> These rates do not apply to persons treated pursuant to respective statutory schemes for the purposes of workers' compensation or compensation to persons injured in motor accidents. Those rates are set by separate agreement or other such order or determination.	
1A.6.	Veterans' Affairs Patients	
	Veterans' Affairs Patients	Nil

1A.7. Nursing Home Type Patients

1A.7.1 Elect to be treated by hospital nominated doctors –

Shall be charged a patient contribution:

(on a fortnightly basis): not exceeding the equivalent to 87.5% of any Commonwealth Standard Rate Pension and 87.5% of any maximum Rent Assistance payable to a person; or

(on a daily basis, where appropriate): one fourteenth of the fortnightly amount already referred to.

1A.7.2 Elect to be treated by doctor of choice –

Shall be charged on a daily basis, an amount equivalent to the patient contribution calculated on a daily basis in accordance with sub paragraph 1A.7.1, plus an amount determined in writing from time to time by the Minister for Health of the Commonwealth, or the Minister's delegate, pursuant to the National Health Act 1953 of the Commonwealth.

Daily Fee
\$

1A.8. Norfolk Island Residents admitted to a public hospital under the Norfolk Island Health Care Scheme

Accommodation in a shared room

590

Accommodation in a single room

796

Same Day Admission

504

Accommodation as a critical care patient

1,603

Accommodation as a compensable patient

Applicable rates
under 1A.5.

1A.9. Patients admitted to a public hospital under the Asylum Seekers Assistance Scheme

Accommodation in a shared room

590

Accommodation in a single room

796

Same Day Admission

504

Accommodation as a critical care patient

1,603

1A.10. Private, (Private) Same Day Admissions and Ineligible Patients – Charges for the Fitting of Surgically Implanted Prostheses and Medical Devices

The charge for the fitting of any specific surgically implanted prosthesis or medical device item shall be:

1A.10.1 where there is a single dollar amount specified for an item, that dollar amount; or

1A.10.2 where there is a minimum and maximum benefit dollar amount specified for an item, a dollar amount being the minimum benefit amount, the maximum benefit amount or an amount within that dollar range, as determined in writing from time to time in respect of that item by the Minister for Health of the Commonwealth, or the Minister's Delegate, pursuant to the National Health Act 1953 of the Commonwealth. Such charges shall take effect on any date determined by the Commonwealth Minister for Health or the Minister's delegate in respect of that item.

(b) delete from Part 1 in its entirety item 1D. relating to "TREATMENT FEE ", and insert instead, the following item:

Daily Fee
\$

1D. TREATMENT FEES

Treatment fee applicable to ineligible inpatients, other than compensable patients, in addition to the current applicable accommodation charge (refer item 1A.4.), in situations where the ineligible inpatient receives medical treatment under arrangement with a public hospital rather than an individual practitioner

300

With the exception of:

1. A visitor to Australia who holds a temporary entry permit, and who has applied for but has not yet been issued with an entry permit granting permanent residence.
2. A Norfolk Island resident who is admitted to a public hospital under the Norfolk Island Health Care Scheme (refer item 1A.8.).
3. A person who is admitted to a public hospital under the Asylum Seeker Assistance Scheme (refer item 1A.9.)
4. Persons entitled to free public hospital treatment under the terms of a Reciprocal Health Care Agreement between Australia and their country.

Note: The above daily fee is applicable irrespective of the number of treating practitioners.

- (c) delete from “PART 3 – OTHER CHARGES” in its entirety item 3A. relating to BRAIN INJURY REHABILITATION SERVICES and insert instead the following matter:

	Daily Fee \$
3A. BRAIN INJURY REHABILITATION SERVICES	
Provided by designated units of public hospitals in respect of compensable patients requiring brain injury rehabilitation services (including diagnostic services)	
3A.1. Admitted Patient Services	
Category A patient	1,150
Category B patient	735
Category X patient	1,635
3A.2. Transitional Living Unit	
Category A patient	820
Category B patient	405
3A.3. Non Admitted Patient Services (including Outreach)	\$80 per half hour or part thereof
3A.4. Outpatient Medical Clinic Appointments	
Standard Fee	
\$	
Medical Consultation – New (initial assessment)	270
Medical Consultation – Review (follow-up appointment)	135
3A.5. Group Activities	\$ per half hour or part thereof
Qualified	50
Unqualified	35

Note: Categories, classifications or descriptions of service referred to in this Part 3A are to be considered the same as those defined or set out in Ministry of Health Policy Directive PD2013_016, or as that policy is subsequently amended or revised from time to time.

- (d) delete in its entirety “PART 4 – NON-ADMITTED PATIENT CHARGES” and insert instead the following matter:

PART 4 – NON-ADMITTED PATIENT CHARGES

For the purposes of Part 4, an “occasion of service”, in relation to a non-admitted patient occasion of service, has the same meaning as it has for the purposes of the NSW Department of Health Reporting System (DOHRS) activity reporting system as amended from time to time.

- 4A. Ineligible Patients**
- | | |
|---|-----|
| <u>For each Occasion of Service (both categories)</u> | \$ |
| Public Hospital | 120 |
| Public Psychiatric Hospital | 85 |
| Other (eg Residential Aged Care Facility) | 85 |
- The rates of charge are as per the above occasion of service rates as appropriate to the designated hospital classification or as per the Australian Medical Association (AMA) schedule of rates.
- With the exception of:
1. A visitor to Australia who holds a temporary entry permit, and who has applied for but has not yet been issued with an entry permit granting permanent residence.
 2. Persons entitled to free public hospital treatment under the terms of a Reciprocal Health Care Agreement between Australia and their country.
- 4B. Compensable Patients (other than Workers Compensation or Motor Vehicles Compensation) –**
- 4B.1 Emergency Department (ED) Non-admitted Services – All Hospitals excluding EDs of small rural hospitals not collecting nor required to collect patient level data.**
- The patient ED presentation reflecting the applicable URG version 1.4 or UDG version 1.3 grouping aligned to the National Weighted Activity Unit (NWAU (14)) with adjustments applied as applicable in accordance with the IHPA publication National Efficient Price Determination 2014-2015.
- multiplied by
- The National Efficient Price (NEP) of \$5,007 as determined by the Independent Hospital Pricing Authority (IHPA).
- 4B.2 Emergency Department (ED) Non-admitted Services of small rural hospitals not collecting nor required to collect patient level data.**
- Per occasion of service at set rates as advised in section 4B.3. of this order.

4B.3	Non-admitted Services – All Hospitals excluding Emergency Departments.	
	<u>For each Occasion of Service (excluding physiotherapy services, psychology and exercise physiology services)</u>	\$
	Public Hospital	115
	Public Psychiatric hospital	80
	Other hospital (eg Residential Aged Care Facility)	80
	The above occasion of service rates apply or alternatively the maximum amount payable under the relevant WorkCover practitioner fees order. The fees orders, which generally link to AMA rates, cover Medical Practitioners, Surgeons and Orthopaedic Surgeons.	
	<u>Compensable Non-Admitted Physiotherapy Services</u>	
	<i>Normal Practice</i>	
	Initial consultation & treatment	86.20
	Standard consultation and treatment	73.00
	Initial consultation & treatment of two distinct areas	130.00
	Standard consultation & treatment of two distinct areas	110.10
	Complex treatment	145.90
	Group/class Intervention (rate per participant)	51.80
	<i>Home Visit</i>	
	Initial consultation & treatment	106.10
	Standard consultation and treatment	84.90
	Initial consultation & treatment of two distinct areas	156.50
	Standard consultation & treatment of two distinct areas	134.00
	Complex treatment	172.40
	<i>Other</i>	
	Case conference (rate per hour), Report Writing (max)	172.40
	Activity assessment, consultation & treatment	172.40
	Travel (per km)	1.60
	<u>Compensable Non-Admitted Psychology Service Charges</u>	
	Initial consultation	205.50
	Standard consultation	171.20
	Report Writing (per hr /max 1 hr)	171.20
	Case Conferencing (per hr/pro rata)	171.20
	Travel (per km)	1.60
	Group (per participant)	51.40
	<u>Compensable Non-Admitted Exercise Physiology Service Charges</u>	
	Initial consultation & treatment	137.70
	Standard consultation & treatment	137.70
	Reduced supervision treatment	60.10
	Group/class intervention (per participant)	43.80
	Additional Expenses (as agreed with insurer)	–
	Case Conferencing (per hr)	137.70
	Report Writing (max)	137.70
	Travel (per km)	1.60

Note: These rates do not apply to persons treated pursuant to respective statutory schemes for the purposes of workers' compensation or compensation to persons injured in motor accidents. Those rates are set by separate agreement or other such order or determination.

WORKERS COMPENSATION (PRIVATE HOSPITAL RATES) ORDER 2014

under the
Workers Compensation Act 1987

I, JULIE NEWMAN, Chief Executive Officer of the WorkCover Authority of New South Wales, pursuant to section 62 (1) of the Workers Compensation Act 1987, and with the concurrence of the Minister for Health under section 62 (8), make the following Order.

Dated this 23rd day of June 2014.

JULIE NEWMAN,
Chief Executive Officer,
WorkCover Authority of New South Wales

1. Name of Order

This Order is the Workers Compensation (Private Hospitals Rates) Order 2014.

2. Commencement

This Order commences on 1 July 2014.

3. Application of Order

This Order applies to the hospital treatment of a worker at a private hospital, being treatment of a type referred to in clause 5 and provided on or after the date of commencement of this Order, whether the treatment relates to an injury that is received before, on or after that date.

4. Definitions

(1) In this Order:

the Act means the Workers Compensation Act 1987.

Admitted patient means a patient who undergoes a hospital's admission process to receive treatment and/or care. This treatment and/or care is provided over a period of time and can occur in hospital and/or in the person's home (for hospital-in-the-home patients).

GST means the goods and services tax payable under the GST Law.

GST Law has the same meaning as in the A New Tax System (Goods and Services Tax) Act 1999 (Cth).

Intensive Care levels 1 and 2 as defined by the level of staffing in the Private Health Facilities Regulation 2010, Schedule 2, Part 7, Clause 28) must have:

- (1) A medical practitioner with appropriate qualifications appointed as director of the unit, the appropriate qualifications being (in the case of an intensive care (level 2) class private health facility) a recognised post-graduate qualification in intensive care, and
- (2) In the case of an intensive care (level 1) class private health facility – a medical practitioner on duty at the private health facility at all times, with priority for attendance on patients in the intensive care unit, and
- (3) In the case of an intensive care (level 2) class private health facility – a medical practitioner with an appropriate level of experience present in the unit at all times, and
- (4) Sufficient nursing staff on duty at all times, being:
 - i. A nursing staff to patient ratio of at least 1:1 for all critically ill patients, and
 - ii. In the case of an intensive care (level 2) class private health facility – at least 50% of whom are registered nurses with intensive care certification.

Non-admitted patient means a patient who does not undergo a hospital's formal admission process. There are three categories of non-admitted patient: emergency department patient; outpatient; and other non-admitted patient (treated by hospital employees off the hospital site – includes community/outreach services).

Private hospital means a hospital or licensed private health facility (as defined in the Private Health Facilities Act 2007) but excludes a public hospital.

Same day patient means an admitted patient who is admitted and discharged on the same date.

WorkCover means the WorkCover Authority of New South Wales.

- (2) A reference to treatment or services in this Order is a reference to treatment or services provided at a private hospital or at any rehabilitation centre conducted by such a hospital.

5. Fees for hospital patient services generally

- (1) An employer is not liable under the Act to pay any amount for hospital treatment provided to a worker at a facility that is not a public hospital or a private hospital as defined.
- (2) Where the service is a taxable supply for the purposes of the GST Law, the amount in the last column of the attached Table should be increased by the amount of GST payable.
- (3) The theatre fees include the costs of consumable and disposable items. Only in exceptional circumstances will additional fees be paid for high cost consumable and disposable items on provision of evidence from the hospital that the item is reasonably necessary.

- (4) The facility fees also include the cost of pharmaceutical items provided during the admission. Only pharmaceutical items provided at discharge may be charged separately.
- (5) The facility fees also include the cost of allied health services provided during the admission, except for Rehabilitation patients. Allied health services for Rehabilitation patients are to be charged in accordance with the relevant Workers Compensation Fees Order for that professional discipline.

6. Invoices for private hospital patients

Invoices for private hospital patients are to be submitted to scheme agents and insurers in the following form:

- worker's first name and last name and claim number
- payee details
- ABN
- name of service provider who provided the service
- date of service
- WorkCover NSW payment classification code
- Medicare Benefits Schedule (MBS) item and theatre band
- service cost for each WorkCover NSW classification code
- theatre duration (if applicable)

7. Additional Information

The scheme agent, insurer or WorkCover may request additional information as evidence of the service provided and billed.

8. Fees for Surgically Implanted Prostheses and Handling

- (1) Surgical prostheses are to be selected from the Department of Health Prostheses List (in accordance with the Private Health Insurance Prostheses Rules (Cth) rate current at the time of service) at the minimum benefit rate.
- (2) A 5% handling fee may be applied to each item up to a maximum of \$150 per item.

9. Fees payable for Allied Health Services for Non-Admitted and Same Day patients

Where a worker is provided with allied health services as a non-admitted or same day patient in a private hospital, the maximum amount for which an employer is liable under the Act for the provision of those services is in accordance with the relevant Workers Compensation Fees Order for that professional discipline.

10. Group programs

- (1) A group program, defined as two or more patients receiving the same service at the same time with allied health or medical professionals, must be outcome based with a return to work emphasis.
- (2) Unless exempt from requiring prior insurer approval pursuant to the WorkCover Guidelines for Claiming Compensation Benefits, all group programs (including the program intent, timetable and professional staff undertaking work in accordance with the program) must be approved by the insurer prior to the commencement of the program.
- (3) The fee payable for a group program is as stated in the Fee Schedule to this Order.

11. Single rooms

There is no additional fee payable for a single room.

12. Fees for Electro Convulsive Therapy (ECT)

As there is no theatre banding fee for ECT, this service is to be billed using the facility fee Band 3 (PTH006) and theatre Band 1 (PTH008) stated in the Fee Schedule to this Order.

<i>Code</i>	<i>Private Hospitals Fee Schedule – from 1 July 2014 Under section 62 (1) of the Workers Compensation Act 1987</i>	<i>Maximum Fees for services</i>
	OVERNIGHT FACILITY FEES (Daily)	
PTH001	Advanced surgical 1 to 14 days >14 days	\$744.16 \$504.15
PTH002	Surgical 1 to 14 days >14 days	\$700.39 \$504.15
PTH003	Psychiatric 1 to 21 days 22 to 65 days Over 65 days	\$665.67 \$514.72 \$472.45
PTH004	Rehabilitation 1 to 49 days >49 days	\$723.03 \$531.32

<i>Code</i>	<i>Private Hospitals Fee Schedule – from 1 July 2014 Under section 62 (1) of the Workers Compensation Act 1987</i>	<i>Maximum Fees for services</i>
	OVERNIGHT FACILITY FEES (Daily) – continued	
PTH005	Other (Medical) 1 to 14 days >14 days	\$621.89 \$504.15
PTH007	Intensive Care <5 days, level 2 <5 days, level 1	\$2,893.62 \$2,003.04
PTH006	DAY FACILITY FEES (including Accident and Emergency attendance) (Daily)	
	Group Rate – per person, per 1/2 hour session for a maximum of 2 hours – for sessions greater than 2 hours, the maximum fee for Band 1 facility applies	\$62.50 \$320.00
	Band 1 – absence of anaesthetic or theatre times	\$320.00
	Band 2 – local anaesthetic, no sedation	\$375.86
	Band 3 – general or regional anaesthetic or intravenous sedation, less than 1 hour theatre time	\$424.15
	Band 4 – general or regional anaesthetic or intravenous sedation, 1 hour or more theatre time	\$473.97
PTH008	THEATRE FEES – as per national procedure banding schedule Multiple procedure rule: 100% of fee for first procedure, 50% for second procedure undertaken at the same time as the first, 20% for the third and subsequent procedures undertaken at the same time as the first.	
	Band 1A	\$179.62
	Band 1	\$320.00
	Band 2	\$547.93
	Band 3	\$670.20
	Band 4	\$907.18
	Band 5	\$1,332.84
	Band 6	\$1,529.08
	Band 7	\$2,043.80
	Band 8	\$2,845.31
	Band 9A	\$2,941.92
	Band 9	\$3,759.37
	Band 10	\$4,446.84
	Band 11	\$5,264.97
	Band 12	\$5,689.12
	Band 13	\$6,899.70
PTH008	SURGICAL PROSTHESES FEES	
	Prostheses	As per Dept Health listed minimum rate
	Handling fee	5% of prosthesis fee capped at \$150

WORKERS COMPENSATION (PUBLIC HOSPITAL RATES) ORDER 2014 (No. 2)

under the

Workers Compensation Act 1987

I, JULIE NEWMAN, Chief Executive Officer of the WorkCover Authority of New South Wales, pursuant to section 62 (1) of the Workers Compensation Act 1987, and with the concurrence of the Minister for Health under section 62 (8) of the Act, make the following Order.

Dated this 23rd day of June 2014.

JULIE NEWMAN,
Chief Executive Officer,
WorkCover Authority

1. Name of Order

This Order is the Workers Compensation (Public Hospital Rates) Order 2014 (No. 2).

2. Commencement

This Order commences on 1 July 2014.

3. Application of Order

- (1) This Order applies to the hospital treatment of a worker at a public hospital, being treatment or service of a type referred to in clauses 4 to 11 and provided, with the exception of treatment outlined in Tables 1 & 2 in clause 5, on or after 1 July 2014, whether the treatment relates to an injury that is received before, on or after that date.
- (2) This order does not apply to hospital treatment (excluding Visiting Medical Officer and Salaried Medical Officer services) provided to a worker whose injury has been sustained as a result of a motor vehicle accident in New South Wales. Fees for Visiting Medical Officer and Salaried Medical Officer services are contained in the relevant WorkCover medical services fees order.
- (3) Any order of the Secretary of the Ministry of Health relating to the classification of hospitals made for the purposes of clause 4 of this Order or any previous Order under section 62 of the Act has effect, subject to any amendment of it made by any subsequent order of the Secretary of the Ministry of Health.
- (4) Any order relating to the classification of hospitals made for the purposes of clause 4 of this Order may provide that a hospital is not a public hospital of a particular type in respect of treatment provided to a specified class of patient.

4. Definitions

- (1) In this Order:

classification refers to a classification of hospital, category of patient or otherwise (or any combination of them), appearing in Column 1 of the Tables to clauses 4 and 5 of this Order.

the Act means the Workers Compensation Act 1987.

WorkCover means the WorkCover Authority of New South Wales.

- (2) A reference to treatment or services in this Order is (consistent with the definition of "hospital treatment" in section 59 of the Act) a reference to treatment or services provided at a public hospital or at any rehabilitation centre conducted by such a hospital.

5. Fees for hospital patient services generally

- (1) The amount for which an employer is liable under the Act for hospital treatment of a worker, being treatment provided to a worker within a classification specified in column 3 of the Tables to this clause is:
 - (a) in the case of Acute Admitted Patient Services and Emergency Department Admitted Patient Services All Hospitals admitted prior to 1 April 2014 and discharged on or after 1 July 2014 for each day (or part of a day) that the worker is a patient of the hospital, the corresponding amount specified in column 3 of Table 1;
or
 - (b) in the case of Acute Admitted Patient Services All Hospitals admitted on or after 1 April 2014 but before 1 July 2014 for each patient episode, the amount calculated as specified in column 3 of Table 2 in accordance with the formulas outlined under Table 2 and the Independent Hospital Pricing Authority's (IHPA's) National Efficient Price Determination 2014-2015
or
 - (c) in the case of Acute Admitted Patient Services All Hospitals admitted on or after 1 July 2014 for each patient episode, the amount calculated as specified in column 3 of Table 3 in accordance with the formulas outlined under Table 3 and the Independent Hospital Pricing Authority's (IHPA's) National Efficient Price Determination 2014-2015
or
 - (d) in the case of Emergency Department Admitted and Emergency Department Non-Admitted Patient Services, except in small rural hospitals, for each Emergency Department episode or Emergency Department presentation, the amount calculated as specified in column 3 of Table 3 in accordance with the formulas outlined under Table 3 and the IHPA's National Efficient Price Determination 2014-2015;

or

(e) in the case of Emergency Department Non-Admitted Services of small rural hospitals not collecting nor required to collect patient level data, for each occasion of service, the corresponding amount specified in column 3 of Table 4.

(2) This clause does not apply to hospital treatment or services of a type referred to in clauses 6 to 11 of this Order.

(3) In this clause and the Tables to this clause:

Acute Admitted Patient Services – All Hospitals means acute care for an admitted patient in which the primary clinical purpose or treatment goal is to:

- manage labour (obstetric);
- cure illness or provide definitive treatment of injury;
- perform surgery;
- relieve symptoms of illness or injury (excluding palliative care);
- reduce severity of an illness or injury;
- protect against exacerbation and/or complication of an illness and/or injury which could threaten life or normal function; or
- perform diagnostic or therapeutic procedures.

Emergency Department (ED) admitted patient services means services and treatment provided within a hospital emergency department where a person has been admitted.

Emergency Department (ED) non admitted patient services means services and treatment provided within a hospital emergency department where a person has not been admitted.

Non-Acute/ Sub-Acute Admitted Patient Services & Outpatient Services means admitted patient care that does not meet the definition of Acute Care.

AR-DRG version 7.0 refers to a group within the classification system known as Australian Refined Diagnostic Related Groups version 7.0 (also known as AR-DRG V7.0) (refer Chapter 7 of the Independent Hospital Pricing Authority's (IHPA's) National Efficient Price Determination 2014-2015);

critical care, in relation to a patient, has the same meaning as it has in the "NSW Department of Health – Department of Health Reporting System (DOHRS)" issued by the Department of Health in June 2000 or in any subsequent revision of that document issued by that Department.

dialysis used in treating kidney disease, by which uric acid and urea are removed from circulating blood by means of a dialyzer.

metropolitan (non-referral) hospital means a public hospital classified as a metropolitan (non-referral) hospital in an order published in the Gazette by the Director-General of the Department of Health.

metropolitan (referral) hospital means a public hospital classified as a metropolitan (referral) hospital in an order published in the Gazette by the Director-General of the Department of Health.

National Efficient Price (NEP) means the National Efficient Price 2014-2015, as set out at Chapter 2 of the IHPA's National Efficient Price Determination 2014-2015. The NEP is \$5,007 per National Weighted Activity Unit 2013-2014 (NWAU(14));

National Weighted Activity Unit (NWAU) means National Weighted Activity Unit 2014-2015 (NWAU (14)) as set out at Chapter 2 of the IHPA's National Efficient Price Determination 2014-2015.

non-metropolitan hospital means a public hospital classified as a non-metropolitan hospital in an order published in the Gazette by the Director-General of the Department of Health.

other public hospital means a public hospital other than a metropolitan (non-referral) hospital, a metropolitan (referral) hospital, a non-metropolitan hospital or a psychiatric hospital.

outpatient means a patient who does not undergo a formal admission process.

psychiatric hospital means a public hospital classified as a psychiatric hospital in an order published in the Gazette by the Director-General of the Department of Health.

public hospital means a public hospital within the meaning of section 59 of the Act.

Table 1

Acute Admitted and Emergency Department Admitted Patient Services – All Hospitals – patients admitted prior to 1 April 2014 and discharged on or after 1 July 2014. These amended rates only apply to those days of admission on or after 1 July 2014.

(Note: All rates for days of admission prior to 1 July 2014 are prescribed in the Workers Compensation (Public Hospital Rates) Order 2013 and the Workers Compensation (Public Hospital Rates) Order 2014 (No. 1).

<i>Payment Class. Code</i>	<i>Item</i>	<i>Fee</i>
PUH 001	Critical Care – first 21 days per episode	\$4,745/day
	Critical Care – over 21 days	\$2,720/day
	Other Inpatient – first 21 days per episode	\$1,870/day
	Other Inpatient – over 21days	\$1,095/day

Table 2

Acute Admitted, Emergency Department Admitted and Emergency Department Non-Admitted Patient Services except in small rural hospitals – patients admitted on or after 1 April 2014 but before 1 July 2014.		
<i>Payment Class. Code</i>	<i>Item</i>	<i>Fee</i>
PUH 001	Acute Admitted ED admitted ED non admitted	(NWAU – 11%) x NEP (\$4,993) (NWAU – 11%) x NEP (\$4,993) NWAU x NEP (\$4,993)

Table 3

Acute Admitted, Emergency Department Admitted and Emergency Department Non-Admitted Patient Services except in small rural hospitals – patients admitted on or after 1 July 2014.		
<i>Payment Class. Code</i>	<i>Item</i>	<i>Fee</i>
PUH 001	Acute Admitted ED admitted ED non admitted	(NWAU – 11%) x NEP (\$5,007) (NWAU – 11%) x NEP (\$5,007) NWAU x NEP (\$5,007)

NOTES TO TABLES 1, 2 AND 3

Acute Admitted Services

The patient episode reflecting the applicable AR-DRG version 7.0 grouping aligned to the National Weighted Activity Unit (NWAU (14)) with adjustments applied as applicable in accordance with the Independent Hospital Pricing Authority (IHPA) publication *National Efficient Price Determination 2014-2014*. The NWAU (14) is adjusted to reflect that Visiting Medical Officers (VMOs) and Staff Specialists bill separately for compensable admitted patients. The removal of assessed VMO and Staff Specialist costs reduces each NWAU by 11% creating an adjusted NWAU (14) for the purposes of charging this category of compensable patients.

multiplied by

The National Efficient Price (NEP) of \$5,007 as determined by the Independent Hospital Pricing Authority (IHPA).

Emergency Department (ED) Admitted Services – All Hospitals excluding EDs of small rural hospitals not collecting nor required to collect patient level data.

The ED episode reflecting the applicable URG version 1.4 or UDG version 1.3 grouping aligned to the National Weighted Activity Unit (NWAU (14)) with adjustments applied as applicable in accordance with the IHPA publication *National Efficient Price Determination 2014/2015*.

The NWAU (14) is adjusted to reflect that Visiting Medical Officers (VMOs) and Staff Specialists bill separately for compensable admitted patients. The removal of assessed VMO and Staff Specialist costs reduces each NWAU by 11% creating an adjusted NWAU (14), which is applicable for the purposes of charging ED admitted compensable patients.

multiplied by

The National Efficient Price (NEP) of \$5,007 as determined by the Independent Hospital Pricing Authority (IHPA).

Emergency Department (ED) of small rural hospitals not collecting nor required to collect patient level data per occasion of service at set rates as advised in Table 3 of this order.**Emergency Department (ED) Non-admitted Services – All Hospitals excluding EDs of small rural hospitals not collecting nor required to collect patient level data.**

The patient ED presentation reflecting the applicable URG version 1.4 or UDG version 1.3 grouping aligned to the National Weighted Activity Unit (NWAU (14)) with adjustments applied as applicable in accordance with the IHPA publication *National Efficient Price Determination 2014-2015*.

multiplied by

The National Efficient Price (NEP) of \$5,007 as determined by the Independent Hospital Pricing Authority (IHPA).

Emergency Department (ED) Non-admitted Services of small rural hospitals not collecting nor required to collect patient level data – per occasion of service at the amount specified in column 3 in Table 3 of this order.

Table 4

Non – Acute/ Sub – Acute Admitted Patient Services & Outpatient Services and ED Patient Services Small Rural Hospitals		
<i>Payment Class. Code</i>	<i>Item</i>	<i>Fee</i>
PUH 002	Public hospital (sub-acute & non-acute) – in patient Incorporating: <ul style="list-style-type: none"> • Metropolitan Referral Hospital • Metropolitan Non Referral & Non-Metropolitan Hospital • Public Psychiatric hospital • Other Public Hospital Dialysis	Max \$1095/day \$1095/day \$1095/day \$460/day \$255/day \$615 (per session)
PUH 003	Public hospital – outpatient occasion of services (excluding physiotherapy, psychology and exercise physiology services – use relevant WC gazetted fees for these services with code PUH003) and ED of small rural hospitals not collecting patient level data <ul style="list-style-type: none"> • Metropolitan Referral Hospital • Metropolitan Non Referral & Non-Metropolitan Hospital • Public Psychiatric Hospital • Other Public Hospital 	Max \$115/occasion \$115/occasion \$115/occasion \$80/occasion \$80/occasion

6. Fees for brain injury rehabilitation services

- (1) The amount for which an employer is liable under the Act for hospital treatment of a worker, being brain injury rehabilitation services within a classification specified in column 2 of Table 5, is the corresponding amount specified in column 3 of that Table.
- (2) This clause does not apply to hospital treatment or services of a type referred to in clause 5, 7, 8, 9, 10 or 11 of this Order.
- (3) In this clause and the Table to this clause:

Category A patient means a patient being assessed for or receiving active rehabilitation.

Category B patient means a patient receiving personal and nursing support who is resident in a brain injury program unit.

Category X patient means a patient needing an extremely high level of support.

metropolitan (non-referral) hospital means a public hospital classified as a metropolitan (non-referral) hospital in an order published in the Gazette by the Director-General of the Department of Health.

outpatient means a patient who does not undergo a formal admission process.

Table 5

Brain Injury Rehabilitation Services		
<i>Code</i>	<i>Item</i>	<i>Fee (\$)</i>
PBI 001	Admitted patient service Incorporating: <ul style="list-style-type: none"> • Category A patient • Category B patient • Category X patient 	Max \$1,635/day \$1,150/day \$735/day \$1,635/day
PBI 002	Metropolitan (non-referral) services Incorporating: <ul style="list-style-type: none"> • Category A patient • Category B patient 	Max \$820/day \$820/day \$405/day
PBI 003	Non-admitted patient services	\$80 per half hour
PBI 004	Out-patient medical clinic appointments Incorporating: <ul style="list-style-type: none"> • Initial assessment • Follow up assessment 	Max \$270 \$270 \$135
PBI005	Group Activities <ul style="list-style-type: none"> • Directly supervised by qualified allied health clinician • Not directly supervised by qualified allied health clinician 	\$50 per half hour \$35 per half hour

7. Fees for spinal injury rehabilitation services

- (1) Spinal injury rehabilitation rates apply exclusively to services provided at Royal Rehabilitation Centre Sydney.
- (2) The rate for inpatient spinal injury rehabilitation services is that which applies for hospital patients in the metropolitan non-referral classification, that is \$1,095 per day.
- (3) The rate for outpatient/outreach spinal injury rehabilitation services is that which applies for Brain Injury Program non-inpatient services/outreach rate, that is, \$80 per half hour or part thereof.

8. Fee amount payable for physiotherapy outpatient services

The amount for which an employer is liable under the Act for hospital treatment of a worker, being physiotherapy services provided to the worker as an outpatient is according to the relevant Workers Compensation (Physiotherapy Fees) Order (Schedule B) in effect at the time.

9. Fee amount payable for psychology outpatient services

The amount for which an employer is liable under the Act for hospital treatment of a worker, being psychology services provided to the worker as an outpatient, is according to the relevant Workers Compensation (Psychology Fees) Order (Schedule A) in effect at the time.

10. Fee amount payable for exercise physiology outpatient services

- (1) The amount for which an employer is liable under the Act for hospital treatment of a worker, being exercise physiology services provided to the worker as an outpatient, is according to the relevant Workers Compensation (Exercise Physiology Fees) Order (Schedule A) in effect at the time.

11. Charges for health records and medical reports

- (1) In this clause a health record means a document account, whether in hard or electronic form, of a worker's health, illness and treatment during each visit or stay at a health service.
- (2) The charges for health records and medical reports are charged in accordance with the rates set out in NSW Health IB2013_032 subject to the categorisations set out in NSW Health PD2006_050 (except where rates are otherwise provided under specific legislation). Reports charging both of those rates or categorisations are amended or revised from time to time and can be found at the following internet sites:

http://www0.health.nsw.gov.au/policies/ib/2013/pdf/IB2013_032.pdf

http://www0.health.nsw.gov.au/policies/pd/2006/pdf/PD2006_050.pdf

WORKERS COMPENSATION (AMBULANCE SERVICES FEES) ORDER 2014

under the
Workers Compensation Act 1987

I, Julie Newman, Chief Executive Officer of the WorkCover Authority of New South Wales, pursuant to section 63 of the Workers Compensation Act 1987, make the following Order.

Dated this 23rd day of June 2014.

JULIE NEWMAN,
Chief Executive Officer,
WorkCover Authority

EXPLANATORY NOTE

Provision of ambulance services in New South Wales is restricted to the Ambulance Service of NSW and the entities listed under section 67E (3) of the Health Services Act 1997. This Order prescribes the rates applicable for Ambulance services to an injured worker for which an employer is liable being the fees prescribed under section 67D of the Health Services Act 1997 applicable from 1 July 2014.

1. Name of Order

This Order is the Workers Compensation (Ambulance Services Fees) Order 2014.

2. Commencement

This Order commences on 1 July 2014.

3. Application of Order

This Order applies to ambulance services provided on or after the date of commencement, whether it relates to an injury received before, on or after that date.

4. Fees for ambulance services

The fee amounts for which an employer is liable under the Act for provision of ambulance or paramedic services to an injured worker are listed in Schedule A, being the fees prescribed under section 67D of the Health Services Act 1997.

5. Scope of Order (Additional Information)

(a) The fees in Schedule A do not apply to treatment at the scene of the accident, or transport for hospital admission, for workers injured in motor vehicle accidents.

Note: These are to be paid by the Motor Accidents Authority (MAA) Bulk Bill arrangement.

(b) The fees in Schedule A are payable only to:

- The Ambulance Service of New South Wales;
- St John Ambulance Australia (NSW);
- The Royal Flying Doctor Service of Australia (NSW Section);
- The mines rescue company within the meaning of the Coal Industry Act 2001 in the exercise of mines rescue functions;
- A member of the New South Wales Mines Rescue Brigade established under the Coal Industry Act 2001; or,
- Any person (or class of persons) prescribed by regulations made under the Health Services Act 1997.

6. Goods and Services Tax

No GST is payable on the fees in Schedule A.

7. Definitions

In this order:

GST has the same meaning as in the New Tax System (Goods and Services Tax) Act 1999 of the Commonwealth.

Ambulance Services means the conveyance of an injured worker to or from a medical practitioner or hospital. This does not include conveyance of an injured worker from one public hospital to another.

Ambulance Service Provider is the Ambulance Service of NSW or the entities listed in clause 5 above.

New Tax System Price Exploitation Law means

- a. the New Tax System Price Exploitation Code as applied as a law of New South Wales by the Price Exploitation Code (New South Wales) Act 1999, and
- b. Part VB of the Trade Practices Act 1974 of the Commonwealth.

The Act means the Workers Compensation Act 1987.

WorkCover means the WorkCover Authority of New South Wales.

8. Parts of the Order

- (1) Schedule A to this Order forms part of the Order.
- (2) The Explanatory Note does not form part of the Order.

SCHEDULE A

Fees

Primary

Ambulance services to or from a medical practitioner or hospital.

<i>Rates</i>	<i>1 July 1914</i>			
	<i>Road</i>		<i>Fixed Wing</i>	<i>Helicopter</i>
	<i>Emergency</i>	<i>Non-Emergency</i>	<i>Emergency</i>	<i>Emergency</i>
Call-Out	\$349	\$275	\$349	\$349
Variable Rate (per km)	\$3.15	\$1.70	\$3.15	\$3.15
Maximum Charge	\$5,716	\$5,716	\$5,716	\$5,716

Note:

- All fees are to be paid against payment classification code TRA001
- Fees in Schedule A for ambulance services are only payable to those providers listed in the gazette.



Independent Pricing and Regulatory Tribunal

Essential Energy's water and sewerage services in Broken Hill

Review of prices from 1 July 2014 to 30 June 2018

Determination No. 1, 2014

© Independent Pricing and Regulatory Tribunal of New South Wales 2014

This work is copyright. The *Copyright Act 1968* permits fair dealing for study, research, news reporting, criticism and review. Selected passages, tables or diagrams may be reproduced for such purposes provided acknowledgement of the source is included.

ISBN 978-1-925032-20-6 Det14-01

The Tribunal members for this review are:

Dr Peter J Boxall AO, Chairman

Dr Paul Paterson

Ms Catherine Jones

Independent Pricing and Regulatory Tribunal of New South Wales
PO Box Q290, QVB Post Office NSW 1230
Level 8, 1 Market Street, Sydney NSW 2000
T (02) 9290 8400 F (02) 9290 2061
www.ipart.nsw.gov.au

Contents

Preliminary	1
1 Background	1
2 Application of this determination	1
3 Replacement of Determination No. 1 of 2010	2
4 Monitoring	2
5 Pricing Schedules	2
6 Definitions and Interpretation	2
7 Simplified outline	3
Schedule 1 Water supply services	5
1 Application	5
2 Maximum price for water supply services to Metered Residential Properties (other than Pipeline Properties)	5
3 Maximum price for water supply services to a Residential Property in a Residential Multi Premises or Residential Property within a Mixed Multi Premises with one or more Common Meters	6
4 Maximum price for water supply services to Metered Non Residential Properties (other than Pipeline Properties and Mining Customer Properties)	8
5 Maximum price for water supply services to Non Residential Properties in a Multi Premises with one or more Common Meters (other than Pipeline Properties or Mining Customer Properties)	9
6 Maximum price for water supply services to Mining Customer Properties	12
7 Maximum price for water supply services to Pipeline Properties	14
8 Maximum price for water supply services to Unmetered Properties connected to the Water Supply System (Residential and Non Residential)	16
9 Maximum price for water supply services to Vacant Land	16
10 Maximum price for water supply services to Exempt Land	16
Tables 1 to 4	17
Schedule 2 Sewerage Services	20
1 Application	20
2 Maximum price for sewerage services to Residential Properties	20
3 Maximum price for sewerage services to Metered Non Residential Properties	20
4 Maximum prices for sewerage services to Non Residential Properties in Multi Premises with one or more Common Meters	22
5 Maximum sewerage usage charges	23
6 Maximum price for sewerage supply services to Unmetered Properties connected to the Sewerage Supply System (Residential and Non Residential)	25
7 Maximum price for sewerage services to Vacant Land	25
8 Maximum prices for sewerage services to Exempt Land	25
Tables 5 to 7	26

| Contents

Schedule 3 Trade waste services	28
1 Application	28
2 Categories for pricing purposes	28
3 Maximum prices for Category 1 Trade Waste Discharge	28
4 Maximum prices for Category 1a Trade Waste Discharge	29
5 Maximum prices for Category 2 Trade Waste Discharge	30
6 Maximum prices for Category 3 Trade Waste Discharge	31
7 Maximum prices for Trade Waste discharged by a Mining Customer Property	32
8 Maximum prices in Tables 8 to 13	32
Tables 8 to 13	33
Schedule 4 Ancillary and miscellaneous customer services	36
1 Application	36
2 Ancillary and miscellaneous customer charges	36
3 Rounding rule	36
Table 14	37
Schedule 5 Definitions and Interpretation	39
1 Definitions	39
2 Interpretation	44

Preliminary

1 Background

- (a) Section 11 of the *Independent Pricing and Regulatory Tribunal Act 1992* (NSW) (**IPART Act**) gives the Independent Pricing and Regulatory Tribunal (**IPART**) a standing reference to conduct investigations and make reports to the Minister on the determination of the pricing for a government monopoly service supplied by a government agency specified in Schedule 1 of the IPART Act.
- (b) Essential Energy is listed as a government agency in Schedule 1 of the IPART Act. The services which, if supplied by Essential Energy, are declared as monopoly services under the *Independent Pricing and Regulatory Tribunal (Country Energy) Order 2008 (Order)* are:
- (1) water supply services;
 - (2) sewerage services;
 - (3) trade waste services; and
 - (4) ancillary and miscellaneous customer services for which no alternative supply exists and which relate to the provision of services of a kind referred to in paragraphs (1) to (3),
- (together, the **Monopoly Services**).

Accordingly, IPART may determine the maximum prices for the Monopoly Services.

[Note: The Order applies to Essential Energy by operation of section 53 (1) (b) of the *Interpretation Act 1987* (NSW). In March 2011, Country Energy changed its name to Essential Energy under the *Energy Services Corporations Amendment (Change of Name) Regulation 2011*.]

- (c) In investigating and reporting on the pricing of the Monopoly Services, IPART has had regard to a broad range of matters, including the matters set out in section 15 (1) of the IPART Act.
- (d) In accordance with section 13A of the IPART Act, IPART has fixed the maximum prices for the Monopoly Services.

2 Application of this determination

- (a) Under section 11 of the IPART Act, this determination fixes the maximum prices that Essential Energy may charge for the Monopoly Services.
- (b) This determination commences on the later of:
- (1) 1 July 2014; and
 - (2) the date that it is published in the *NSW Government Gazette*, (**Commencement Date**).

Preliminary

- (c) The maximum prices set out in, or calculated in accordance with, this determination apply from the Commencement Date to 30 June 2018. The maximum prices prevailing at 30 June 2018, as set out in this determination, continue to apply beyond 30 June 2018 until this determination is replaced.
- (d) Under section 18 (2) of the IPART Act, Essential Energy may not fix a price below that set out in, or calculated in accordance with, this determination without the approval of the Treasurer.

3 Replacement of Determination No. 1 of 2010

Subject to clause 2.4 of Schedule 5, this determination replaces Determination No. 1 of 2010 from the Commencement Date. The replacement does not affect anything done or omitted to be done, or rights and obligations accrued, under Determination No. 1 of 2010 prior to its replacement.

4 Monitoring

IPART may monitor the performance of Essential Energy for the purposes of:

- (a) establishing and reporting on the level of compliance by Essential Energy with this determination; and
- (b) preparing a periodic review of pricing policies in respect of the Monopoly Services supplied by Essential Energy.

5 Pricing Schedules

- (a) Schedule 1 and the tables in that Schedule set out the maximum prices that Essential Energy may charge for water supply services.
- (b) Schedule 2 and the tables in that Schedule set out the maximum prices that Essential Energy may charge for sewerage services.
- (c) Schedule 3 and the tables in that Schedule set out the maximum prices that Essential Energy may charge for trade waste services.
- (d) Schedule 4 and the table in that Schedule set out the maximum prices that Essential Energy may charge for ancillary and miscellaneous customer services.

6 Definitions and Interpretation

Schedule 5 sets out the definitions and interpretation provisions used in this determination.

7 Simplified outline

- (a) The following is a simplified outline of the maximum prices for:
- (1) water supply services; and
 - (2) sewerage services,
- set out in this determination.
- (b) The simplified outline has been included for guidance purposes only and does not form part of this determination.

Water charges (Schedule 1):

Property type	Water service charge	Water usage charge (Treated Water/ Untreated Water/ Chlorinated Water)
Residential Properties (Individual Meter or Common Meter)		
All Metered Residential Properties (eg, house, terrace, townhouse, flats, apartments and units)	Table 1	Table 4
Residential Properties in Residential Multi Premises or Residential Properties within Mixed Multi Premises with one or more Common Meters	Table 1	Table 4#
Metered Non Residential Properties (including in a Multi Premises or Mixed Multi Premises)		
20mm Meter (single Individual Meter)	Table 1	Table 4
With a single Individual Meter of 25mm Meter or greater, or multiple Individual Meters of any size	Table 2	Table 4
Non Residential Multi Premises with one or more Common Meters/ Non Residential Properties in Mixed Multi Premises with one or more Common Meters		
Non Residential Multi Premises with one or more Common Meters	Table 2#	Table 4#
Non Residential Properties in Mixed Multi Premises with one or more Common Meters	Table 1	Table 4#
Mining Customer Properties		
Mining Customer Properties owned by Perilya Broken Hill Ltd and CBH Resources Ltd	Table 3	Table 4
Mining Customer Properties owned by New Mining Customers	Table 2	Table 4
Other		
Unmetered Properties (Residential or Non Residential)	Table 1	Table 4 (based on a deemed consumption of 300kL of Treated Water, Chlorinated Water and Untreated Water available to the Property per year)
Vacant Land	Table 1	N/A

Preliminary

Property type	Water service charge	Water usage charge (Treated Water/ Untreated Water/ Chlorinated Water)
Exempt Land	N/A	Table 4
Pipeline Properties with a single Individual Meter of 20mm	Table 1	Table 4
Pipeline Properties with a single Individual Meter of 25mm or above, or multiple Individual Meters of any size	Table 2	Table 4

For Multi Premises that are served by one or more Common Meters, Essential Energy may choose to divide the water service charge (for Non Residential Multi Premises) and water usage charge (for all Multi Premises) among the Properties within the Multi Premises (for example, based on unit entitlement, or the number of properties within the Multi Premises), or it may send the bill to the body corporate.

Sewerage charges (Schedule 2):

Property type	Sewerage service charge	Sewerage usage charge
Residential Properties (Individual Meter or Common Meter)		
All Metered Residential Properties	Table 5	N/A
Non Residential Properties		
Non Residential Properties (other than Mining Customer Properties) with a single Individual Meter of 20mm or greater, or multiple Individual Meters of any size	Higher of ▼ Table 5 ▼ Table 6 x DF [^]	Table 7
Mining Customer Properties with a single Individual Meter, or multiple Individual Meters of any size	Higher of ▼ Table 5 ▼ Table 6, assuming that each meter is a 100mm meter	Table 7
Non Residential Multi Premises with one or more Common Meters / Non Residential Properties in Mixed Multi Premises with one or more Common Meters		
Non Residential Multi Premises with one or more Common Meters*	Higher of ▼ Table 6 x DF [#] ▼ Table 5	Table 7#
Non Residential Properties in Mixed Multi Premises with one or more Common Meters*	Table 5	N/A
Other		
Unmetered Properties (Residential or Non Residential)	Table 5	N/A
Vacant Land	Table 5	N/A
Exempt Land	N/A	Table 7

* This does not apply where each Property within the Non Residential Multi Premises has an Individual Meter. In such case, each Property would be considered a Metered Non Residential Property for charging purposes.

For a Non-Residential Multi Premises that is served by one or more Common Meters, Essential Energy may choose to divide the sewerage service charge and the sewerage usage charge among the Properties within the Multi Premises (for example, based on unit entitlement, or the number of properties within the Multi Premises) or it may send the bill to the body corporate.

[^] DF refers to Discharge Factor.

Schedule 1 Water supply services

1 Application

This Schedule sets out the maximum prices that Essential Energy may charge for the Monopoly Services under paragraph 2 (a) of the Order (water supply services).

2 Maximum price for water supply services to Metered Residential Properties (other than Pipeline Properties)

2.1 Application of this clause

- (a) This clause 2 applies to Metered Residential Properties (other than Pipeline Properties) that:
 - (1) are connected to the Water Supply System; and
 - (2) have a single Individual Meter or multiple Individual Meters.
- (b) For the avoidance of doubt, where a Residential Property (other than a Pipeline Property) does not have an Individual Meter but that Residential Property is within a Residential Multi Premises or a Mixed Multi Premises with one or more Common Meters, clause 3 of this Schedule 1 (and not this clause 2) is to apply to that Residential Property.

2.2 Maximum price water supply services to Metered Residential Properties with a single Individual Meter, or multiple Individual Meters

The maximum price that Essential Energy may levy for supplying water supply services to a Metered Residential Property to which this clause 2 applies is the sum of the following:

- (a) the **water service charge** in Table 1, corresponding to the applicable period in that table; and
- (b) the following **water usage charge**, as applicable:
 - (1) the Treated Water usage charge in Table 4 for the applicable period in that table, multiplied by each kL of Treated Water supplied during the relevant Meter Reading Period as measured by the Meter or Meters;

- (2) the Chlorinated Water usage charge in Table 4 for the applicable period in that table, multiplied by each kL of Chlorinated Water supplied during the relevant Meter Reading Period as measured by the Meter or Meters; and
- (3) the Untreated Water for Residential Properties usage charge in Table 4 for the applicable period in that table, multiplied by each kL of Untreated Water supplied during the relevant Meter Reading Period as measured by the Meter or Meters.

3 Maximum price for water supply services to a Residential Property in a Residential Multi Premises or Residential Property within a Mixed Multi Premises with one or more Common Meters

3.1 Application of this clause

- (a) This clause 3 applies to Residential Properties which:
 - (1) do not have an Individual Meter, or multiple Individual Meters;
 - (2) are not Pipeline Properties; and
 - (3) are in a Residential Multi Premises or within a Mixed Multi Premises, where that Residential Multi Premises or Mixed Multi Premises:
 - (A) has one or more Common Meters; and
 - (B) is connected to the Water Supply System.
- (b) For the avoidance of doubt, where a Residential Property (other than a Pipeline Property) has an Individual Meter, clause 2 of this Schedule 1 (and not this clause 3) is to apply to that Residential Property.

3.2 Maximum price for water supply services to a Residential Property in a Residential Multi Premises or Residential Property within a Mixed Multi Premises with one or more Common Meters

- (a) The maximum price that Essential Energy may levy for supplying water supply services to a Residential Property to which this clause 3 applies is the sum of the following:
 - (1) the **water service charge** in Table 1, corresponding to the applicable period in that table; and
 - (2) subject to clause 3.3 below, the following **water usage charge**, as applicable:
 - (A) the Treated Water usage charge in Table 4 for the applicable period in that table, multiplied by each kL of Treated Water supplied during the relevant Meter Reading Period as measured by the Meter or Meters;

- (B) the Chlorinated Water usage charge in Table 4 for the applicable period in that table, multiplied by each kL of Chlorinated Water supplied during the relevant Meter Reading Period as measured by the Meter or Meters; and
 - (C) the Untreated Water for Residential Properties usage charge in Table 4 for the applicable period in that table, multiplied by each kL of Untreated Water supplied during the relevant Meter Reading Period as measured by the Meter or Meters.
- (b) Essential Energy may choose to divide the maximum water usage charge, levied under clause 3.2 (a) (2) in this Schedule 1, among the Residential Properties in the Residential Multi Premises or within the Mixed Multi Premises (for example, based on unit entitlement or the number of Properties in the Multi Premises), or alternatively, Essential Energy may choose to provide the bill for the water usage charge to the body corporate (if applicable) of that Residential Multi Premises or Mixed Multi Premises.

3.3 Maximum water usage charge for each Residential Property

For the purposes of clause 3.2 above, the total usage charge for each Residential Property that is in a Residential Multi Premises or within a Mixed Multi Premises cannot exceed the sum of:

- (a) the Treated Water usage charge in Table 4 for the applicable period in that table, multiplied by each kL of Treated Water supplied during the relevant Meter Reading Period;
 - (b) the Chlorinated Water usage charge in Table 4 for the applicable period in that table, multiplied by each kL of Chlorinated Water supplied during the relevant Meter Reading Period; and
 - (c) the Untreated Water for Residential Properties usage charge in Table 4 for the applicable period in that table, multiplied by each kL of Untreated Water supplied during the relevant Meter Reading Period,
- as measured by all Common Meters for that Residential Multi Premises or Mixed Multi Premises.

4 Maximum price for water supply services to Metered Non Residential Properties (other than Pipeline Properties and Mining Customer Properties)

4.1 Application of this clause

- (a) This clause 4 applies to Metered Non Residential Properties which:
 - (1) are connected to the Water Supply System;
 - (2) have a single Individual Meter or multiple Individual Meters; and
 - (3) are not Pipeline Properties or Mining Customer Properties.
- (b) For the avoidance of doubt, where a Non Residential Property (other than a Pipeline Property or a Mining Customer Property) does not have an Individual Meter but that Property is within a Multi Premises with one or more Common Meters, clause 5 of this Schedule 1 (and not this clause 4) is to apply to that Non Residential Property.

4.2 Maximum price for water supply services to Metered Non Residential Properties with a single Individual Meter of 20mm

The maximum price that Essential Energy may levy for supplying water supply services to a Metered Non Residential Property (other than a Pipeline Property or a Mining Customer Property) where that Property:

- (a) is connected to the Water Supply System; and
- (b) has a single Individual Meter of 20mm,

is the sum of the following:

- (c) the **water service charge** in Table 1, corresponding to the applicable period in that table; and
- (d) the following **water usage charge**, as applicable:
 - (1) the Treated Water usage charge in Table 4 for the applicable period in that table, multiplied by each kL of Treated Water supplied during the relevant Meter Reading Period as measured by the Meter;
 - (2) the Chlorinated Water usage charge in Table 4 for the applicable period in that table, multiplied by each kL of Chlorinated Water supplied during the relevant Meter Reading Period as measured by the Meter; and
 - (3) the Untreated Water for Non Residential Properties usage charge in Table 4 for the applicable period in that table, multiplied by each kL of Untreated Water supplied during the relevant Meter Reading Period as measured by the Meter.

4.3 Maximum price for water supply services to Metered Non Residential Properties with a single Individual Meter of 25mm or greater, or multiple Individual Meters

The maximum price that Essential Energy may levy for supplying water supply services to a Metered Non Residential Property (other than a Pipeline Property or a Mining Customer Property) where that Property:

- (a) is connected to the Water Supply System; and
- (b) has a single Individual Meter of 25mm or greater, or multiple Individual Meters (of any size),

is the sum of the following:

- (c) the **water service charge** in Table 2 for each Meter, corresponding to the applicable Meter size and period in that table; and
- (d) the following **water usage charge**, as applicable:
 - (1) the Treated Water usage charge in Table 4 for the applicable period in that table, multiplied by each kL of Treated Water supplied during the relevant Meter Reading Period as measured by the Meter or Meters;
 - (2) the Chlorinated Water usage charge in Table 4 for the applicable period in that table, multiplied by each kL of Chlorinated Water supplied during the relevant Meter Reading Period as measured by the Meter or Meters; and
 - (3) the Untreated Water for Non Residential Properties usage charge in Table 4 for the applicable period in that table, multiplied by each kL of Untreated Water supplied during the relevant Meter Reading Period as measured by the Meter or Meters.

5 Maximum price for water supply services to Non Residential Properties in a Multi Premises with one or more Common Meters (other than Pipeline Properties or Mining Customer Properties)

5.1 Application of this clause

- (a) This clause 5 applies to Non Residential Properties which:
 - (1) do not have an Individual Meter, or multiple Individual Meters;
 - (2) are not Pipeline Properties or Mining Customer Properties; and
 - (3) are in a Multi Premises, where that Multi Premises:
 - (A) has one or more Common Meters; and
 - (B) is connected to the Water Supply System.

- (b) For the avoidance of doubt, where a Non Residential Property (other than a Pipeline Property or a Mining Customer Property) has an Individual Meter, clause 4 of this Schedule 1 (and not this clause 5) is to apply to that Non Residential Property.

5.2 Maximum price for water supply services to a Non Residential Multi Premises with one or more Common Meters

- (a) The maximum price that Essential Energy may levy for supplying water supply services to a Non Residential Multi Premises where that Multi Premises:

- (1) has one or more Common Meters; and
- (2) is connected to the Water Supply System,

is the sum of the following:

- (3) the **water service charge** calculated as follows:

$$SC - IM$$

Where:

SC = the water service charge in Table 2 corresponding to the applicable Meter size and period in that table for each Common Meter; and

IM = the sum of any water service charges levied under clauses 4.2 and 4.3 of this Schedule in respect of each Property within that Multi Premises with an Individual Meter which is downstream of a Common Meter that services the Multi Premises; and

- (4) subject to clause 5.4 below, the following **water usage charge**, as applicable:
 - (A) the Treated Water usage charge in Table 4 for the applicable period in that table, multiplied by each kL of Treated Water supplied during the relevant Meter Reading Period as measured by the Meter or Meters;
 - (B) the Chlorinated Water usage charge in Table 4 for the applicable period in that table, multiplied by each kL of Chlorinated Water supplied during the relevant Meter Reading Period as measured by the Meter or Meters; and
 - (C) the Untreated Water for Non Residential Properties usage charge in Table 4 for the applicable period in that table, multiplied by each kL of Untreated Water supplied during the relevant Meter Reading Period as measured by the Meter or Meters.
- (b) Essential Energy may choose to divide:
 - (1) the maximum water service charge, levied under clause 5.2 (a) (3) in this Schedule 1; and

- (2) the maximum total water usage charge, levied under clause 5.2 (a) (4) in this Schedule 1, among the Non Residential Properties within the Non Residential Multi Premises (for example, based on unit entitlement or the number of Properties in the Multi Premises), or alternatively, Essential Energy may choose to provide the bill for each charge to the body corporate (if applicable) of that Non Residential Multi Premises.

5.3 Maximum price for water supply services to a Non Residential Property within a Mixed Multi Premises with one or more Common Meters

- (a) The maximum price that Essential Energy may levy for supplying water supply services to a Non Residential Property that is within a Mixed Multi Premises, where that Mixed Multi Premises:
- (1) has one or more Common Meters; and
 - (2) is connected to the Water Supply System,
- is the sum of the following:
- (3) the **water service charge** in Table 1, corresponding to the applicable period in that table, multiplied by the number of Multi Premises Properties in the Mixed Multi Premises (with each Multi Premises Property taken to have a Meter size of 20mm); and
 - (4) subject to clause 5.3 (c) and clause 5.4 below, the following **water usage charges**, as applicable:
 - (A) the Treated Water usage charge in Table 4 for the applicable period in that table, multiplied by each kL of Treated Water supplied during the relevant Meter Reading Period as measured by the Meter or Meters;
 - (B) the Chlorinated Water usage charge in Table 4 for the applicable period in that table, multiplied by each kL of Chlorinated Water supplied during the relevant Meter Reading Period as measured by the Meter or Meters; and
 - (C) the Untreated Water for Non Residential Properties usage charge in Table 4 for the applicable period in that table, multiplied by each kL of Untreated Water supplied during the relevant Meter Reading Period as measured by the Meter or Meters.
- (b) Essential Energy may choose to divide the maximum water usage charge, levied under clause 5.3 (a) (4) in this Schedule 1, among the Properties within the Mixed Multi Premises (for example, based on unit entitlement or the number of Properties in the Multi Premises), or alternatively, Essential Energy may choose to provide the bill for

the water usage charge to the body corporate (if applicable) of that Mixed Multi Premises.

- (c) The total water usage charge for the Mixed Multi Premises must not exceed the water usage charge for water supplied to that Mixed Multi Premises as measured by all Meters.

5.4 Maximum water usage charge measured by a Common Meter

- (a) For the purposes of clauses 5.2 and 5.3 above, the total volume of Treated Water, Chlorinated Water and Untreated Water for Non Residential Properties (as the case may be) is calculated as follows for the relevant Meter Reading Period:

- (1) the total volume of Treated Water, Chlorinated Water and Untreated Water for Non Residential Properties (as the case may be) measured by all Common Meters for that Multi Premises, less
- (2) the total volume of Treated Water, Chlorinated Water and Untreated Water for Non Residential Properties (as the case may be) measured by any Individual Meters which are downstream of a Common Meter that services that Multi Premises.

- (b) For the purposes of clauses 5.2 and 5.3 above, the total usage charge for each Non Residential Property that is within a Non Residential Multi Premises or Mixed Multi Premises cannot exceed the sum of:

- (1) the Treated Water usage charge in Table 4 for the applicable period in that table, multiplied by each kL of Treated Water supplied during the relevant Meter Reading Period;
- (2) the Chlorinated Water usage charge in Table 4 for the applicable period in that table, multiplied by each kL of Chlorinated Water supplied during the relevant Meter Reading Period; and
- (3) the Untreated Water for Non Residential Properties usage charge in Table 4 for the applicable period in that table, multiplied by each kL of Untreated Water supplied during the relevant Meter Reading Period,

as measured by all Common Meters for that Multi Premises or Mixed Multi Premises.

6 Maximum price for water supply services to Mining Customer Properties

6.1 Application of this clause

This clause 6 applies to Mining Customer Properties which:

- (a) are connected to the Water Supply System; and
- (b) have a single Individual Meter or multiple Individual Meters.

6.2 Maximum price for water supply services to all Mining Customer Properties owned by Perilya Broken Hill Ltd

The maximum price that Essential Energy may levy for supplying water supply services to all Mining Customer Properties owned by Perilya Broken Hill Ltd, or on which Perilya Broken Hill Ltd carries out the mining and exploration activities, is the sum of the following:

- (a) the **water service charge** in Table 3 for Perilya Broken Hill Ltd, corresponding to the applicable period in that table; and
- (b) the following **water usage charge**, as applicable:
 - (1) the Treated Water usage charge in Table 4 for the applicable period in that table, multiplied by each kL of Treated Water supplied during the relevant Meter Reading Period as measured by the Meter or Meters;
 - (2) the Chlorinated Water usage charge in Table 4 for the applicable period in that table, multiplied by each kL of Chlorinated Water supplied during the relevant Meter Reading Period as measured by the Meter or Meters; and
 - (3) the Untreated Water for Non Residential Properties usage charge in Table 4 for the applicable period in that table, multiplied by each kL of Untreated Water supplied during the relevant Meter Reading Period as measured by the Meter or Meters.

6.3 Maximum price for water supply services to all Mining Customer Properties owned by CBH Resources Ltd

The maximum price that Essential Energy may levy for supplying water supply services to all Mining Customer Properties owned by CBH Resources Ltd, or on which CBH Resources Ltd carries out the mining and exploration activities, is the sum of the following:

- (a) the **water service charge** in Table 3 for CBH Resources Ltd, corresponding to the applicable period in that table; and
- (b) the following **water usage charge**, as applicable:
 - (1) the Treated Water usage charge in Table 4 for the applicable period in that table, multiplied by each kL of Treated Water supplied during the relevant Meter Reading Period as measured by the Meter or Meters;
 - (2) the Chlorinated Water usage charge in Table 4 for the applicable period in that table, multiplied by each kL of Chlorinated Water supplied during the relevant Meter Reading Period as measured by the Meter or Meters; and

- (3) the Untreated Water for Non Residential Properties usage charge in Table 4 for the applicable period in that table, multiplied by each kL of Untreated Water supplied during the relevant Meter Reading Period as measured by the Meter or Meters.

6.4 Maximum price for water supply services to a Mining Customer Property owned by a New Mining Customer

The maximum price that Essential Energy may levy for supplying water supply services to a Mining Customer Property owned by a New Mining Customer, or on which a New Mining Customer carries out the mining and exploration activities, where that Property:

- (a) is connected to the Water Supply System; and
- (b) has a single Individual Meter of 20mm or greater, or multiple Individual Meters (of any size),

is the sum of the following:

- (c) the **water service charge** in Table 2 for each Meter, corresponding to the applicable Meter size and period in that table; and
- (d) the following **water usage charge**, as applicable:
 - (1) the Treated Water usage charge in Table 4 for the applicable period in that table, multiplied by each kL of Treated Water supplied during the relevant Meter Reading Period as measured by the Meter or Meters;
 - (2) the Chlorinated Water usage charge in Table 4 for the applicable period in that table, multiplied by each kL of Chlorinated Water supplied during the relevant Meter Reading Period as measured by the Meter or Meters; and
 - (3) the Untreated Water for Non Residential Properties usage charge in Table 4 for the applicable period in that table, multiplied by each kL of Untreated Water supplied during the relevant Meter Reading Period as measured by the Meter or Meters.

7 Maximum price for water supply services to Pipeline Properties

7.1 Application of this clause

This clause 7 applies to Pipeline Properties that:

- (a) are connected to the Water Supply System; and
- (b) have a single Individual Meter or multiple Individual Meters.

7.2 Maximum price for water supply services to Pipeline Properties with a single Individual Meter of 20mm

The maximum price that Essential Energy may levy for supplying water supply services to a Pipeline Property where that Property:

- (a) is connected to the Water Supply System; and
- (b) has a single Individual Meter of 20mm,

is the sum of the following:

- (c) the **water service charge** in Table 1, corresponding to the applicable period in that table; and
- (d) the Untreated Water for Pipeline Properties usage charge in Table 4 for the applicable period in that table, multiplied by each kL of Untreated Water supplied during the relevant Meter Reading Period as measured by the Meter.

7.3 Maximum price for water supply services to Pipeline Properties with a single Individual Meter of 25mm or greater, or multiple Individual Meters

The maximum price that Essential Energy may levy for supplying water supply services to a Pipeline Property where that Property:

- (a) is connected to the Water Supply System; and
- (b) has an Individual Meter of 25mm or greater, or multiple Individual Meters (of any size),

is the sum of the following:

- (c) the **water service charge** in Table 2 for each Meter, corresponding to the applicable Meter size and period in that table; and
- (d) the Untreated Water for Pipeline Properties usage charge in Table 4 for the applicable period in that table, multiplied by each kL of Untreated Water supplied during the relevant Meter Reading Period as measured by the Meter or Meters.

8 Maximum price for water supply services to Unmetered Properties connected to the Water Supply System (Residential and Non Residential)

The maximum price that Essential Energy may levy for supplying water supply services to an Unmetered Property connected to the Water Supply System is the sum of the following:

- (a) the **water service charge** in Table 1, corresponding to the applicable period in that table; and
- (b) the **water usage charge** in Table 4 (for a deemed consumption of 300kL per year), as applicable according to the type of water available to each Property.

9 Maximum price for water supply services to Vacant Land

The maximum price that Essential Energy may levy for supplying water supply services to Vacant Land is the **water service charge** in Table 1, corresponding to the applicable period in that table.

10 Maximum price for water supply services to Exempt Land

The maximum price that Essential Energy may levy for supplying water supply services to Exempt Land is the sum of the following **water usage charges**, as applicable:

- (a) the Treated Water usage charge in Table 4 for the applicable period in that table, multiplied by each kL of Treated Water supplied during the relevant Meter Reading Period as measured by the Meter or Meters;
- (b) the Chlorinated Water usage charge in Table 4 for the applicable period in that table, multiplied by each kL of Chlorinated Water supplied during the relevant Meter Reading Period as measured by the Meter or Meters; and
- (c) the Untreated Water for Non Residential Properties usage charge in Table 4 for the applicable period in that table, multiplied by each kL of Untreated Water supplied during the relevant Meter Reading Period as measured by the Meter or Meters.

Tables 1 to 4

Table 1 Water service charges for (i) Metered Residential Properties; (ii) Residential Properties in a Residential Multi Premises or Mixed Multi Premises with one or more Common Meters; (iii) Metered Non Residential Properties with a single Individual Meter of 20mm (other than Pipeline Property or Mining Customer Property) (iv) Non Residential Properties within Mixed Multi Premises with one or more Common Meters; (v) Unmetered Properties (Residential and Non Residential); (vi) Vacant Land; and (vii) Pipeline Properties with a single Individual Meter of 20mm

	Commencement Date to 30 June 2015	1 July 2015 to 30 June 2016	1 July 2016 to 30 June 2017	1 July 2017 to 30 June 2018
Water service charge (\$ per year)	312.67	$312.67 \times (1 + \Delta\text{CPI}_1)$	$312.67 \times (1 + \Delta\text{CPI}_2)$	$312.67 \times (1 + \Delta\text{CPI}_3)$

Tables 1 to 4

Table 2 Water service charges for (i) Metered Non Residential Properties with a single Individual Meter of 25mm or greater, or multiple Individual Meters of any size (other than Pipeline Property or Mining Customer Property); (ii) Non Residential Multi Premises with one or more Common Meters; (iii) New Mining Customer Properties and (iv) Pipeline Properties with an Individual Meter of 25mm or greater, or multiple Individual Meters of any size

Meter size	Commencement Date to 30 June 2015	1 July 2015 to 30 June 2016	1 July 2016 to 30 June 2017	1 July 2017 to 30 June 2018
Water service charge (\$ per year)				
20mm	312.67	312.67 x (1 + ΔCPI ₁)	312.67 x (1 + ΔCPI ₂)	312.67 x (1 + ΔCPI ₃)
25mm	488.55	488.55 x (1 + ΔCPI ₁)	488.55 x (1 + ΔCPI ₂)	488.55 x (1 + ΔCPI ₃)
40mm	1,250.69	1,250.69 x (1 + ΔCPI ₁)	1,250.69 x (1 + ΔCPI ₂)	1,250.69 x (1 + ΔCPI ₃)
50mm	1,954.20	1,954.20 x (1 + ΔCPI ₁)	1,954.20 x (1 + ΔCPI ₂)	1,954.20 x (1 + ΔCPI ₃)
80mm	5,002.75	5,002.75 x (1 + ΔCPI ₁)	5,002.75 x (1 + ΔCPI ₂)	5,002.75 x (1 + ΔCPI ₃)
100mm	7,816.80	7,816.80 x (1 + ΔCPI ₁)	7,816.80 x (1 + ΔCPI ₂)	7,816.80 x (1 + ΔCPI ₃)
150mm	17,587.80	17,587.80 x (1 + ΔCPI ₁)	17,587.80 x (1 + ΔCPI ₂)	17,587.80 x (1 + ΔCPI ₃)
For Meter sizes not specified above, the following formula applies to each Meter:		(Meter size) ² x (20mm water service charge for the applicable period) ÷ 400		

Table 3 Water service charges for Mining Customer Properties of Perilya Broken Hill Ltd and CBH Resources Ltd

	Commencement Date to 30 June 2015	1 July 2015 to 30 June 2016	1 July 2016 to 30 June 2017	1 July 2017 to 30 June 2018
Perilya Broken Hill Ltd (\$ per year)	2,002,708.33	2,026,197.22 x (1 + ΔCPI ₁)	2,149,012.15 x (1 + ΔCPI ₂)	2,196,131.27 x (1 + ΔCPI ₃)
CBH Resources Ltd (\$ per year)	483,082.38	488,748.24 x (1 + ΔCPI ₁)	518,372.99 x (1 + ΔCPI ₂)	529,738.80 x (1 + ΔCPI ₃)

Table 4 Water usage charges

	Commencement Date to 30 June 2015	1 July 2015 to 30 June 2016	1 July 2016 to 30 June 2017	1 July 2017 to 30 June 2018
Treated Water (\$ per kL)	1.72	1.72 x (1 + ΔCPI_1)	1.72 x (1 + ΔCPI_2)	1.72 x (1 + ΔCPI_3)
Chlorinated Water (\$ per kL)	1.11	1.11 x (1 + ΔCPI_1)	1.11 x (1 + ΔCPI_2)	1.11 x (1 + ΔCPI_3)
Untreated Water for Residential Properties (\$ per kL)	1.51	1.51 x (1 + ΔCPI_1)	1.51 x (1 + ΔCPI_2)	1.51 x (1 + ΔCPI_3)
Untreated Water for Pipeline Properties (\$ per kL)	0.74	0.74 x (1 + ΔCPI_1)	0.74 x (1 + ΔCPI_2)	0.74 x (1 + ΔCPI_3)
Untreated Water for Non Residential Properties (\$ per kL)	1.51	1.51 x (1 + ΔCPI_1)	1.51 x (1 + ΔCPI_2)	1.51 x (1 + ΔCPI_3)

Schedule 2 Sewerage Services

1 Application

This Schedule sets out the maximum prices that Essential Energy may charge for the Monopoly Services under paragraph 2 (b) of the Order (sewerage services).

2 Maximum price for sewerage services to Residential Properties

2.1 Maximum charges for sewerage services to a Residential Property connected to the Sewerage System

The maximum price that Essential Energy may levy for supplying sewerage services to a Residential Property connected to the Sewerage System is the sewerage service charge in Table 5 for the applicable period.

3 Maximum price for sewerage services to Metered Non Residential Properties

3.1 Application of this clause

- (a) This clause 3 applies to Metered Non Residential Properties that:
 - (1) are connected to the Sewerage System; and
 - (2) have a single Individual Meter or multiple Individual Meters.
- (b) For the avoidance of doubt, where a Non Residential Property does not have an Individual Meter but is in a Multi Premises with one or more Common Meters, clause 4 of this Schedule 2 (and not this clause 3) is to apply to that Property.

3.2 Maximum price for sewerage services to a Metered Non Residential Property with a single Individual Meter of 20mm or greater, or multiple Individual Meters (of any size) (other than a Mining Customer Property)

The maximum price that Essential Energy may levy for supplying sewerage services to a Non Residential Property that:

- (a) is connected to the Sewerage System;
- (b) is not a Mining Customer Property; and

(c) has:

- (1) a single Individual Meter of 20 mm or greater; or
- (2) multiple Individual Meters (of any size),

is the sum of the following:

(d) the **sewerage service charge** equal to the higher of:

- (1) the sewerage service charge calculated as follows:

$$SC \times DF$$

Where:

SC = the sewerage service charge in Table 6 for each Meter corresponding to the applicable period and Meter size in that table; and

DF = the Discharge Factor for that Property; and

- (2) the sewerage service charge in Table 5 corresponding to the applicable period in that table; and

(e) the **sewerage usage charge** calculated in accordance with clause 5.1 of this Schedule.

3.3 Maximum price for sewerage services to a Mining Customer Property with Individual Meters (of any size)

The maximum price that Essential Energy may levy for supplying sewerage services to a Non Residential Property that:

- (a) is connected to the Sewerage System;
- (b) is a Mining Customer Property; and
- (c) has a single or multiple Individual Meters (of any size),

is the sum of the following:

(d) a **sewerage service charge** equal to the higher of:

- (1) the sewerage service charge calculated as follows:

$$SC \times DF$$

Where:

SC = the sewerage service charge in Table 6 for each Meter (assuming that each Meter is a 100mm Meter) corresponding to the applicable period in that table; and

DF = the Discharge Factor for that Property; and

- (2) the sewerage service charge in Table 5 corresponding to the applicable period in that table; and
- (e) the **sewerage usage charge** calculated in accordance with clause 5.1 of this Schedule.

4 Maximum prices for sewerage services to Non Residential Properties in Multi Premises with one or more Common Meters

4.1 Application of this clause

- (a) This clause 4 applies to Non Residential Properties which:
 - (1) do not have an Individual Meter or multiple Individual Meters; and
 - (2) are in a Multi Premises, where that Multi Premises:
 - (A) has one or more Common Meters; and
 - (B) is connected to the Sewerage System.
- (b) For the avoidance of doubt, where a Non Residential Property in a Multi Premises has an Individual Meter, clause 3 of this Schedule 2 (and not this clause 4) is to apply to that Property.

4.2 Maximum price for sewerage services to a Non Residential Multi Premises with one or more Common Meters

- (a) The maximum price that Essential Energy may levy for supplying sewerage services to a Non Residential Multi Premises which:
 - (1) is connected to the Sewerage System; and
 - (2) has one or more Common Meters,
 is the sum of the following:
 - (3) a **sewerage service charge** equal to the higher of:
 - (A) the sewerage service charge calculated as follows:

$$(SC - IM) \times DF$$

Where:

SC = the sewerage service charge in Table 6 corresponding to the applicable period and Meter size in that table for each Meter;

IM = the sum of any sewerage service charges levied under clauses 3.2 and 3.3 in respect of each Property in that Multi Premises with an Individual Meter which is downstream of a Common Meter that services the Non Residential Multi Premises; and

- DF** = the Discharge Factor for that Property; and
- (B) the sewerage service charge in Table 5 corresponding to the applicable period in that table; and
- (4) the **sewerage usage charge** calculated in accordance with clause 5.2 of this Schedule.
- (b) Essential Energy may choose to divide the maximum sewerage service charge, levied under clause 4.2(a) in this Schedule 2, among the Non Residential Properties within the Non Residential Multi Premises (for example, based on unit entitlement or the number of Properties in the Multi Premises), or alternatively, Essential Energy may choose to provide the bill for each charge to the body corporate (if applicable) of that Non Residential Multi Premises.

4.3 Maximum price for sewerage services to Non Residential Properties within a Mixed Multi Premises with one or more Common Meters

The maximum price that Essential Energy may levy for supplying sewerage services to a Non Residential Property within a Mixed Multi Premises, where that Mixed Multi Premises:

- (a) is connected to the Sewerage System; and
- (b) has a Common Meter or multiple Common Meters,

is the sewerage service charge in Table 5 for the applicable period.

5 Maximum sewerage usage charges

5.1 Maximum sewerage usage charges for Metered Non Residential Property (with one or more Individual Meters) or Exempt Land

The maximum sewerage usage charge that Essential Energy may levy for a Meter Reading Period for supplying sewerage services to a Metered Non Residential Property which has one or more Individual Meters, or to Exempt Land, is calculated as follows:

$$(W \times DF) \times UC$$

Where:

W = the water (Treated Water, Chlorinated Water and Untreated Water, as applicable) used (in kL) by that Non Residential Property or Exempt Land for the Meter Reading Period as measured by the Meter or Meters;

DF = the Discharge Factor for that Non Residential Property or Exempt Land;

Schedule 2 Sewerage Services

UC = the sewerage usage charge in Table 7 for the Meter Reading Period corresponding to the applicable period in that table and the *volume of sewage discharged*; and

volume of sewage discharged = the resulting volume determined by multiplying **W** and **DF** in this clause 5.1.

5.2 **Maximum sewerage usage charges for Non Residential Multi Premises with one or more Common Meters**

The maximum sewerage usage charge that Essential Energy may levy for a Meter Reading Period for supplying sewerage services to a Non Residential Multi Premises with one or more Common Meters is calculated as follows:

$$(\{W - IM\} \times DF) \times UC$$

Where:

W = the total volume of water (Treated Water, Chlorinated Water and Untreated Water, as applicable) used (in kL) for the Meter Reading Period as measured by all Common Meters for that Multi Premises;

IM = the total volume of water (Treated Water, Chlorinated Water and Untreated Water, as applicable) used (in kL) for the Meter Reading Period as measured by any Individual Meters servicing Properties in that Multi Premises, where those Individual Meters are downstream of any Common Meters for that Multi Premises;

DF = the Discharge Factor for that Multi Premises;

UC = the sewerage usage charge in Table 7 for the Meter Reading Period corresponding to the applicable period in that table and the *volume of sewage discharged*; and

volume of sewage discharged = the resulting volume determined by multiplying (**W-IM**) and **DF** in this clause 5.2.

6 Maximum price for sewerage supply services to Unmetered Properties connected to the Sewerage Supply System (Residential and Non Residential)

The maximum price that Essential Energy may levy for supplying sewerage services to an Unmetered Property that is connected to the Sewerage System is the **sewerage service charge** in Table 5 corresponding to the applicable period in that table.

7 Maximum price for sewerage services to Vacant Land

The maximum price that Essential Energy may levy for supplying sewerage services to Vacant Land is the **sewerage service charge** in Table 5 for the applicable period.

8 Maximum prices for sewerage services to Exempt Land

The maximum price that Essential Energy may levy for supplying sewerage services to Exempt Land is the **sewerage usage charge** calculated in accordance with clause 5.1 of this Schedule.

Tables 5 to 7

Table 5 Sewerage service charge for (i) Residential Properties; (ii) Non Residential Properties within a Mixed Multi Premises with one or more Common Meters; (iii) Unmetered Properties; and (iv) Vacant Land

	Commencement Date to 30 June 2015	1 July 2015 to 30 June 2016	1 July 2016 to 30 June 2017	1 July 2017 to 30 June 2018
Sewerage service charge (\$ per year)	511.19	511.19 x (1 + Δ CPI ₁)	511.19 x (1 + Δ CPI ₂)	511.19 x (1 + Δ CPI ₃)

Table 6 Sewerage service charge for (i) Non Residential Properties with a single Individual Meter of 20mm or greater, or multiple Individual Meters of any size (other than a Mining Customer Property); and (ii) Non Residential Properties in a Multi Premises with one or more Common Meters

Meter size	Commencement Date to 30 June 2015	1 July 2015 to 30 June 2016	1 July 2016 to 30 June 2017	1 July 2017 to 30 June 2018
Sewerage service charge (\$ per year)				
20mm	729.96	729.96 x (1 + Δ CPI ₁)	729.96 x (1 + Δ CPI ₂)	729.96 x (1 + Δ CPI ₃)
25mm	1,140.48	1,140.48 x (1 + Δ CPI ₁)	1,140.48 x (1 + Δ CPI ₂)	1,140.48 x (1 + Δ CPI ₃)
40mm	2,919.86	2,919.86 x (1 + Δ CPI ₁)	2,919.86 x (1 + Δ CPI ₂)	2,919.86 x (1 + Δ CPI ₃)
50mm	4,561.94	4,561.94 x (1 + Δ CPI ₁)	4,561.94 x (1 + Δ CPI ₂)	4,561.94 x (1 + Δ CPI ₃)
80mm	11,679.44	11,679.44 x (1 + Δ CPI ₁)	11,679.44 x (1 + Δ CPI ₂)	11,679.44 x (1 + Δ CPI ₃)
100mm	18,249.12	18,249.12 x (1 + Δ CPI ₁)	18,249.12 x (1 + Δ CPI ₂)	18,249.12 x (1 + Δ CPI ₃)
150mm	41,060.19	41,060.19 x (1 + Δ CPI ₁)	41,060.19 x (1 + Δ CPI ₂)	41,060.19 x (1 + Δ CPI ₃)

For Meter sizes not specified above, the following formula applies to each Meter:

$$\frac{(\text{Meter size})^2 \times (\text{20mm sewerage service charge for the applicable period})}{\div 400}$$

[Note: The prices in Table 6 assume the application of a Discharge Factor of 100%. The relevant Discharge Factor may vary from case to case, as determined by Essential Energy for the relevant Property or, in the case of a Non Residential Multi Premises which has a Common Meter, for that Multi Premises. A pro rata adjustment shall be made where the DF percentage is less than or greater than 100%.]

Table 7 Sewerage usage charge for (i) Non Residential Properties; and (ii) Exempt Land

	Commencement Date to 30 June 2015	1 July 2015 to 30 June 2016	1 July 2016 to 30 June 2017	1 July 2017 to 30 June 2018
Sewerage usage charge (\$ per kL of volume of sewage discharged)	1.22	1.22 x (1 + ΔCPI_1)	1.22 x (1 + ΔCPI_2)	1.22 x (1 + ΔCPI_3)

[Note: Please refer to clauses 5.1 and 5.2 for the calculation of 'volume of sewage discharged'.]

Schedule 3 Trade waste services

1 Application

This Schedule sets out the maximum prices that Essential Energy may charge for the Monopoly Services under paragraph 2 (c) of the Order (trade waste services).

2 Categories for pricing purposes

Maximum prices for trade waste services have been determined for 5 categories:

- (a) Category 1 Trade Waste Discharge discharged pursuant to a trade waste agreement with Essential Energy;
- (b) Category 1a Trade Waste Discharge discharged pursuant to a trade waste agreement with Essential Energy;
- (c) Category 2 Trade Waste Discharge discharged pursuant to a trade waste agreement with Essential Energy;
- (d) Category 3 Trade Waste Discharge discharged pursuant to a trade waste agreement with Essential Energy; and
- (e) Trade Waste discharged by a Mining Customer Property.

3 Maximum prices for Category 1 Trade Waste Discharge

The maximum price that Essential Energy may levy for Category 1 Trade Waste Discharge discharged pursuant to a trade waste agreement with Essential Energy is calculated as follows:

$$TW1 = A1 + C1 + T1$$

Where:

TW1 = maximum price for Category 1 Trade Waste Discharge;

A1 = total applicable Trade Waste discharge application fee (\$) in the relevant period;

C1 = total applicable annual Trade Waste fee (\$) in the relevant period; and

T1 = total applicable Trade Waste re-inspection fee (\$) in the relevant period,

each as set out in Table 8.

4 **Maximum prices for Category 1a Trade Waste Discharge**

The maximum price that Essential Energy may levy for Category 1a Trade Waste Discharge discharged pursuant to a trade waste agreement with Essential Energy is calculated as follows:

$$TW1a = A1 + C1 + T1 + (NWU1 \times C)$$

Where:

TW1a = maximum price for Category 1a Trade Waste Discharge;

A1 = total applicable Trade Waste discharge application fee (\$) in the relevant period;

C1 = total applicable annual Trade Waste fee (\$) in the relevant period;

T1 = total applicable Trade Waste re-inspection fee (\$) in the relevant period; and

NWU1 = total applicable non-compliant Trade Waste usage charge (\$/kL)¹ in the relevant period,

each as set out in Table 9; and

C = volume (in kL) of liquid Trade Waste discharged to the Sewerage System. The volume of liquid Trade Waste is the water (Treated Water, Chlorinated Water and Untreated Water, as applicable) supplied (in kL) to the relevant Non Residential Property for the Meter Reading Period as measured by the Meter or Meters, multiplied by the trade waste discharge factor. The trade waste discharge factor is the percentage of liquid Trade Waste determined by Essential Energy to be discharged into the Sewerage System.

¹ The non-compliant Trade Waste usage charge applies where Essential Energy determines that the required pre-treatment equipment has not been installed or properly maintained.

5 Maximum prices for Category 2 Trade Waste Discharge

The maximum price that Essential Energy may levy for Category 2 Trade Waste Discharge discharged pursuant to a trade waste agreement with Essential Energy is calculated as follows:

$$TW2 = A2 + C2 + T2 + (TWU2 \times C)$$

Where:

TW2 = maximum price for Category 2 Trade Waste Discharge;

A2 = total applicable Trade Waste discharge application fee (\$) in the relevant period;

C2 = total applicable annual Trade Waste fee (\$) in the relevant period;

T2 = total applicable Trade Waste re-inspection fee (\$) in the relevant period; and

TWU2 = total applicable Trade Waste usage charge (\$/kL) or the non-compliant Trade Waste usage charge (\$/kL)², as the case may be, in the relevant period,

each as set out in Table 10; and

C = volume (in kL) of liquid Trade Waste discharged to the Sewerage System. The volume of liquid Trade Waste is the water (Treated Water, Chlorinated Water and Untreated Water, as applicable) supplied (in kL) to the relevant Non Residential Property for the Meter Reading Period as measured by the Meter or Meters, multiplied by the trade waste discharge factor. The trade waste discharge factor is the percentage of liquid Trade Waste determined by Essential Energy to be discharged into the Sewerage System.

² The non-compliant Trade Waste usage charge applies where Essential Energy determines that the required pre-treatment equipment has not been installed or properly maintained.

6 Maximum prices for Category 3 Trade Waste Discharge

The maximum price that Essential Energy may levy for Category 3 Trade Waste Discharge discharged pursuant to a trade waste agreement with Essential Energy is calculated as follows:

$$TW3 = A3 + C3 + T3 + (FWD \times B) + PH + BOD + EMC + NEMC$$

Where:

TW3 = maximum price for Category 3 Trade Waste Discharge;

A3 = total applicable Trade Waste discharge application fee (\$) in the relevant period;

C3 = total applicable annual Trade Waste fee (\$) in the relevant period;

T3 = total applicable Trade Waste re-inspection fee (\$) in the relevant period;

FWD = total applicable annual food waste disposal (\$/bed) in the relevant period in the hospital, nursing home or other facility in which the food waste unit is installed;

PH = total applicable charge for exceeding approved PH range³ (\$) in the relevant period;

BOD = total applicable charge for exceeding approved BOD range⁴ (\$) in the relevant period,

each as set out in Table 11;

B = number of beds in the hospital, nursing home or other facility in which the food waste disposal unit is installed;

EMC = total applicable total excess mass⁵ (\$) in the relevant period as set out in Table 12; and

NEMC = total applicable non-compliant excess mass charge⁶ (\$) in the relevant period as set out in Table 12.

³ The charge applies to waste with a pH outside the range specified in Essential Energy's trade waste policy.

⁴ The charge applies to waste with a Biochemical Oxygen Demand (**BOD**) outside the range specified in Essential Energy's trade waste policy. BOD is defined as the amount of oxygen utilised by micro-organisms in the process of decomposition of organic material in wastewater over a period of five days at 20°C.

⁵ This charge applies for discharges of pollutants to the Sewerage System in excess of the pollutant limit set out in the relevant trade waste agreement with Essential Energy.

⁶ The charges apply where a discharge quality fails to comply with the approved concentration limits of substances specified in Essential Energy's trade waste policy.

7 Maximum prices for Trade Waste discharged by a Mining Customer Property

- (a) If Essential Energy has a trade waste agreement in respect of the discharge of Trade Waste by a Mining Customer Property, then notwithstanding clauses 3 to 6 in this Schedule 3, the maximum price that may be levied by Essential Energy for:
- (1) Category 1 Trade Waste Discharge;
 - (2) Category 1a Trade Waste Discharge;
 - (3) Category 2 Trade Waste Discharge; or
 - (4) Category 3 Trade Waste Discharge,
- is the annual Trade Waste fee per operating mine set out in Table 13.
- (b) If Essential Energy does not have a trade waste agreement in respect of the discharge of Trade Waste by a Mining Customer Property, the maximum price that may be levied by Essential Energy for:
- (1) Category 1 Trade Waste Discharge;
 - (2) Category 1a Trade Waste Discharge;
 - (3) Category 2 Trade Waste Discharge; or
 - (4) Category 3 Trade Waste Discharge,
- is to be determined in accordance with clauses 3 to 6 of this Schedule 3 (as applicable).

8 Maximum prices in Tables 8 to 13

The maximum prices in Tables 8 to 13 are to be increased for the following periods:

- (a) **from 1 July 2015 to 30 June 2016** - the corresponding charge in each of the Tables 8 to 13, multiplied by $(1 + \Delta\text{CPI}_1)$;
- (b) **from 1 July 2016 to 30 June 2017** - the corresponding charge in each of the Tables 8 to 13, multiplied by $(1 + \Delta\text{CPI}_2)$; and
- (c) **from 1 July 2017 to 30 June 2018** - the corresponding charge in each of the Tables 8 to 13, multiplied by $(1 + \Delta\text{CPI}_3)$.

Tables 8 to 13

Table 8 Trade Waste Charges Category 1 (\$2014/15)

Charge	Commencement Date to 30 June 2015 ^b
Trade Waste discharge application fee ^a (\$ per application)	225.65
Annual Trade Waste fee (\$ per year)	104.67
Trade Waste re-inspection fee (\$ per inspection)	97.87

^a Not applicable to those discharges exempted from obtaining an approval for liquid Trade Waste discharge as per the Essential Energy Policy for Discharge of Liquid Trade Waste.

^b The charges in this Table are to be increased in accordance with clause 8 of Schedule 3.

Table 9 Trade Waste Charges Category 1a (\$2014/15)

Charge	Commencement Date to 30 June 2015 ^c
Trade Waste discharge application fee ^a (\$ per application)	225.65
Annual Trade Waste fee (\$ per year)	104.67
Trade Waste re-inspection fee (\$ per inspection)	97.87
Non-compliant Trade Waste usage charge ^b (\$ per kL)	1.96

^a Not applicable to those discharges exempted from obtaining an approval for liquid Trade Waste discharge as per the Essential Energy Policy for Discharge of Liquid Trade Waste.

^b Applicable where Essential Energy determines that the required pre-treatment equipment has not been installed or properly maintained.

^c The charges in this Table are to be increased in accordance with clause 8 of Schedule 3.

Table 10 Trade Waste Charges Category 2 (\$2014/15)

Charge	Commencement Date to 30 June 2015 ^c
Trade Waste discharge application fee ^a (\$ per application)	225.65
Annual Trade Waste fee (\$ per year)	701.42
Trade Waste re-inspection fee (\$ per inspection)	97.87
Trade Waste usage charge (\$ per kL)	1.96
Non-compliant Trade Waste usage charge ^b (\$ per kL)	17.95

^a Not applicable to those discharges exempted from obtaining an approval for liquid Trade Waste discharge as per the Essential Energy Policy for the Discharge of Liquid Trade Waste.

^b Applicable where Essential Energy determines that the required pre-treatment equipment has not been installed or properly.

^c The charges in this Table are to be increased in accordance with clause 8 of Schedule 3.

Tables 8 to 13

Table 11 Trade Waste Charges Category 3 (\$2014/15)

Charge	Commencement Date to 30 June 2015^b
Trade Waste discharge application fee ^a (\$ per application)	225.65
Annual Trade Waste fee (\$ per year)	By quote
Trade Waste re-inspection fee (\$ per inspection)	97.87
Annual food waste disposal (\$ per bed)	28.54
Charge for exceeding approved pH range	Essential Energy policy for Discharge of Liquid Trade Waste
Charge for exceeding approved BOD range	Essential Energy policy for Discharge of Liquid Trade Waste

^a Not applicable to those discharges exempted from obtaining an approval for liquid Trade Waste discharge as per the Essential Energy policy for the Discharge of Liquid Trade Waste.

^b The charges in this Table are to be increased in accordance with clause 8 of Schedule 3.

Table 12 Excess Mass Charge (\$2014/15)

Charge	Commencement Date to 30 June 2015 (\$/kg)^a
Acid demand, pH>10	0.88
Alkali demand, pH<7	0.88
Aluminium (Al)	0.88
Ammonia (as Nitrogen)	2.68
Arsenic (As)	88.36
Barium (Ba)	43.50
Biochemical Oxygen Demand (BOD)	0.88
Boron (B)	0.88
Bromine (Br ₂)	17.59
Cadmium (Cd)	407.80
Chloride	Nil
Chlorinated Hydrocarbons	43.50
Chlorinated Phenolic	1,761.70
Chlorine (Cl ₂)	1.84
Chromium (Cr)	29.55
Cobalt (Co)	18.30
Copper (Cu)	18.30
Cyanide	88.36
Fluoride (F)	4.35
Formaldehyde	1.84
Grease and Oil (total)	1.57
Herbicides/defoliant	880.84
Iron (Fe)	1.84

Tables 8 to 13

Charge	Commencement Date to 30 June 2015 (\$/kg) ^a
Lead (Pb)	43.50
Lithium (Li)	8.84
Manganese (Mn)	8.84
Mercaptans	88.36
Mercury (Hg)	2,936.17
Methylene blue active substances (MBAS)	0.88
Molybdenum (Mo)	0.88
Nickel (Ni)	29.55
Nitrogen (N) (Total Kjeldahl Nitrogen)	0.23
Organoarsenic compounds	880.84
Pesticides general (excludes organochlorines and organophosphates)	880.84
Petroleum Hydrocarbons (non-flammable)	2.95
Phenolic compounds (non-chlorinated)	8.84
Phosphorous (Total)	1.84
Polynuclear aromatic hydrocarbons (PAH)	18.30
Selenium (Se)	61.89
Silver (Ag)	1.42
Sulphate (SO ₄)	0.17
Sulphide (S)	1.84
Sulphite (SO ₃)	1.97
Suspended Solids	1.12
Thiosulphate	0.31
Tin	8.84
Total Dissolved Solids	0.06
Uranium	8.84
Zinc (Zn)	18.01
Non-compliant excess mass charge	As per the Essential Energy Policy for the Discharge of Liquid Trade Waste

^a The charges in this Table are to be increased in accordance with clause 8 of Schedule 3.

Table 13 Trade Waste Charges for Mining Customer Property (\$2014/15)

Charge	Commencement Date to 30 June 2015 ^a
Annual Trade Waste fee per operating mine (\$ per year)	1,534.88

^a The charges in this Table are to be increased in accordance with clause 8 of Schedule 3.

Schedule 4 Ancillary and miscellaneous customer services

1 Application

This Schedule sets out the maximum prices that Essential Energy may charge for Monopoly Services under paragraph 2 (d) of the Order (ancillary and miscellaneous customer services for which no alternative supply exists and which relate to the provision of water supply services, sewerage services or trade waste services).

2 Ancillary and miscellaneous customer charges

The maximum charge that Essential Energy may levy for supplying an ancillary and miscellaneous customer service is:

- (a) **from the Commencement Date to 30 June 2015** - the corresponding charge in Table 14;
- (b) **from 1 July 2015 to 30 June 2016** - the corresponding charge in Table 14 multiplied by $(1 + \Delta\text{CPI}_1)$;
- (c) **from 1 July 2016 to 30 June 2017** - the corresponding charge in Table 14 multiplied by $(1 + \Delta\text{CPI}_2)$; and
- (d) **from 1 July 2017 to 30 June 2018** - the corresponding charge in Table 14 multiplied by $(1 + \Delta\text{CPI}_3)$.

3 Rounding rule

Where a charge for an ancillary and miscellaneous customer service calculated in accordance with clause 2 above is:

- (a) \$100 or more, the charge is to be rounded to the nearest whole dollar; and
- (b) less than \$100, the charge is to be rounded to the nearest 5 cents.

Table 14

Table 14 Charges for ancillary and miscellaneous customer services (\$2014/15)

No.	Ancillary and miscellaneous customer services	Charge (\$)
1	Conveyancing Certificate	
	Statement of outstanding charges	
	a) Full certificate with meter read	70.46
	b) Updated meter read request (special meter read)	52.82
	c) Full certificate with history search	123.78
	d) Urgent full certificate with meter read (within 48 hours)	122.06
2	Meter Test	73.23
	Refunded if meter is $\pm 3\%$	
3	Drainage Diagram	20.64
4	Plumbing Inspection	34.17
5	Plumbers application	36.51
6	Site inspection for water and sewerage	117.61
7	Statement of available water pressure	169.66
8	Building plan approval – extension	32.96
9	Building plan approval – new connection	49.82
10	Fire Service application	87.10
11	Relocation/increase in size of water service (tapping fee)	84.33
12	Backflow prevention device testing and certification (per hour plus materials)	70.63
13	Install Water Service	
	a) 20mm Service up to 3 metres	723.47
	b) 20mm Service over 3 metres and less than 30 metres	1,866.38
	c) All others	By quote
14	Alter or relocate existing water service	
	a) Alter existing service	By quote
	b) Relocate existing service	Charge for Install Water Service (charge no. 13) plus charge for Water Service Disconnect (charge no. 19)
15	Downgrade Meter Size	
	a) 25mm to 20mm	92.98
	b) All others	By quote
16	Repair damaged water service	
	a) First repair within 5 year period	Nil
	b) Second and subsequent repairs (per hour plus materials)	92.98
17	Rectification of Illegal Service	Greater of 226.59 or actual cost

Table 14

18	Replace Damaged Water Meter	
	(a) First replacement in a 5 year period	Nil
	(b) 20mm	109.07
	(c) 25mm	214.77
	(d) 32mm	312.36
	(e) 40mm	752.21
	(f) 50mm	938.29
	(g) 80mm	1,030.17
	(h) 100mm or greater	By quote
19	Water Service Disconnection	
	a) First disconnect within 1 year period	Nil
	b) Capping	90.72
	c) 20mm to 25mm	151.57
	d) 32mm or greater	By quote
	e) Bitumen Repairs (\$ per metre) (minimum 1 metre)	17.65
20	Water Service Reconnection	
	a) First reconnect within 1 year period	Nil
	b) Un-capping	97.65
	c) 20mm to 25mm	163.12
	d) 32mm or greater	By quote
	e) Bitumen Repairs (\$ per metre) (minimum 1 metre)	17.65
21	Asset Location	
	a) Major or Critical Infrastructure (per hour)	92.98
	b) Minor or non-critical Initial Location	Nil
	c) Reinspect asset location (per hour)	92.98
22	Relocate existing stop valve or hydrant	By quote
23	Replace water main before customer installations	By quote
24	Standpipe Hire	
	a) Monthly (Minimum Charge)	30.05
	b) Annually	360.63
	c) Water usage charges (\$ per kL)	
	i. Treated	1.72
	iii. Untreated	1.51
25	Personal Service of Final Warning Notice	20.58
26	Water Reconnections – after restrictions	
	a) during business hours	88.75
	b) outside business hours	122.66

Schedule 5 Definitions and Interpretation

1 Definitions

1.1 General definitions

In this determination:

Category 1 Trade Waste Discharge means Trade Waste discharge which:

- (a) arises from an activity conducted on a Non Residential Property; and
- (b) is deemed by Essential Energy to be of a low risk nature and to require nil or minimal pre-treatment prior to its discharge into the Sewerage System.

Category 1a Trade Waste Discharge means Trade Waste discharge which:

- (a) arises from an activity conducted on a Non Residential Property; and
- (b) is deemed by Essential Energy to be of a low risk nature but to require a more sophisticated prescribed pre-treatment than Category 1 Trade Waste Discharge prior to its discharge into the Sewerage System.

Category 2 Trade Waste Discharge means Trade Waste discharge which:

- (a) arises from an activity conducted on a Non Residential Property; and
- (b) is deemed by Essential Energy to be of a medium risk nature but to require a prescribed type of liquid trade waste pre-treatment prior to being discharged into the Sewerage System.

Category 3 Trade Waste Discharge means Trade Waste discharge which:

- (a) arises from an activity conducted on a Non Residential Property; and
- (b) is deemed by Essential Energy to be of either a high volume (over 20 kL per day) or of an industrial nature and to require a prescribed type of liquid trade waste pre-treatment prior to being discharged into the Sewerage System.

CBH Resources Ltd means CBH Resources Limited ACN 009 423 858 and includes any related bodies corporate within the definition of section 50 of the *Corporations Act 2001* (Cth) that is a Mining Customer.

Chlorinated Water means water that has been treated with a chlorine disinfection process, but not filtered to remove solids and organic particles.

Commencement Date is defined in clause 2 (b) of the *Preliminary* section of this determination.

Schedule 5 Definitions and Interpretation

Common Meter means a Meter which services a Multi Premises, where the Meter measures the water usage at that Multi Premises but not at each relevant Property located on or within that Multi Premises.

Community Development Lot has the meaning given to that term under the *Community Land Development Act 1989* (NSW).

Company Title Building means a building owned by a company where the issued shares of the company entitle the legal owner to exclusive occupation of a specified Company Title Dwelling within that building.

Company Title Dwelling means a dwelling within a Company Title Building.

Corporation has the meaning given to that term under section 57A of the *Corporations Act 2001* (Cth).

Determination No. 1 of 2010 means IPART's Determination No. 1, 2010 entitled "*Review of prices for Country Energy's water and sewerage services*".

DF or Discharge Factor means:

- (a) in relation to a Property (including a Property within a Multi Premises) with one or more Individual Meters, the percentage of water supplied to that Property which Essential Energy assesses or deems to be discharged into the Sewerage System; and
- (b) in relation to a Property within a Multi Premises with one or more Common Meters, the percentage of water supplied to that Multi Premises which Essential Energy assesses or deems to be discharged into the Sewerage System.

Domestic Equivalent means a concentration or level the same as would be found in household sewerage.

Essential Energy means a corporation (formerly Country Energy) established under the *Energy Services Corporations Act 1995* (NSW).

Exempt Land means land described in Schedule 4 of the Water Management Act.

GST means the Goods and Services Tax as defined in *A New Tax System (Goods and Services Tax) Act 1999* (Cth).

Individual Meter means a Meter which services a Property, where the Meter measures the water usage at that Property.

IPART means the Independent Pricing and Regulatory Tribunal of New South Wales established under the IPART Act.

IPART Act means the *Independent Pricing and Regulatory Tribunal Act 1992* (NSW).

kL means kilolitre or one thousand litres.

Local Government Act means the *Local Government Act 1993* (NSW).

Menindee Pipeline means the water pipeline which runs from Menindee to Broken Hill.

Meter means an apparatus for the measurement of water.

Metered Non Residential Property means a Non Residential Property that is serviced by a single Individual Meter or multiple Individual Meters.

Meter Reading Period means a period equal to the number of days between:

- (a) the date (**Last Reading Date**) on which Essential Energy last read the Meter or is taken to have read the Meter, including by estimating consumption for the Property or Multi Premises (as the case may be); and
- (b) the date (**Earlier Reading Date**) immediately preceding the Last Reading Date on which Essential Energy read the Meter or is taken to have read the Meter, including by estimating consumption for the Property or Multi Premises (as the case may be),

which period includes the Last Reading Date but does not include the Earlier Reading Date.

Metered Residential Property means a Residential Property that is serviced by a single Individual Meter or multiple Individual Meters.

Mining Customer means any Corporation which undertakes the mining or exploration activities on a Mining Customer Property, including CBH Resources Ltd and Perilya Broken Hill Ltd.

Mining Customer Property means a Property that is not a Residential Property in the Broken Hill area and on which the primary activity that is undertaken is mining or exploration activities.

Mixed Multi Premises means a Multi Premises which contains both Residential Properties and Non Residential Properties.

Monopoly Services means the Monopoly Services as defined in clause 1 (b) of the *Preliminary* section of this determination.

Multi Premises means land where there are two or more Properties located on it.

Schedule 5 Definitions and Interpretation

Multi Premises Property includes:

- (a) a Strata Title Lot; and
- (b) a part of a building lawfully occupied or available for occupation (other than a Strata Title Building to which paragraph (a) applies).

New Mining Customer means any Corporation:

- (a) which undertakes mining or exploration activities on a Mining Customer Property after the Commencement Date; or
- (b) that acquires, takes control or management of a Corporation which undertakes mining and exploration activities on a Mining Customer Property after the Commencement Date.

Non Residential Multi Premises means a Multi Premises containing only Non Residential Properties.

Non Residential Property means a Property that is not:

- (a) a Residential Property; or
- (b) land that has no capital improvements and no connection to the Water Supply System.

Order means the Order defined in clause 1 (b) of the *Preliminary* section of this determination and published in the *New South Wales Government Gazette* No. 147 on 14 November 2008.

Perilya Broken Hill Ltd means Perilya Broken Hill Limited ACN 099 761 289 and includes any related bodies corporate within the definition of section 50 of the *Corporations Act 2001* (Cth) that is a Mining Customer.

Pipeline Property means a property which may access Untreated Water via a direct connection to the Menindee Pipeline or the Umberumberka Pipeline.

Property includes:

- (a) a Strata Title Lot;
- (b) a Company Title Dwelling;
- (c) a Community Development Lot;
- (d) a building or part of a building lawfully occupied or available for lawful occupation as a separate place of domicile or a separate place of business, other than a building to which paragraphs (a) to (c) apply; and
- (e) land.

Rateable Land has the meaning given to that term under the Local Government Act.

Residential Multi Premises means a Multi Premises containing only Residential Properties.

Residential Property means a Property where:

- (a) in the case of that Property being Rateable Land, that Property is categorised as:
 - (1) residential under section 516 of the Local Government Act; or
 - (2) farmland under section 515 of the Local Government Act; or
- (b) in the case of that Property not being Rateable Land, the dominant use of that Property is residential applying the classifications in section 516 of the Local Government Act.

Sewerage System means the sewerage system of Essential Energy.

Strata Title Building means a building that is subject to a strata scheme under the *Strata Schemes (Freehold Development) Act 1973* (NSW).

Strata Title Lot means a lot as defined under the *Strata Schemes (Freehold Development) Act 1973* (NSW).

Trade Waste means wastewater from commercial and industrial customers with concentrations of pollutants that exceed a Domestic Equivalent.

Treated Water means water that has been treated with a disinfection process and filtered to a standard that is primarily intended for human consumption.

Umberumberka Pipeline means the water pipeline which runs from Umberumberka to Broken Hill.

Unmetered Property means a Property that is not serviced by an Individual Meter or a Common Meter.

Untreated Water means water in its natural state, prior to any treatment process.

Vacant Land means land that:

- (a) has no capital improvements;
- (b) has no connection to the Water Supply System; and
- (c) is reasonably available for connection to the Water Supply System.

Water Management Act means the *Water Management Act 2000* (NSW).

Water Supply System means the water supply system of Essential Energy.

1.2 Consumer Price Index

- (a) CPI means the consumer price index All Groups index number for the weighted average of eight capital cities, published by the Australian Bureau of Statistics, or if the Australian Bureau of Statistics does not or ceases to publish the index, then CPI will mean an index determined by IPART.
- (b) $\Delta CPI_1 = \left(\frac{CPI_{March2015}}{CPI_{March2014}} \right) - 1$
 $\Delta CPI_2 = \left(\frac{CPI_{March2016}}{CPI_{March2014}} \right) - 1$
 $\Delta CPI_3 = \left(\frac{CPI_{March2017}}{CPI_{March2014}} \right) - 1$
- (c) The subtext (for example March₂₀₁₄) when used in relation to the CPI in paragraph 1.2 (b) above refers to the CPI for the quarter and year indicated (in the example, the March quarter for 2014).

2 Interpretation

2.1 General provisions

In this determination, unless the contrary intention appears:

- (a) headings are for convenience only and do not affect the interpretation of this determination;
- (b) a reference to a schedule, annexure, clause or table is a reference to a schedule, annexure, clause or table to this determination unless otherwise indicated;
- (c) a construction that would promote the purpose or object expressly or impliedly underlying the IPART Act is to be preferred to a construction that would not promote that purpose or object;
- (d) words importing the singular include the plural and vice versa;
- (e) a reference to a law or statute includes regulations, rules, codes and other instruments under it and consolidations, amendments, re-enactments or replacements of them;
- (f) where a word is defined, other grammatical forms of that word have a corresponding meaning;
- (g) a reference to a day is to a calendar day;
- (h) a reference to a person includes a reference to the person's executors, administrators, successors, substitutes (including, but not limited to, persons taking by novation), replacements and assigns;
- (i) a reference to an officer includes a reference to the officer which replaces it or which substantially succeeds to its powers or functions;

- (j) a reference to a body, whether statutory or not:
 - (1) which ceases to exist; or
 - (2) whose powers or functions are transferred to another body,
 is a reference to the body which replaces it or which substantially succeeds to its powers or functions.

2.2 Explanatory notes, simplified outline, examples and clarification notice

- (a) Explanatory notes, simplified outlines and examples do not form part of this determination, but in the case of uncertainty may be relied on for interpretation purposes.
- (b) IPART may publish a clarification notice in the *NSW Government Gazette* to correct any manifest error in this determination. Such a clarification notice is taken to form part of this determination.

2.3 Prices exclusive of GST

Prices or charges specified in this determination do not include GST (unless indicated otherwise).

2.4 Billing cycle of Essential Energy

- (a) For the avoidance of doubt, nothing in this determination affects when Essential Energy may issue a bill to a customer for prices or charges under this determination.
- (b) Essential Energy must levy any charge applying in this determination on a pro-rata basis, where:
 - (1) a Meter Reading Period traverses more than one period; or
 - (2) a billing period covers part of a period.

[Note: this clause 2.4(b) requires Essential Energy to levy charges (including service charges) on a pro-rata basis, meaning that any annual charges will be pro-rated based on the number of days falling within the relevant billing period. Billing frequency is dealt with in the customer contract available on Essential Energy's website.]

- (c) For the avoidance of doubt, if a Meter Reading Period or billing period commences before the Commencement Date and ends after the Commencement Date, the maximum price for the Monopoly Services applying to that Meter Reading Period or billing period is the charge calculated as follows:
 - (1) **for the number of days falling before the Commencement Date** – by applying the maximum price for the relevant Monopoly Service under Determination No. 1 of 2010, prior to that determination being replaced by this determination; and
 - (2) **for the number of days falling on or after the Commencement Date** – by applying the maximum price for the relevant Monopoly Service under this determination.

Schedule 5 Definitions and Interpretation

2.5 Apparatus for checking quantity of water used

For the purposes of this determination, where an apparatus is used by Essential Energy to check on the quantity of water use recorded by a Meter, that apparatus will not fall within the definition of a 'Meter'.

PRIVATE ADVERTISEMENTS

COUNCIL NOTICES

BANKSTOWN CITY COUNCIL

Local Government Act 1993, Section 50

Vesting of Drainage Reserve

NOTICE is hereby given by Bankstown City Council, pursuant to section 50 of the Local Government Act 1993 (being the former section 340C of the Local Government Act 1919), that the land described as 'Drainage Reserve 5 Wide' being part of the residue land in Certificate of Title Volume 3102, Folio 62, situated at the rear of 30 and 32 Warwick Street, Punchbowl, is hereby vested in Council as Drainage Reserve. Dated at Bankstown, 25 June 2014. MATTHEW STEWART, General Manager, Bankstown City Council, Bankstown Civic Tower, 66-72 Rickard Road (corner of Jacob Street), Bankstown NSW 2200.

SCHEDULE

The land described as 'Drainage Reserve 5 Wide' being part of the residue land in Certificate of Title Volume 3102, Folio 62, situated at the rear of 30 and 32 Warwick Street, in the Parish of Bankstown, County of Cumberland. [7552]

CAMPBELLTOWN CITY COUNCIL

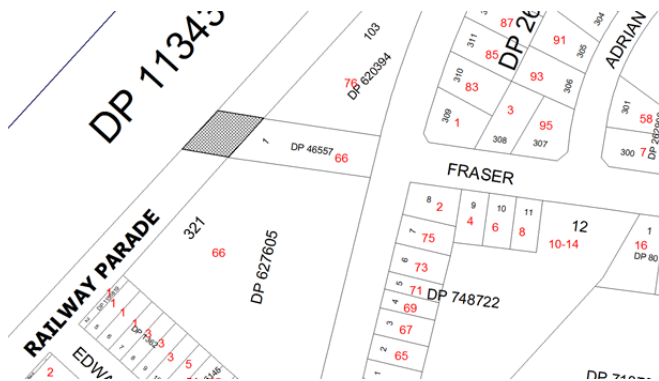
Roads Act 1993, Section 16

Dedication of Land as Public Road

NOTICE is hereby given pursuant to section 16 of the Roads Act 1993, that the land described in the Schedule below is dedicated to the public as road. PAUL TOSI, General Manager, Campbelltown City Council, PO Box 57, Campbelltown NSW 2560.

SCHEDULE

All those pieces or parcel of land described as an extension of Railway Parade and Fraser Street, Macquarie Fields, provided for in a private subdivision filed at the Land and Property Information Office as DP 960, being part of the land remaining comprised in Certificate of Title Volume 618, Folio 6 at Macquarie Fields in the Station of New South Wales (as shown on the diagram below).



Note: On dedication, title for the land will remain vested in Campbelltown City Council as operational land.

[7553]

CAMPBELLTOWN CITY COUNCIL

Roads Act 1993, Section 16

Dedication of Land as Public Road

NOTICE is hereby given pursuant to section 16 of the Roads Act 1993, that the land described in the Schedule below is dedicated to the public as road. PAUL TOSI, General Manager, Campbelltown City Council, PO Box 57, Campbelltown NSW 2560.

SCHEDULE

All those pieces or parcel of land which originally formed part of Edward Street, Macquarie Fields, provided for in a private subdivision filed at the Land and Property Information Office as DP 1362, being part of the land remaining comprised in Certificate of Title Volume 660, Folio 187 at Macquarie Fields in the State of New South Wales (as shown on the diagram below).



Note: On dedication, title for the land will remain vested in Campbelltown City Council as operational land.

[7554]

GOSFORD CITY COUNCIL

Water Management Act 2000

Water, Sewerage and Stormwater Drainage Service
Charges for 2014/15

1. Water Charges

Table 1: Water service charge for (i) Metered Residential Properties; (ii) Residential Properties within a Multi Premises with one or more Common Meters; (iii) Non-Residential Properties with a single Individual Meter of 20mm; (iv) Non-Residential Properties within a Mixed Multi Premises with one or more Common Meters; (v) Unmetered Properties; (vi) Properties not connected but reasonably available for connection.

<i>Basis of Charge</i>	<i>Maximum charge for the period 1 July 2014 to 30 June 2015</i> \$
Water service charge	149.78

Table 2: Water service charge for (i) Non-Residential Properties with an Individual Meter of 25mm or greater or multiple Individual Meters (of any size); (ii) Non-Residential Multi Premises with one or more Common Meters; (iii) Retirement Villages with one or more Common Meters.

<i>Basis of Charge Water Service Charge (per year) Meter Size</i>	<i>Maximum charge for the period 1 July 2014 to 30 June 2015 \$</i>
20mm	149.78
25mm	209.02
40mm	535.10
50mm	836.10
80mm	2,140.42
100mm	3,344.40
150mm	7,524.92
200mm	13,377.62
For meter diameter sizes not specified above, the following formula applies: $(\text{Meter size})^2 \times (25\text{mm water service charge}) \div 625$	

2. Sewerage Charges

Table 3: Sewerage service charge for (i) Metered Residential Properties; (ii) Residential Properties within a Multi Premises with one or more Common Meters; (iii) Non-Residential Properties within Mixed Multi Premises with one or more Common Meters; (iv) Unmetered Properties; (v) Non-Residential Properties with a single Individual Meter of 20mm; (vi) Properties not connected but reasonably available for connection; (vii) Retirement Villages with one or more Common Meters.

<i>Charge</i>	<i>Maximum charge for the period 1 July 2014 to 30 June 2015 \$</i>
Sewerage service charge	612.28

Table 4: Sewerage service charge for (i) Non-Residential Properties with an Individual Meter of 25mm or greater or multiple Individual Meters (of any size); (ii) Non-Residential Multi Premises with one or more Common Meters.

<i>Basis of Charge Sewerage Service Charge (per year) Meter Size</i>	<i>Maximum charge for the period 1 July 2014 to 30 June 2015 \$</i>
20mm	612.28
25mm	1,164.26
40mm	2,980.50
50mm	4,657.04
80mm	11,922.00
100mm	18,628.14

<i>Basis of Charge Sewerage Service Charge (per year) Meter Size</i>	<i>Maximum charge for the period 1 July 2014 to 30 June 2015 \$</i>
150mm	41,913.30
200mm	74,512.52
For meter diameter sizes not specified above, the following formula applies: $(\text{Meter size})^2 \times (25\text{mm water service charge}) \div 625$	

3. Stormwater Drainage Charges

Table 5: Stormwater drainage charge

<i>Basis of Charge</i>	<i>Maximum charge for the period 1 July 2014 to 30 June 2015 \$</i>
Stormwater drainage charge	102.78

PAUL ANDERSON, Chief Executive Officer, Gosford City Council, PO Box 21, Gosford NSW 2250. [7555]

GREATER TAREE CITY COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

GREATER TAREE CITY COUNCIL declares, with the approval of Her Excellency the Governor, that the lands described in the Schedule below, 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 environmental conservation protection and improvement of services and facilities. Dated at Taree, this 24th day of 2014. GERARD JOSÉ, General Manager, Greater Taree City Council, PO Box 482, Taree NSW 2430.

SCHEDULE

Lot 202, DP 1194463.

Lot 204, DP 1194463.

Lot 206, DP 1194463.

Lot 208, DP 1194463.

[7556]

LAKE MACQUARIE CITY COUNCIL

Naming of Roads

LAKE MACQUARIE CITY COUNCIL advises that in accordance with section 162.1 of the Roads Act 1993 and Part 2, Division 2, Clauses 7-10, Roads Regulations 2008, it has named the following roads:

<i>Location / Description</i>	<i>Road Name</i>
Creating one new road in the subdivision of Lot 2, DP 1127713 at Boolaroo, being part of the Cockle Creek Smelter.	Hague Road.

Origin of Name: Previous employee of the Cockle Creek Smelter.

No objections to the proposed names were received within the advertising period. BRIAN BELL, General Manager, Lake Macquarie City Council, Box 1906, Hunter Region Mail Centre NSW 2310. [7557]

MID-WESTERN REGIONAL COUNCIL

Roads Act 1993, Section 162

Naming of Public Roads

Hughson Avenue, Rowe Street and Auld Lane

NOTICE is hereby given that in accordance with section 162 of the Roads Act 1993, as amended, Council has named the roads shown hereunder:

<i>Location</i>	<i>Name</i>
New street running west off Melton Road, Mudgee, between Macquarie Drive and Bruce Road.	Hughson Avenue.
New street running south off Hughson Avenue to Bruce Road, Mudgee.	Rowe Street.
Unnamed lane running north off Goolma Road to Wyaldra Street, Gulgong.	Auld Lane.

BRAD CAM, Acting General Manager, PO Box 156, 86 Market Street, Mudgee NSW 2850. [7558]

NORTH SYDNEY COUNCIL

Heritage Act 1977

Revocation of Interim Heritage Order No. 1/2014
3 Anderson Street, Neutral Bay

IN pursuance of section 29 (4) of the Heritage Act 1977, North Sydney Council, do, by this notice revoke Interim Heritage Order No. 1/2014, dated 28 March 2014, as published in the *New South Wales Government Gazette* by Notice dated 4 April 2014, over the item specified in Schedule 'A'. This revocation shall apply to the curtilage or site of the item being the land described in Schedule 'B'. Dated at North Sydney, 24 June 2014. WARWICK WINN, General Manager, North Sydney Council, PO Box 12, North Sydney NSW 2059.

SCHEDULE 'A'

The property situated at 3 Anderson Street, Neutral Bay NSW 2089, on the land described in Schedule 'B'.

SCHEDULE 'B'

The parcel of land known as Lot A in DP 396852 with particular reference to the existing two-storey dwelling including its interior and surrounding gardens. [7559]

PORT MACQUARIE-HASTINGS COUNCIL

Roads Act 1993

Roads Regulation 2008

Naming of Roads

NOTICE is hereby given that the Port Macquarie-Hastings Council pursuant to section 162 of the Roads Act 1993 and section 9 of the Roads Regulation 2008, formally names the roads, or proposed roads, as described in the Schedule below.

SCHEDULE

<i>Current Name (if any) and/or Description</i>	<i>New Name</i>
That part Lindfield Park Road, Port Macquarie, situated south of the Oxley Highway and north of John Oxley Drive.	Holland Close.
Pappinbarra Road Right Arm, Pappinbarra.	Right Arm Road.
Main Street, Thrumster.	Chancellors Drive.
Service Roads as depicted on Roads and Maritime Service Plans being roads yet to be constructed as part of the upgrade of the Pacific Highway in the vicinity of Fernbank Creek Road and Sancrox Road, Sancrox.	Frogs Road, Orleans Avenue, Wambuyn Drive.
Service Road 1.	
Service Road 2.	
Service Road 3.	

CRAIG SWIFT-MCNAIR, Acting General Manager, Port Macquarie-Hastings Council, Corner Lord and Burrawan Streets, Port Macquarie NSW 2444. [7560]

SHOALHAVEN CITY COUNCIL

Roads Act 1993, Section 10

Dedication of Land as Public Road

NOTICE is hereby given that in accordance with section 10 of the Roads Act 1993, the land held by Council as described in the Schedule below is hereby dedicated as Council Public Road. R. D. PIGG, General Manager, Shoalhaven City Council, Bridge Road, Nowra NSW 2541. File 45818E.

SCHEDULE

Lot 4 in Deposited Plan 1185885, Parish of Numbaa, County of St Vincent, being land adjacent to Pyree Lane, Pyree NSW 2540. [7561]

WYONG SHIRE COUNCIL

Water Management Act 2000

Water, Sewerage and Drainage Service
Charges for 2014-15

IN accordance with sections 315 and 316 of the Water Management Act 2000, Wyong Shire Council does hereby determine the fees and charges set out in sections 1 to 3 below for the period 1 July 2014 to 30 June 2015 based on the determination of the authority set out in A, B and C below:

- A. The amount of money estimated by the Authority that is proposed to be raised by way of service charges levied uniformly on all land that is capable of being connected to the Authority's water supply pipes, sewerage service discharge pipes and is within the stormwater drainage area is \$48,269,932 for the period 1 July 2014 to 30 June 2015.
- B. All land that is capable of being connected to the Authority's water supply pipes and sewerage service discharge pipes is classified for the purpose of levying service charges on the basis of the following factors:
 - a. Whether the land is residential or non-residential and

- b. The nature and extent of the water and sewerage service connected to each individual allotment.
- C. Service charges shall be uniformly levied on the following basis:
- a. The nominal size of the water service supply pipe supplying water to the land or to which it is reasonably practicable for water to be supplied to the land, expressed as a charge determined by the nominal diameter of the service connection attaching to the Authority's meter.
- b. By charge following an assessment of the cost of supplying water and sewerage services by the Authority, and
- c. Where water pressure requires larger sizes of service connections a charge as assessed by the Authority.

1 Water Supply Service Charges

Council levies the water supply service charge on the owners of all properties for which there is an available water supply service. This pays the full cost of supplying water.

For those properties that become chargeable or non-chargeable during the year a proportional charge or fee calculated on a daily basis is applied.

<i>Meter type/size</i>	<i>2014/15 Charge</i>
Residential property service charge	\$172.33
Multi Premises	\$115.46
Water availability	\$172.33
Non Res single 20mm	\$172.33
20mm meter	\$149.87
25mm meter	\$234.17
40mm meter	\$599.47
50mm meter	\$936.68
80mm meter	\$2,397.90
100mm meter	\$3,746.72
150mm meter	\$8,430.12
200mm meter	\$14,986.88
Non specified pipe/meter size	$(\text{meter size})^2 / 625 \times \234.17

2 Sewerage Supply Service Charges

Council levies this charge to cover the cost of supplying sewerage services on all properties for which there is a sewerage service either connected or available.

Non Residential properties will be levied a sewerage service charge based on meter size and a sewerage usage charge. Where the sum of these charges is less than the non-residential minimum sewerage charge, the non-residential minimum will be charged instead.

A discharge factor in accordance with Council's Trade Waste Policy is applied to the charge based on the volume of water discharged into Council's sewerage system.

<i>Meter type/size</i>	<i>2014/15 Charge</i>
Residential property service charge	\$470.75
Multi Premises	\$308.64
Sewer availability	\$470.75
Non-residential minimum	\$470.75
20mm meter	\$258.62
25mm meter	\$404.09 x DF
40mm meter	\$1,034.46 x DF
50mm meter	\$1,616.34 x DF
80mm meter	\$4,137.85 x DF
100mm meter	\$6,465.38 x DF
150mm meter	\$14,547.11 x DF
200mm meter	\$25,861.52 x DF
Non specified pipe/meter size	$(\text{meter size})^2 / 625 \times \$404.09 \times \text{DF}$

3 Drainage charges

This charge is levied by Council for the provision of drainage services, and covers the cost of maintaining the Shire's drainage network.

<i>Meter type/size</i>	<i>2014/15 Charge</i>
Residential property service charge	\$108.76
Multi premises	\$81.57
20mm meter	\$108.76
25mm meter	\$169.93
40mm meter	\$435.01
50mm meter	\$679.71
80mm meter	\$1,740.04
100mm meter	\$2,718.81
150mm meter	\$6,117.34
200mm meter	\$10,875.27
Non specified pipe/meter size	$(\text{meter size})^2 / 625 \times \169.93

[7562]

ESTATE NOTICES

NOTICE of intended distribution of estate. – Any person having any claim upon the estate of JENNIFER ANNE WALLIS, late of Bundall, Queensland, who died on 15 September 2013, must send particulars of the claim to the legal representative for the estate, c.o. Lewis James Webb, Grogan and Webb at PO Box 5185, West Chatswood NSW 1515, or by email to lewis@grogan-webb.com.au within 30 days from publication of this notice. After that time and after 6 months from the date of death of the deceased, the legal representative intends to distribute the property in the estate having regard only to the claims of which the

legal representative had notice at the time of distribution. Probate was granted in New South Wales on 23 May 2014. GROGAN AND WEBB, Zenith Centre, Tower A, Level 19, 821 Pacific Highway, Chatswood NSW 2067 (PO Box 5185, West Chatswood NSW 1515), tel.: (02) 9411 3511. [7563]

COMPANY NOTICES

NOTICE of the final meeting.—COOKE COLLINS ADVERTISING PTY LIMITED, ACN 002 961 622 (In Voluntary Liquidation).—Notice is hereby given that a general meeting of members of the abovenamed company will be held on Monday, 4th August 2014, at 120 Midson Road, Epping NSW 2121, at 10:00 a.m. Agenda: To hold the final meeting of the company and receive an account of how the winding up has been conducted. Dated this 23rd day of June 2014. By Order of the Board. MICHAEL ERIC COLLINS, Liquidator, c.o. Suite 7, 1A Greengate Road, Killara NSW 2071, tel.: (02) 9498 7511. [7564]

NOTICE of voluntary winding up.—ALLAN C DAVIS INVESTMENTS PTY LIMITED, ACN 000 431 836 (In Voluntary Liquidation).—Notice is hereby given that at an extraordinary general meeting of members of the abovenamed company, duly convened and held at Level 14, 60 Carrington Street, Sydney NSW, on 21st March 2014, the following special resolution was duly passed: “That the company be wound up voluntarily”. It was further resolved that Mr Carl Gilmore be appointed liquidator of the company for the purposes of winding up the affairs and distributing the assets of the company. Dated 23rd June 2014. CARL GILMORE, Liquidator, c.o. Brooks, Deane & Powne, Chartered Accountants, Level 14, 60 Carrington Street, Sydney NSW 2000. [7565]

OTHER NOTICES

AUSCOAL SUPERANNUATION

TRUST DEED

Determination under Rule 3.9.13

WHEREAS this Rule provides that where there is a variation in the amount of the Reference Rate the Trustees shall by a determination published by the *New South Wales Government Gazette* as soon as practical after the variation to amend Appendix 3A of the Trust Deed in the manner provided by this Rule and whereas there has been a variation in the Reference Rate the Trustee has amended Appendix 3A of the Trust Deed as follows:

- (a) by omitting the amount of “\$251.72” in Column 4 of Item 1 and by inserting the amount of “\$259.28”;
- (b) by omitting the amount of “\$395.56” in Column 4 of Item 2 and by inserting the amount of “\$407.44”;
- (c) by omitting the amount of “\$236.67” in Column 4 of Item 3 and by inserting the amount of “\$244.23”;
- (d) by omitting the amount of “\$35.96” in Column 4 of Item 4 and by inserting the amount of “\$37.04”.

The amendments made of Appendix 3A by this Determination take effect on and from 1 July 2013.

Dated: 25 June 2014.

STEVE GRANT, General Manager, Auscoal Super, PO Box 246 Warners Bay NSW 2282, tel.: 1300 287 262. [7566]

ESSENTIAL ENERGY

Electricity Supply Act 1995

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of an Easement for Electricity Purposes at Coolamon

ESSENTIAL ENERGY declares, with the approval of Her Excellency the Governor, with the advice of the Executive Council, that the Interest in Land described in Schedule 1 to this notice the terms of which are described in Schedule 2 of this notice, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of the Electricity Supply Act 1995.

Dated at Sydney this 27th day of June 2014.

VINCE GRAHAM,
Chief Executive Officer

Essential Energy,
PO Box 5730, Port Macquarie NSW 2444.

SCHEDULE 1

Interest in Land: Easement for overhead powerlines 30 wide affecting Crown road known as Veitchs Lane separating Lot 15 in DP 1165490 and Lot 26 in DP 750846 and shown as “(B) Proposed Easement for Overhead powerlines 30 wide” in DP 1185710.

Locality: Coolamon.

L.G.A.: Coolamon.

Parish: Kindra.

County: Bourke.

SCHEDULE 2

The easement for overhead powerlines described in Schedule 1 is on the terms set out in Part A of Memorandum No. AG189384 registered on the Register held under the Real Property Act 1900. [7567]

ESSENTIAL ENERGY

Schedule of Water & Sewerage Charges

Effective from 1 July 2014

UNDER section 310 of the Water Management Act 2000 and Regulations, Essential Energy is required to set the maximum scale of charges to apply for the 12 months commencing on 1 July 2014 (in accordance with the IPART Determination and Final Report dated June 2014), as follows:

SCHEDULE 1 – WATER SUPPLY CHARGES

RESIDENTIAL – BROKEN HILL, MENINDEE, SUNSET STRIP and SILVERTON

Access Charge		Usage Charge	
<i>Nominal Size of Water Service</i>	<i>Annual Access Charge (\$)</i>		<i>Charge cents/kL</i>
All meter sizes	\$312.67	Treated Water Usage Charge Any measured amount	172 c/kL
		Untreated Water Usage Charge Any measured amount	151 c/kL
		Chlorinated Water Usage Charge Any measured amount	111 c/kL
VACANT LAND			
All properties to be levied \$312.67 per property per annum			

PIPELINE CUSTOMERS

Access Charge		Usage Charge	
<i>Nominal Size of Water Service</i>	<i>Annual Access Charge (\$)</i>		<i>Charge cents/kL</i>
20mm	\$312.67	Untreated Water Usage Charge Any measured amount	74 c/kL
25mm	\$488.55		
32mm	\$800.44		
40mm	\$1,250.69		
50mm	\$1,954.20		
80mm	\$5,002.75		
100mm	\$7,816.80		
150mm	\$17,587.80		
For meter sizes not specified above:	$(\text{Meter Size})^2 \times (20\text{mm service charge}) \div 400$		

NON RESIDENTIAL – BROKEN HILL, MENINDEE, SUNSET STRIP and SILVERTON

Access Charge		Usage Charge	
<i>Nominal Size of Water Service</i>	<i>Annual Access Charge (\$)</i>		<i>Charge cents/kL</i>
20mm	\$312.67	Treated Water Usage Charge Any measured amount	172 c/kL
25mm	\$488.55		
32mm	\$800.44		
40mm	\$1,250.69		
50mm	\$1,954.20		
80mm	\$5,002.75		
100mm	\$7,816.80		
150mm	\$17,587.80		
VACANT LAND			
All properties to be levied \$312.67 per property per annum			

OPERATING MINES

<i>Operating Mine</i>	<i>Annual Access Charge (\$)</i>
Perilya Broken Hill Ltd	\$2,002,708.33
CBH Resources Ltd	\$483,082.38

Water Usage Charge

Water usage charge of 172 cents/kL for all treated water usage.

Water usage charge of 151 cents/kL for all untreated water usage.

SCHEDULE 2 – SEWERAGE AND TRADE WASTE CHARGES

SEWERAGE SERVICE CHARGES CITY OF BROKEN HILL

Residential Land: The service charge shall be a fixed charge of \$511.19 per customer service connection per year. In respect of any chargeable land used as the site of a block of company or community title units or flats shall be treated as a single non-residential assessment.

Non Residential Land:

<i>Sewer Access Charge Nominal Size of Service</i>	<i>Annual Access Charge (\$)</i>
20mm	\$729.96
25mm	\$1,140.48
32mm	\$1,868.70
40mm	\$2,919.86
50mm	\$4,561.94
80mm	\$11,679.44
100mm	\$18,249.12
150mm	\$41,060.19
For meter sizes not specified above:	$(\text{Meter Size})^2 \times (20\text{mm service charge}) \div 400$
Sewer Usage Charge	
All kilolitres	122 c/kL

Sewer Discharge Factor

An appropriate sewer discharge factor is applied to the final sewerage calculation for non-residential customers.

Vacant Land: The service charge shall be a fixed charge of \$511.19 per property or customer service connection per year, whichever is greater.

SEWERAGE AND TRADE WASTE CHARGES FOR EACH OPERATING MINE

Residential: The sewerage service charge for mining company houses shall be \$511.19 per house.

Non-residential: The sewerage service charge shall be the non-residential service charge based on the water supply service connection meter size. The sewer usage charge shall be 122 cents/kL of non-residential discharge to the sewerage system.

Trade waste: Annual trade waste fee shall be \$1,534.88 for each operating mine. Applicable trade waste usage charge or excess mass charge as detailed below. These charges will apply until a liquid trade waste agreement has been implemented.

WATER AND SEWERAGE CHARGES IN RESPECT OF LANDS EXEMPT UNDER SCHEDULE 4

i) **Water** – Land which is exempt from service access charges under Schedule 4 of the Act; shall be charged as follows:

Treated Water Usage Charge	
any measured amount	172 cents/kL
Untreated Water Usage Charge	
any measured amount	151 cents/kL
Chlorinated Water Usage Charge	
any measured amount	111 cents/kL

ii) **Sewer** – Land which is exempt from service access charges under Schedule 4 of the Act; shall be charged on the sewer usage charge of 122 cents/kL times by the relevant Sewer Discharge Factor as per the NOW Liquid Trade Waste Management Guidelines 2009.

TRADE WASTE CHARGES FOR NON-RESIDENTIAL CUSTOMERS CITY OF BROKEN HILL

Trade Waste Charges

Category 1 (Low Risk. Nil or only minimal liquid trade waste pre-treatment equipment required)

Application fee*	\$225.65
Annual Trade Waste Fee	\$104.67
Re-inspection Fee	\$97.87

Category 1a (Low Risk. Require more sophisticated prescribed liquid trade waste pre-treatment equipment)

Application fee*	\$225.65
Annual Trade Waste Fee	\$104.67
Re-inspection Fee	\$97.87
Non-Compliant Trade Waste Usage Charge**	\$1.96/kL

Category 2 (Medium Risk. Require prescribed liquid trade waste pre-treatment equipment)

Application fee*	\$225.65
Annual Trade Waste Fee	\$701.42
Re-inspection Fee	\$97.87
Trade Waste Usage Charge	\$1.96/kL
Non-Compliant Trade Waste Usage Charge***	\$17.95/kL

Category 3 (High Risk. Industrial and large volume dischargers)

Application fee*	\$225.65
Annual Trade Waste Fee	By quote
Re-inspection Fee	\$97.87
Food Waste Disposal	\$28.54/bed
Approved pH Range	Essential Energy Policy for Discharge of Liquid Trade Waste
Approved BOD Range	Essential Energy Policy for Discharge of Liquid Trade Waste

* Not applicable to those dischargers exempted from obtaining an approval for liquid trade waste discharge as per the Essential Energy Policy for the Discharge of Liquid Trade Waste

** Applicable to dischargers who have not installed or properly maintained pre-treatment equipment

*** Applicable to dischargers who have not installed or properly maintained pre-treatment equipment

<i>Excess Mass Charge</i>	<i>\$/kg</i>	<i>Excess Mass Charge</i>	<i>\$/kg</i>
Acid demand, pH>10	\$0.88	Manganese (Mn)	\$8.84
Alkali demand, pH<7	\$0.88	Mercaptans	\$88.36
Aluminium (Al)	\$0.88	Mercury (Hg)	\$2,936.17
Ammonia (as Nitrogen)	\$2.68	Methylene blue active substances (MBAS)	\$0.88
Arsenic (As)	\$88.36	Molybdenum (Mo)	\$0.88
Barium (Ba)	\$43.50	Nickel (Ni)	\$29.55
Biochemical oxygen demand (BOD)	\$0.88	Nitrogen (N) (Total Kjeldahl Nitrogen)	\$0.23
Boron (B)	\$0.88	Organoarsenic compounds	\$880.84
Bromine (Br ₂)	\$17.59	Pesticides general (excludes organochlorines and organophosphates)	\$880.84
Cadmium (Cd)	\$407.80	Petroleum hydrocarbons (non-flammable)	\$2.95
Chloride	No charge	Phenolic compounds (non-chlorinated)	\$8.84
Chlorinated hydrocarbons	\$43.50	Phosphorous (Total P)	\$1.84
Chlorinated phenolic	\$1,761.70	Polynuclear aromatic hydrocarbons (PAH)	\$18.30
Chlorine (Cl ₂)	\$1.84	Selenium (Se)	\$61.89
Chromium (Cr)	\$29.55	Silver (Ag)	\$1.42
Cobalt (Co)	\$18.30	Sulphate (SO ₄)	\$0.17
Copper (Cu)	\$18.30	Sulphide (S)	\$1.84
Cyanide	\$88.36	Sulphite (SO ₃)	\$1.97
Fluoride (F)	\$4.35	Suspended Solids (SS)	\$1.12
Formaldehyde	\$1.84	Thiosulphate	\$0.31
Grease and Oil (total)	\$1.57	Tin	\$8.84
Herbicides/defoliant	\$880.84	Total Dissolved Solids (TDS)	\$0.06
Iron (Fe)	\$1.84	Uranium	\$8.84
Lead (Pb)	\$43.50	Zinc (Zn)	\$18.01
Lithium (Li)	\$8.84		
Non-compliant Excess Mass Charge		Essential Energy Policy for the Discharge of Liquid Trade Waste	

ANCILLARY AND MISCELLANEOUS CHARGES		
<i>Service No.</i>	<i>Description</i>	<i>2014/2015 Charge (No GST)</i>
1	Conveyancing Certificate Statement of outstanding charges (s 41 Conveyancing (General) Regulation 2008) (a) Full Certificate with Meter Read (b) Updated Meter Read Request (Special Meter Read) (c) Full Certificate with History Search (d) Urgent Full Certificate with Meter Read (within 48 hours)	 \$70.46 \$52.82 \$123.78 \$122.06
2	Meter Test (Refunded if meter is +/- 3%)	\$73.23
3	Drainage Diagram	\$20.64
4	Plumbing Inspection	\$34.17
5	Plumbers Application	\$36.51
6	Site inspection for water and sewerage	\$117.61
7	Statement of available water pressure	\$169.66
8	Building plan approval – extension	\$32.96
9	Building plan approval – new connection	\$49.82
10	Fire Service application	\$87.10
11	Relocation/Increase in size of water service (Tapping Fee)	\$84.33
12	Backflow Prevention Device Testing and Certification (per hour plus materials)	\$70.63 per hour
13	Install Water Service (a) 20mm Service up to 3 metres (b) 20mm Service over 3 metres and less than 30 metres (c) All Others	 \$723.47 \$1,866.38 By Quotation
14	Alter Existing Water Service Actual Cost Relocate Existing Service	 By Quotation Charge for Install Water service (charge no. 13) plus Charge for Water Disconnect (charge no. 19)
15	Downgrade Meter Size (a) 25mm to 20mm (b) All Others	 \$92.98 By Quotation
16	Repair Damaged Water Service (a) First repair with five year period (b) Second and subsequent repairs (Per Hour plus Materials)	 Nil \$92.98 per hour
17	Rectification of Illegal Service	Greater of \$226.59 or actual cost
18	Replace Damaged Water Meter (a) First replacement in a five year period (b) 20mm (c) 25mm (d) 32mm (e) 40mm (f) 50mm (g) 80mm (h) 100mm or greater	 Nil \$109.07 \$214.77 \$312.36 \$752.21 \$938.29 \$1,030.17 By Quotation

<i>Service No.</i>	<i>Description</i>	<i>2014/2015 Charge (No GST)</i>
19	Water Service Disconnection (a) First disconnect in a one year period (b) Capping (c) 20mm to 25mm (d) 32mm or greater (e) Bitumen Repairs (minimum 1 metre)	Nil \$90.72 \$151.57 By Quotation \$17.65 per metre
20	Water Service Reconnection (a) First reconnect in a one year period (b) Un-Capping (c) 20mm to 25mm (d) 32mm or greater (e) Bitumen Repairs (minimum 1 metre)	Nil \$97.65 \$163.12 By Quotation \$17.65 per metre
21	Asset Location (a) Major or Critical Infrastructure (b) Minor or Non Critical Initial Location (c) Re-inspect Asset Location	\$92.98 per hour Nil \$92.98 per hour
22	Relocate Existing Stop Valve or Hydrant	By Quotation
23	Replace Water Main before Customer Installations	By Quotation
24	Standpipe Hire (a) Monthly (Minimum Charge) (b) Annually (c) Water Usage Charges i. Treated ii. Untreated	\$30.05 \$360.63 \$1.72 per kL \$1.51 per kL
25	Personal Service of Final Warning Notice	\$20.58
26	Water Reconnections – after restrictions (a) During business hours (b) After business hours	\$88.75 \$122.66

[7568]

ISSN 0155-6320

By Authority
PETER MUSGRAVE, Government Printer