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Regulations – (continued)



New South Wales

Public Lotteries Regulation 2007

under the

Public Lotteries Act 1996

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Public Lotteries Act 1996*.

GRAHAM WEST, M.P.,
Minister for Gaming and Racing

Explanatory note

The object of this Regulation is to remake the *Public Lotteries Regulation 2002*. That Regulation will be repealed on 1 September 2007 under section 10 (2) of the *Subordinate Legislation Act 1989*. The new Regulation:

- (a) provides for a time within which claims for unclaimed public lottery prizes must be made, and
- (b) provides for the disposal of certain unclaimed public lottery prizes and of certain money in prize funds, and
- (c) provides for an entrant in a public lottery to request anonymity, and
- (d) makes provision for responsible practices in the conduct of public lotteries, and
- (e) prescribes certain people as key employees in relation to keno, and
- (f) prescribes the changes of circumstances in relation to licensees for public lotteries that need to be notified to the Minister, and
- (g) prescribes certain contracts as exempt contracts, and
- (h) prescribes the fee for the review of a controlled contract, and
- (i) provides for the saving of certain matters under expired licences, and
- (j) contains other miscellaneous provisions.

This Regulation is made under the *Public Lotteries Act 1996*, including sections 83 (the general regulation-making power) and 83A (Responsible conduct of gambling activities).

Public Lotteries Regulation 2007

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Public Lotteries Regulation 2007

Clause 1

Preliminary

Part 1

Public Lotteries Regulation 2007

under the

Public Lotteries Act 1996

Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Public Lotteries Regulation 2007*.

2 Commencement

This Regulation commences on 1 September 2007.

Note. This Regulation replaces the *Public Lotteries Regulation 2002* which is repealed on 1 September 2007 under section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definition

(1) In this Regulation:

the Act means the *Public Lotteries Act 1996*.

(2) Notes included in this Regulation do not form part of this Regulation.

Clause 4 Public Lotteries Regulation 2007

Part 2 Prizes

Part 2 Prizes

4 Period in which prizes may be claimed

A claim for an unclaimed prize must be made:

- (a) on or before 1 December 2016, in the case of a prize won in a public lottery conducted on or before 30 November 2010, or
- (b) on or before the sixth anniversary of the date on which the public lottery to which the prize relates was conducted, in the case of a prize won in a public lottery conducted on or after 1 December 2010.

5 Unclaimed public lottery prizes

- (1) An unclaimed prize may be disposed of by the licensee who conducted the public lottery in a manner and for a purpose approved by the Minister for the benefit of subscribers to public lotteries conducted by the licensee or, in the case of an unclaimed keno prize, for any other purpose approved of by the Minister.
- (2) If the Minister approves of the disposal by a licensee of an unclaimed prize under subclause (1), the licensee must dispose of the unclaimed prize in the manner and for the purpose approved:
 - (a) within the time, if any, specified in the approval, or
 - (b) if a time is not specified in the approval, within 10 days after the day on which the approval is given, or
 - (c) if the approval was given before the commencement of this subclause, within 10 days after that commencement.

6 Disposal of certain money in prize fund if licence not in force

The Minister may, with the approval of the Treasurer, distribute money to which section 27 (10) of the Act refers for the benefit of subscribers to public lotteries generally, by payment to the Consolidated Fund or for such other purposes as the Minister determines.

7 Publicity concerning prizewinners

For the purposes of section 38 (2) of the Act, an entrant in a public lottery may request anonymity:

- (a) by having the request for anonymity recorded by the licensee in accordance with the rules of the public lottery, or
- (b) by indicating to the licensee (or an employee of the licensee) when claiming a prize that the person does not want his or her identity published.

Public Lotteries Regulation 2007

Clause 8

Prizes

Part 2

8 Prizes paid by agents

For the purposes of section 39A of the Act, the prescribed amount:

- (a) in relation to a game of keno is \$9,999, and
- (b) in relation to a public lottery (other than a game of keno) is \$1,000.

Clause 9 Public Lotteries Regulation 2007

Part 3 Responsible gambling practices

Part 3 Responsible gambling practices

9 Approval of English and other community language player information brochures

- (1) In this clause, *player information* means the following:
 - (a) information concerning the chances of winning a major prize in a public lottery,
 - (b) the G-line (NSW) helpline telephone number operated under contractual arrangements made by the NSW Office of Liquor, Gaming and Racing of the Department of the Arts, Sport and Recreation.
- (2) The Minister may approve one or more pamphlets or brochures containing player information in the English language (a *player information brochure*).
- (3) The Minister may approve one or more pamphlets or brochures containing advice in the Arabic, Chinese, Croatian, Greek, Italian, Korean, Macedonian, Maltese, Serbian, Spanish, Turkish and Vietnamese languages that:
 - (a) indicates the substance of the player information contained in a player information brochure, and
 - (b) advises that the information will be supplied by the licensee or an agent of the licensee in the relevant language on request.
- (4) A pamphlet or brochure approved under subclause (3) may be combined with the player information brochure to which it relates.
- (5) The Minister may approve one or more pamphlets or brochures (a *community language player information brochure*) containing player information in the Arabic, Chinese, Croatian, Greek, Italian, Korean, Macedonian, Maltese, Serbian, Spanish, Turkish and Vietnamese languages.
- (6) The Minister may vary or withdraw any approval given under this clause.

10 Provision of player information brochures

- (1) A licensee must:
 - (a) provide to the agent sufficient copies of the player information brochures approved by the Minister under clause 9 (2) to enable the agent to comply with those requirements, and

Public Lotteries Regulation 2007

Clause 11

Responsible gambling practices

Part 3

-
- (b) provide further copies of the brochures to an agent of the licensee in accordance with a request by the agent.

Maximum penalty: 50 penalty units.

- (2) An agent of a licensee must ensure that:

- (a) copies of at least one type of player information brochure approved by the Minister under clause 9 (2) are made available at each point of sale (under the control of the agent) for tickets or entries in, or subscriptions to, each public lottery conducted by the licensee, and
- (b) those copies are displayed in such a manner and in such a place that it would be reasonable to expect that a person purchasing a ticket or entry in, or subscribing to, such a lottery at that point of sale would be alerted to their presence.

Maximum penalty: 50 penalty units.

11 Provision of player information brochures in community languages

- (1) A person may request a licensee or agent of a licensee to supply a community language player information brochure approved under clause 9 (5) in one of the languages specified in that subclause.
- (2) A licensee or agent of a licensee must supply a brochure in accordance with a request made under subclause (1) as soon as practicable after being requested to do so.

Maximum penalty: 50 penalty units.

12 Gambling information and warnings

- (1) A licensee must ensure that each printed entry form (however described) and ticket in a public lottery conducted by the licensee contains the following:
Is gambling a problem for you? CALL G-line (NSW) counselling service 1800 633 635
Maximum penalty: 50 penalty units.
- (2) Subclause (1) does not apply to instant lottery tickets (commonly known as “scratchies”).
- (3) A licensee must ensure that any written material provided by the licensee to explain to the public how to enter a public lottery contains:
 - (a) an explanation of the chances of winning a major prize in the public lottery or, if there are different prize divisions in the public lottery, an explanation in relation to each of those divisions of the chances of winning a prize in that division, and

Clause 13 Public Lotteries Regulation 2007

Part 3 Responsible gambling practices

(b) the following:

Is gambling a problem for you? CALL G-line (NSW) counselling service 1800 633 635

Maximum penalty: 50 penalty units.

(4) A licensee must include the following information on any website used by the licensee to promote or provide information about a public lottery conducted by the licensee:

(a) the information contained in a player information brochure approved by the Minister under clause 9 (2),

(b) an explanation of the chances of winning a major prize in the public lottery or, if there are different prize divisions in the public lottery, an explanation in relation to each of those divisions of the chances of winning a prize in that division.

Maximum penalty: 50 penalty units.

13 Counselling signage—notice to be displayed

(1) A licensee must:

(a) provide to the agent sufficient copies of a notice that complies with this clause to enable the agent to comply with those requirements, and

(b) provide further copies of the notice in accordance with a request by an agent of the licensee.

Maximum penalty: 50 penalty units.

(2) An agent of a licensee must:

(a) display a notice that complies with this clause at each point of sale (under the control of the agent) for tickets or entries in, or subscriptions to, each public lottery conducted by the licensee, or in the vicinity of each such point of sale, and

(b) display each such notice in such a manner that it would be reasonable to expect that a person in the vicinity of the point of sale in relation to which the notice is displayed would be alerted to its contents.

Maximum penalty: 50 penalty units.

(3) The notice must contain the following:

Is gambling a problem for you? CALL G-line (NSW) counselling service 1800 633 635

(4) Subclause (3) does not prevent a notice under this clause containing other information.

Public Lotteries Regulation 2007

Clause 14

Responsible gambling practices

Part 3

- (5) The notice must be at least 42 centimetres by 29.5 centimetres in size and the matter contained in the notice must be in letters and figures of not less than 0.6 centimetres in height.

14 Advertising of public lotteries

- (1) The requirements of subclauses (2) and (3) are prescribed as requirements for the purposes of section 39 (1) (b) of the Act.

Note. Section 39 of the Act makes it an offence for a licensee or other person to publish, or cause to be published, any public lottery advertising that is false, misleading or deceptive or is in contravention of a requirement of the regulations. The maximum penalty for the offence is 50 penalty units.

- (2) A licensee or agent of a licensee must not publish, or cause to be published, any public lottery advertising that:
- (a) encourages a breach of the law, or
 - (b) depicts children, or
 - (c) suggests that winning will be a definite outcome of participating in a public lottery, or
 - (d) suggests that entering a public lottery will definitely improve a person's financial prospects, or
 - (e) is not conducted in accordance with decency, dignity and good taste and in accordance with the Commercial Television Industry Code of Practice as in force at the time the public lottery advertising is published.
- (3) A licensee or agent of a licensee must ensure that any public lottery advertising in writing published, or caused to be published, by the licensee or agent in a newspaper, magazine, poster or other printed document contains the following:
- Is gambling a problem for you? CALL G-line (NSW) counselling service 1800 633 635

- (4) In this clause:

public lottery advertising means advertising that is directly related to the conduct of a public lottery.

publish includes disseminate in any way, whether by oral, visual, written or other means (for example, dissemination by means of cinema, video, radio or television).

15 Payment of prize money by cheque or electronic funds transfer

- (1) If in a game of keno the prize money payable to a person at the end of a customer session exceeds \$2,000, the licensee or agent of the licensee responsible for paying the prize money:

Clause 16 Public Lotteries Regulation 2007

Part 3 Responsible gambling practices

- (a) if the person so requests, must pay the total prize money by means of:
 - (i) a crossed cheque payable to the person, or
 - (ii) an electronic funds transfer to an account nominated by the person (if those means are available), and
- (b) must pay so much of the total prize money as exceeds \$2,000 by means of:
 - (i) a crossed cheque payable to the person, or
 - (ii) if the person so requests and those means are available, electronic funds transfer to an account nominated by the person.

Maximum penalty: 50 penalty units.

- (2) If in a public lottery (other than a game of keno) the total prize money payable to a person exceeds \$1,000, the licensee responsible for paying the prize money must pay the total prize money by means of:
 - (a) a crossed cheque payable to the person, or
 - (b) if the person so requests, electronic funds transfer to an account nominated by the person.

Maximum penalty: 50 penalty units.

- (3) In this clause:

crossed cheque means a cheque crossed as referred to in section 53 of the *Cheques Act 1986* of the Commonwealth.

customer session means the period of time starting when a subscriber:

 - (a) makes an entry in a game of keno, or
 - (b) checks a receipt ticket in a game of keno, or
 - (c) cancels an entry into a game of keno,

and ending when the End Customer terminal key is activated.

total prize money means the total amount of money payable to a person as a result of the person winning money in respect of a single entry in a public lottery (whether or not that entry relates to one, or more than one, game in the public lottery).

16 Gambling inducements

- (1) A licensee or agent of a licensee, or an employee of a licensee or agent of a licensee, must not offer or supply any free or discounted liquor as an inducement to participate, or to participate frequently, in any public lottery conducted by the licensee.
Maximum penalty: 50 penalty units.
- (2) In subclause (1), ***liquor*** has the same meaning as in the *Liquor Act 1982*.

Public Lotteries Regulation 2007

Clause 17

Miscellaneous

Part 4

Part 4 Miscellaneous

17 Key employees (keno)

- (1) Any person who is concerned or engaged in any of the following ways in the conduct of games of keno by a keno licensee is a *key employee* for the purposes of paragraph (c) of the definition of *key employee* in section 4 (1) of the Act:
 - (a) involvement, on behalf of the licensee, in the development or operation of any computer systems in relation to those games,
 - (b) involvement, on behalf of the licensee, in the financial or accounting aspects of the conduct of those games.
- (2) Any of the following persons who are concerned or engaged in the conduct of games of keno by a keno licensee are also key employees for the purposes of paragraph (c) of the definition of *key employee* in section 4 (1) of the Act:
 - (a) any person who is employed by or on behalf of Jupiters Gaming (NSW) Pty Ltd in the capacity of, or who performs the duties of, general manager, systems manager, sales and marketing manager, contracts and distribution manager, operations manager or financial controller of that company,
 - (b) any person who is employed by or on behalf of Club Gaming Systems (Holdings) Pty Limited in the capacity of, or who performs the duties of, sales executive or training manager of that company,
 - (c) any person involved, on behalf of Club Gaming Systems (Holdings) Pty Limited, in the development or operation of any computer systems in relation to games of keno conducted by a licensee,
 - (d) any person involved, on behalf of Club Gaming Systems (Holdings) Pty Limited, in the financial or accounting aspects of the conduct of such games.

18 Notification of change of circumstances in relation to licensees

- (1) The kinds of changes set out in Schedule 1 are prescribed for the purposes of section 52 of the Act in relation to licensees for public lotteries.
- (2) The particulars to be notified under section 52 of the Act in relation to each kind of change are as set out in Schedule 1 in respect of that kind of change.

Clause 19 Public Lotteries Regulation 2007

Part 4 Miscellaneous

19 Exempt contracts

- (1) The following contracts, or classes of contracts, are prescribed for the purposes of paragraph (b) of the definition of *exempt contract* in section 62 of the Act:
- (a) a contract of employment,
 - (b) a contract relating to the supply or maintenance of gaming, security or surveillance equipment,
 - (c) a contract relating to the supply of gas, water or electricity, or postal or telecommunications services to a licensee or agent,
 - (d) a contract relating to the supply of legal, accounting, financial, corporate or property advisory services to a licensee or agent,
 - (e) a contract relating to the supply of share registry services to a licensee or agent,
 - (f) a contract relating to the supply of airline services to a licensee or agent,
 - (g) a contract of insurance and a contract relating to the supply of insurance to, or the procurement of insurance for, a licensee or agent,
 - (h) a contract relating to the supply of off-site parking for the premises used or to be used by a licensee or agent in connection with the conduct of a public lottery,
 - (i) a contract relating to the supply of ticketing agency services to a licensee or agent,
 - (j) a contract relating to the supply of superannuation services for the benefit of employees of a licensee or agent,
 - (k) a contract relating to the supply of banking or financial services to a licensee or agent,
 - (l) a contract relating to the provision of membership services by an industry representative body to a licensee or agent,
 - (m) a contract relating to the provision of marketing, advertising or promotional goods or services to a licensee or agent.
- (2) Despite subclause (1), the following contracts, or classes of contracts, are not exempt contracts:
- (a) 2 or more contracts for the supply of goods and services by the same supplier during any 12 month period if the aggregate amount payable under the contracts is \$550,000 or more,
 - (b) a contract relating to the supply of gaming equipment if the amount payable under the contract is \$11,000 or more,

Public Lotteries Regulation 2007

Clause 20

Miscellaneous

Part 4

- (c) a contract relating to the maintenance of gaming equipment if the amount payable under the contract is \$11,000 or more,
- (d) a contract relating to the supply or maintenance of security or surveillance equipment if the amount payable under the contract is \$110,000 or more.

- (3) In this clause, *gaming equipment* has the same meaning as it has in the *Casino Control Act 1992*.

20 Review of controlled contracts

For the purposes of section 63 (3) of the Act, \$2,000 is prescribed as the fee for the review of each controlled contract.

21 Saving of certain matters under expired licences

- (1) This clause applies to and in respect of a licence that expires (*the expired licence*) but is immediately replaced by a new licence that:
 - (a) is in substantially the same terms as the expired licence, and
 - (b) is issued to the person who held the expired licence.
- (2) Any approval by the Minister under the conditions of the expired licence and in force immediately before its expiry is taken to be an approval in force under the conditions of the new licence, unless the terms of the new licence otherwise provide.
- (3) The rules relating to the conduct of a public lottery under the expired licence and in force immediately before its expiry are taken to be rules in force for the purposes of the new licence until such time as rules are made and approved under Part 4 of the Act for the purposes of the new licence.
- (4) Any money kept in a prize fund under the Act for the purposes of the expired licence and that is not required for payment of prizes won in a public lottery is taken to be part of the corresponding prize fund kept for the purposes of the new licence.

22 Savings provision

Any act, matter or thing that had effect under the *Public Lotteries Regulation 2002* immediately before the repeal of that Regulation is taken to have effect under this Regulation.

Public Lotteries Regulation 2007

Schedule 1 Change of circumstances to be notified

Schedule 1 Change of circumstances to be notified

(Clause 18)

Kind of change	Particulars to be notified
Any change in the name of the licensee, the licensee's principal business address or postal address, e-mail address, website address, telephone number or facsimile number.	Particulars of those matters as changed.
Any change in the membership of the board of directors of the licensee.	Particulars of the name, address and date of birth of any new director.
Any change in the name or address of any member of the board of directors of the licensee.	Particulars of the new name or address of the director.
The licensee commencing to remunerate an employee of the licensee at a remuneration level of \$150,000 per year or more, whether as salary or remuneration package.	Particulars of the name, address and date of birth of the employee.
Any change in the information entered in the register of members of the licensee.	Particulars of the change, including any addition to or deletion from that information.
Any change in the proportion of the paid up capital of the licensee in which a person holds a beneficial interest and any acquisition by a person of a beneficial interest in the paid up capital of the licensee.	Particulars of the name and address of the person and the proportion of the paid up capital in which the person holds a beneficial interest as changed or acquired.
Any change in the nominal or paid up capital of the licensee.	Particulars of the nominal or paid up capital as changed.
Any change in the objectives or main activities of the licensee.	Particulars of those objectives or main activities as changed.
Any change in any direct or indirect financial interests held by the licensee in any business or enterprise, including the acquisition or disposal of such an interest.	Particulars of the interest both before and after the change.
Any other business or enterprise commencing to have the same registered office as the licensee.	Particulars of the name of the other business or enterprise and the activities in which it engages.

Public Lotteries Regulation 2007

Change of circumstances to be notified

Schedule 1

Kind of change	Particulars to be notified
The licensee commencing to carry on any other business or enterprise at any place or the appointment of a person to carry on any other business or enterprise on the licensee's behalf.	Particulars of the address of the place and the business or enterprise carried on there or the name of the person appointed and the business or enterprise to be carried on by the person on the licensee's behalf.
The commencement, settlement, discontinuance or finalisation of civil or criminal proceedings to which the licensee is a party.	Particulars of the nature of the proceedings, the names and addresses of the other parties to civil proceedings, the date of commencement, settlement, discontinuance or finalisation and the terms of settlement (unless terms of settlement are prohibited from being disclosed) or the result of finalisation.
The obtaining of judgment against the licensee, the creation of any charge over any property of the licensee or repossession of any property of the licensee.	Particulars of the terms of the judgment or charge or the reasons for and circumstances of the repossession, and a description of any property affected.
Any amendment under any law of the Commonwealth of an assessment relating to the licensee under taxation legislation of the Commonwealth.	Particulars of the amendment.
Any change in the key employees employed by or on behalf of the licensee.	Particulars of the name and address of a person who becomes or ceases to be a key employee and the date that occurs.
The commencement, settlement, discontinuance or finalisation of civil or criminal proceedings to which a key employee of the licensee is a party and of which the licensee is aware.	Particulars of the nature of the proceedings, the names and addresses of the other parties to the proceedings, the date of commencement, settlement, discontinuance or finalisation and the terms of settlement (unless terms of settlement are prohibited from being disclosed) or the result of finalisation.
Each increase of more than \$500,000 in the debts of the licensee.	Particulars of to whom the debt is owed, the amount of the debt as increased, the amount of the increase and the reason for the increase.
Any failure by the licensee to make due payments under a loan or other financing arrangement.	Particulars of the loan or financing arrangement, the amount due and unpaid and the reason for the failure to pay.
The commencement of the winding up of the licensee or the placement of the licensee under official management.	Particulars of the date on which the winding up or official management commenced.

Public Lotteries Regulation 2007

Schedule 1 Change of circumstances to be notified

Kind of change	Particulars to be notified
The licensee entering into a compromise or scheme of arrangement with the licensee's creditors.	Particulars of the date on which the compromise or scheme of arrangement was entered into and the terms of the compromise or scheme.
The appointment of a receiver or manager, whether by the Supreme Court or otherwise, in respect of the property of the licensee.	Particulars of the date and terms of the appointment.



New South Wales

Shops and Industries Regulation 2007

under the

Shops and Industries Act 1962

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Shops and Industries Act 1962*.

JOHN DELLA BOSCA, M.L.C.,
Minister for Industrial Relations

Explanatory note

The object of this Regulation is to remake, without substantial alteration, the *Shops and Industries (Trading) Regulation 2002*. That Regulation will be repealed on 1 September 2007 by section 10 (2) of the *Subordinate Legislation Act 1989*.

This Regulation:

- (a) prescribes the fees to accompany an application by a bank to open on weekends under the *Shops and Industries Act 1962* (*the Act*), and
- (b) prescribes the trades that are, for the purposes of the Act, taken to be those usually carried on in specified classes of shops, and
- (c) classifies all shops (other than scheduled shops under the Act) as *general shops* for the purposes of the definition of that term in section 78 (1) of the Act, and
- (d) prescribes the manner and accompanying fee of an application by a shopkeeper for exemptions from all or any of the opening and closing hour restrictions under the Act, and
- (e) prescribes the manner by which certain goods may be partitioned off in a mixed shop.

This Regulation is made under the *Shops and Industries Act 1962*, including sections 6 (2) (c), 78 (1), 78A (1), 82, 102 and 144 (the general regulation-making power).

Shops and Industries Regulation 2007

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Shops and Industries Regulation 2007

Clause 1

Shops and Industries Regulation 2007

under the

Shops and Industries Act 1962

1 Name of Regulation

This Regulation is the *Shops and Industries Regulation 2007*.

2 Commencement

This Regulation commences on 1 September 2007.

Note. This Regulation replaces the *Shops and Industries (Trading) Regulation 2002* which is repealed on 1 September 2007 under section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definition and notes

(1) In this Regulation:

the Act means the *Shops and Industries Act 1962*.

(2) Notes included in this Regulation do not form part of this Regulation.

4 Applications under Part 2 of the Act—opening of banks on weekends

For the purposes of section 6 (2) (c) of the Act, the prescribed fee to accompany an application by a bank under that section is:

- (a) if the application relates to specified branches of the bank—\$50 for each specified branch up to a maximum fee of \$2,500, or
- (b) if the application relates to all of the branches of the bank from time to time—\$2,500.

5 Trades taken to be usually carried on in certain shops

For the purposes of Part 4 of the Act:

- (a) the trade that consists primarily of the hiring out of pre-recorded video cassettes, video tapes and DVDs is taken to be the trade usually carried on in the class of shops known as video shops, and
- (b) in respect of each class of shops specified in Schedule 1, the trade that consists primarily of the sale of goods of a kind specified in that Schedule in respect of that class of shops is taken to be the trade usually carried on in that class of shops, and

Clause 6 Shops and Industries Regulation 2007

- (c) no trade other than a trade specified in this clause or in Schedule 1 in respect of a particular class of shops is to be taken to be a trade usually carried on in the class of shops concerned.

6 General shops

For the purposes of the definition of *general shop* in section 78 (1) of the Act, all shops (other than scheduled shops within the meaning of that subsection) are classified as general shops.

7 Exemption from Division 3 of Part 4 of the Act

- (1) An application under section 78A (1) of the Act:
- (a) must be in writing, and
 - (b) must specify whether the exemption is sought:
 - (i) from all of the provisions of Division 3 of Part 4 of the Act and of the provisions of the regulations made for the purposes of that Division, or
 - (ii) from such provisions only of that Division or of those regulations as are specified in the application, and
 - (c) must specify the grounds on which the exemption is sought.
- (2) The fee to accompany an application under section 78A (1) of the Act is \$100.

8 Partitioning off of goods in mixed shops

- (1) For the purposes of section 82 of the Act, the prescribed manner of partitioning off goods is by enclosing the goods behind a partition that is constructed from strong and durable materials and is of sufficient height to prevent access from the part of the shop that is kept open.
- (2) The Director-General may from time to time approve materials for use in the construction of partitioning, and the dimensions of partitions to be used, for the purposes of this clause.
- (3) A partition that is constructed from approved materials and is of approved dimensions is taken to comply with the requirements of subclause (1).

9 Savings

- (1) Any act, matter or thing that, immediately before the repeal of the *Shops and Industries (Trading) Regulation 2002*, had effect under that Regulation continues to have effect under this Regulation.

Shops and Industries Regulation 2007

Clause 9

-
- (2) In any award, agreement, order or determination in force under the *Industrial Relations Act 1996* immediately before the commencement of this Regulation, a reference to a class of shops referred to in:
- (a) Schedule 2 to the *Shops (Registration and Opening and Closing Hours) Regulations*, or
 - (b) Schedule 1 to the *Shops (Trading Hours) Regulation 1992*, or
 - (c) Schedule 1 to the *Shops (Trading Hours) Regulation 1997*, or
 - (d) Schedule 1 to the *Shops and Industries (Trading) Regulation 2002*,
- continues to be a reference to the class of shops so referred to as if those Regulations had not been repealed.

Shops and Industries Regulation 2007

Schedule 1 Trades taken to be usually carried on in certain shops

Schedule 1 Trades taken to be usually carried on in certain shops

(Clause 5)

Classes of shops	Kinds of goods
Audio shops	Records, compact discs or blank or pre-recorded audio cassettes or audio tapes
Book shops	Books, periodicals or magazines, whether or not sold in conjunction with the sale of stationery requisites
Chemists' shops	Drugs, chemicals, medicines or other pharmaceutical goods, where sold by a registered pharmacist under the <i>Pharmacy Act 1964</i>
Confectioners' shops	Confectionery
Cooked food shops, being:	
(a) cake and pastry shops	Cakes, pastries or pies
(b) cooked provision shops	Cooked or other processed meats, poultry or preserves
(c) refreshment shops	Light refreshments, milk, soft drinks, hot beverages or confectionery
(d) restaurants	Meals, snacks or hot or cold beverages, where sold for consumption on the premises
(e) take-away food shops	Meals, snacks or hot or cold beverages, where sold for consumption elsewhere than on the premises
Fish shops	Cooked or uncooked fish or shellfish
Flower shops	Cut flowers, plants, seeds, seedlings, wreaths, bouquets or other floral emblems
Fruit and vegetable shops	Fresh fruit or vegetables
Garden plant shops	Garden plants or shrubs, seeds, garden equipment or associated products
General shops	Any goods other than those prescribed in respect of: <ul style="list-style-type: none"> (a) video shops (as referred to in clause 5 (a)), or

Shops and Industries Regulation 2007

Trades taken to be usually carried on in certain shops

Schedule 1

Classes of shops	Kinds of goods
	(b) any other class of shops specified in this Schedule
Newsagencies	Newspapers, periodicals and magazines, whether or not sold in conjunction with the sale of books, stationery, cards, educational requisites or souvenirs
Pet shops	Live animals, birds, reptiles, fish, pet food or pet accessories
Souvenir shops	Souvenirs and gift items
Tobacconists' shops	Tobacco, cigarettes or cigars, whether or not sold in conjunction with the sale of pipes or other smoking requisites or accessories
Vehicle service shops	Motor spirit, motor oil or vehicle accessories
Vehicle shops	Cars, trucks, motorcycles, boats, caravans or trailers, whether or not sold in conjunction with the sale of accessories or parts



New South Wales

Smoke-free Environment Regulation 2007

under the

Smoke-free Environment Act 2000

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Smoke-free Environment Act 2000*.

REBA MEAGHER, M.P.,
Minister for Health

Explanatory note

The objects of this Regulation are as follows:

- (a) to prescribe the signs that occupiers of smoke-free areas are required to display under section 9 (1) of the *Smoke-free Environment Act 2000* (*the Act*),
- (b) to prescribe the manner in which such signs are required to be displayed,
- (c) to exempt certain public places from the requirements relating to the display of such signs (the exempt places are public places where persons would be reasonably expected to know that smoking is not permitted and in which persons do not usually smoke),
- (d) to prescribe guidelines in relation to determining what is an enclosed public place and when a covered outside area is considered to be substantially enclosed for the purposes of the Act.

This Regulation is made under the *Smoke-free Environment Act 2000*, including sections 9 and 23 (the general regulation-making power).

Smoke-free Environment Regulation 2007

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Smoke-free Environment Regulation 2007

Clause 1

Smoke-free Environment Regulation 2007

under the

Smoke-free Environment Act 2000

1 Name of Regulation

This Regulation is the *Smoke-free Environment Regulation 2007*.

2 Commencement

This Regulation commences on 1 September 2007.

Note. This Regulation replaces the *Smoke-free Environment Regulation 2000* which is repealed on 1 September 2007 under section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definition

(1) In this Regulation:

the Act means the *Smoke-free Environment Act 2000*.

(2) Notes included in this Regulation do not form part of this Regulation.

4 Signs displayed in smoke-free zones

(1) For the purposes of section 9 (1) of the Act, signs that are clearly legible and contain each of the following are prescribed:

- (a) the smoking prohibited symbol (or an equivalent symbol) with a diameter of at least 90 mm,
- (b) the words "NO SMOKING" in letters of at least 20 mm in height,
- (c) a reference to the name of the Act,
- (d) the words "Penalties may apply".

(2) For the purposes of section 9 (1) of the Act, the prescribed manner of displaying signs within a smoke-free area is:

- (a) in such numbers, and
- (b) in positions of such prominence,

that they are likely to be seen by a person at a public entrance to, or within, the area.

Clause 5 Smoke-free Environment Regulation 2007

- (3) In this clause:
smoking prohibited symbol means the symbol designated in the Australian Standard entitled AS 1319—1994, *Safety signs for the occupational environment* to indicate where smoking is prohibited.

5 Exemption from requirement to display signs

In accordance with section 9 (2) of the Act, any public place:

- (a) in respect of which persons would reasonably be expected to know, by custom or otherwise, that smoking is not permitted, and
 - (b) in which persons do not usually smoke,
- is exempt from section 9 (1) of the Act.

6 Guidelines for determining what places are enclosed

- (1) The provisions of this clause prescribe guidelines in relation to determining what is an enclosed public place and when a covered outside area is considered to be substantially enclosed for the purposes of the Act.
- (2) A public place is considered to be substantially enclosed if the total area of the ceiling and wall surfaces (the *total actual enclosed area*) of the public place is more than 75 per cent of its total notional ceiling and wall area.
- (3) The *total notional ceiling and wall area* is the sum of:
 - (a) what would be the total area of the wall surfaces if:
 - (i) the walls were continuous (any existing gap in the walls being filled by a surface of the minimum area required for that purpose), and
 - (ii) the walls were of a uniform height equal to the lowest height of the ceiling, and
 - (b) what would be the floor area of the space within the walls if the walls were continuous as referred to in paragraph (a).
- (4) The following are to be included as part of the total actual enclosed area:
 - (a) any gap in a wall or ceiling that does not open directly to the outside,
 - (b) any door, window or moveable structure that is, or is part of, a ceiling or wall, regardless of whether the door, window or structure is open (other than the area of any locked-open door or window),
 - (c) the area of any locked-open doors or windows, but only that part of the total area of all such doors and windows that exceeds 15 per cent of the total notional ceiling and wall area.

-
- (5) A gap in a wall or ceiling that opens directly to the outside (other than a gap caused by a door, window or moveable structure being open) is not to be included as part of the total actual enclosed area.
- (6) A gap, door, window or moveable structure required to be included as part of the total actual enclosed area is to be included as if the wall or ceiling were continuous and the gap, or the space occupied by the door, window or moveable structure, were filled by a surface of the minimum area required for that purpose.
- (7) In this clause:
- ceiling** includes a roof or any structure or device (whether fixed or moveable) that prevents or impedes upward airflow.
- locked-open door** or **locked-open window** means a door or window that opens directly to the outside and is locked fully open (that is, secured in its fully open position by means of a key operated lock).
- moveable structure** includes a retractable awning, umbrella or any other moveable structure or device.
- wall** includes any structure or device (whether fixed or moveable) that prevents or impedes lateral airflow.

7 Requirement to keep doors and windows locked open

- (1) The occupier of an enclosed public place who facilitates smoking in that place (in reliance on clause 6) as a result of doors or windows being locked fully open is guilty of an offence unless the doors or windows concerned are kept locked fully open for the entire hours of operation of the place on each day during which the occupier facilitates smoking there.
- Maximum penalty:
- (a) 5 penalty units, in the case of a natural person, or
- (b) 25 penalty units, in the case of a body corporate.
- (2) The **hours of operation** of a place are the hours during which the place is open as a public place.



New South Wales

Strata Schemes (Freehold Development) Regulation 2007

under the

Strata Schemes (Freehold Development) Act 1973

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Strata Schemes (Freehold Development) Act 1973*.

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

Explanatory note

The object of this Regulation is to remake, without substantial alteration, the *Strata Schemes (Freehold Development) Regulation 2002*, which is repealed on 1 September 2007 by section 10 (2) of the *Subordinate Legislation Act 1989*.

The new Regulation deals with the following matters:

- (a) the form in which location plans, schedules of unit entitlements and floor plans are to be prepared (Part 2 and Schedules 1 and 2),
- (b) the form in which strata plans, strata plans of subdivision, strata plans of consolidation and building alteration plans are to be prepared (Part 3 and Schedules 1 and 2),
- (c) matters relating to staged development (Part 4),
- (d) administration sheets (Part 5 and Schedules 3 and 4),
- (e) miscellaneous matters, including lodgment of documents by hand and electronically, and fees payable to the Registrar-General in connection with the lodgment, examination, copying and issue of documents (Part 6 and Schedules 5 and 6),
- (f) other matters of a formal or ancillary nature (Part 1).

This Regulation is made under the *Strata Schemes (Freehold Development) Act 1973*, including sections 37C and 158 (the general regulation-making power) and the sections mentioned in the Regulation.

This Regulation (other than clause 33 and Schedule 6, which deal with fees) relates to matters of a machinery nature.

Strata Schemes (Freehold Development) Regulation 2007

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Strata Schemes (Freehold Development) Regulation 2007

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Clause 1 Strata Schemes (Freehold Development) Regulation 2007

Part 1 Preliminary

Strata Schemes (Freehold Development) Regulation 2007

under the

Strata Schemes (Freehold Development) Act 1973

Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Strata Schemes (Freehold Development) Regulation 2007*.

2 Commencement

This Regulation commences on 1 September 2007.

Note. This Regulation replaces the *Strata Schemes (Freehold Development) Regulation 2002* which is repealed on 1 September 2007 by section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definitions

(1) In this Regulation:

administration sheet, in relation to a plan, means the separate document, in the approved form, required to be lodged with the plan under Division 1 of Part 2 of the Act.

plan means a plan lodged in the office of the Registrar-General for registration as a strata plan, a strata plan of subdivision, a strata plan of consolidation or a building alteration plan.

section 88B instrument means an instrument of a kind that:

- (a) under clause 23, is required to accompany a plan that creates an easement, profit à prendre, restriction or positive covenant, or
- (b) under clause 24, is required to accompany a plan that releases an easement or profit à prendre,

under section 88B of the *Conveyancing Act 1919*.

the Act means the *Strata Schemes (Freehold Development) Act 1973*.

Note. Section 3 (1) of the *Real Property Act 1900* defines **approved form** as a form approved by the Registrar-General for the purposes of the provision of the *Real Property Act 1900* or any other Act in relation to which the expression is used. Section 6 (1) of the *Strata Schemes (Freehold Development) Act 1973* requires that Act to be read and construed as if it formed part of the *Real Property Act 1900*.

Strata Schemes (Freehold Development) Regulation 2007

Clause 4

Preliminary

Part 1

-
- (2) Notes included in this Regulation do not form part of this Regulation.

4 Application of other instruments

- (1) The provisions of this Regulation apply in addition to the provisions of:
- (a) Division 4 of Part 3 of, and Schedules 9 and 10 to, the *Conveyancing (General) Regulation 2003* (which deal with instruments under section 88B of the *Conveyancing Act 1919*), and
 - (b) the *Real Property Regulation 2003*, and
 - (c) any regulation replacing either of those Regulations.
- (2) The provisions of this Regulation prevail in the event of any inconsistency between those provisions and the provisions referred to in subclause (1).

Note. This Regulation includes provisions concerning plans for land the subject of a strata scheme. All such land is under the provisions of the *Real Property Act 1900*. That Act, and the regulations under that Act, include provisions concerning the preparation and lodgment of dealings for such land (including provisions requiring the payment of fees).

Clause 5	Strata Schemes (Freehold Development) Regulation 2007
Part 2	Location plans, schedules of unit entitlement and floor plans

Part 2 Location plans, schedules of unit entitlement and floor plans

5 Location plans: sections 8, 8A and 9

- (1) A location plan must be in the approved form known as “Strata Plan Form 2” and show the following:
- (a) the external boundaries, and the lengths of the external boundaries, of the parcel,
 - (b) except as provided in subclause (2), the projection onto a horizontal plane of the external limits of:
 - (i) the building, or
 - (ii) any other structural feature used in the plan to define boundaries of lots or parts of lots, or
 - (iii) any lots or parts of lots not within the building,
 - (c) if:
 - (i) any part of the building, or
 - (ii) in the case of a lot that is not within the building but is defined by linear measurement from a part of the building or from a part of some other structural feature, any part of that lot,

is within 2 metres of a boundary of the parcel, the perpendicular distances from that part of the building or from that part of the structural feature, to that boundary of the parcel (being perpendicular distances that correspond to the connections referred to in clause 7 (1) (b) or (c)),
 - (d) the identity of:
 - (i) the building, by reference to the street number, the material of its external construction and the number of floors or levels, and
 - (ii) any other structural feature used in the plan to define lots or parts of lots, by reference to its nature and the material of its construction,
 - (e) the identities of all adjoining lands,
 - (f) if any encroachment exists, such survey information as the Registrar-General may require to indicate the relationship of the encroachment to the parcel boundary.
- (2) In the case of a proposed stratum parcel, the matter to be shown on a location plan by means of the projection referred to in subclause (1) (b) is to include the following information instead of that required by subclause (1) (b):

Strata Schemes (Freehold Development) Regulation 2007

Clause 6

Location plans, schedules of unit entitlement and floor plans

Part 2

- (a) the perimeter of the site of the building of which the proposed stratum parcel forms part,
 - (b) in relation to that perimeter, the external limits of:
 - (i) the building, and
 - (ii) the proposed stratum parcel,
 - (c) in relation to the boundaries of the proposed stratum parcel, such elevations, sections, levels and planes as in the Registrar-General's opinion are necessary to illustrate:
 - (i) the part of the building that will be the subject of the proposed stratum parcel, and
 - (ii) any other structural feature used in the plan to define boundaries of lots or parts of lots, and
 - (iii) any proposed lots or parts of lots not within the building.
- (3) All linear connections shown on a location plan must be referred to a stated surface of a floor, wall, ceiling or structural feature.
- (4) A location plan must comply with the requirements set out in Schedule 1 (in the case of a plan lodged by hand) or 2 (in the case of a plan lodged electronically).

6 Schedules of unit entitlement: sections 8, 10 and 11

- (1) The schedule of unit entitlement must be set out on the administration sheet in the panel provided.
- (2) A schedule of unit entitlement (other than a schedule of unit entitlement referred to in section 8A of the Act) must set out:
 - (a) in vertical columns in numerical sequence, a reference to the number of each lot in the strata scheme, and
 - (b) opposite each lot number, in whole numbers (excluding zero), the proposed unit entitlement of that lot, and
 - (c) the proposed aggregate unit entitlement as the numerical total of the proposed unit entitlement of all lots in the strata scheme.
- (3) Despite subclause (2) (a), the references to successively numbered lots having the same unit entitlement may be grouped in abbreviated form instead of being set out in vertical columns.

7 Floor plans: sections 8, 8A and 9

- (1) A floor plan must be in the approved form known as "Strata Plan Form 2", on a separate sheet from the location plan, and show the following:

Clause 7	Strata Schemes (Freehold Development) Regulation 2007
Part 2	Location plans, schedules of unit entitlement and floor plans

- (a) by continuous lines, the boundaries of lots or whole separate parts of lots, so that boundaries defined by walls or other structural features are shown by a consistent thick line and boundaries defined by lines only are shown by a consistent thin line,
 - (b) if the boundary of a lot is defined by reference to the surface of a structural feature, other than the surface of a floor or ceiling, linear connections to that surface and such linear dimensions of that boundary as the Registrar-General may require,
 - (c) if the boundary of a lot is defined by reference to the surface of a floor or ceiling, such vertical connections and notations as are necessary to define that boundary,
 - (d) notations sufficient to ensure that each cubic space forming the whole of a lot or a whole separate part of a lot is fully defined (provided that if it is intended that a lot boundary is to be defined in accordance with the formula set out in section 5 (2) (a) of the Act, no notation need be made for the purpose of defining that boundary).
- (2) All linear connections shown on a floor plan must be referred to a stated surface of a floor, wall, ceiling or structural feature.
 - (3) No reference is to be made in a floor plan to the relationship of boundaries of lots to boundaries of the parcel, except to the extent required by subclause (4).
 - (4) For the purposes of sections 6 (3) (a) and 14 (4) (a) of the Act, so much of an encroachment as is intended for use with a proposed lot is to be indicated in a floor plan in such manner as the Registrar-General may require.
 - (5) Subclauses (3) and (4) do not apply to a floor plan for a stratum parcel.
 - (6) A floor plan must be shown from the lowest level to the highest level, unless prior approval has been given to showing the levels in another manner by the Registrar-General.
 - (7) A floor plan must show or refer to all occupations within an external part of a lot within 1 metre of the boundary of that lot and identify the occupations (other than any occupation that is a dividing fence within the meaning of the *Dividing Fences Act 1991* and that is made of timber, pre-painted steel, wire or similar materials but is not made of masonry) as either common property or part of the lot.
 - (8) A floor plan must comply with the requirements set out in Schedule 1 (in the case of a plan lodged by hand) or 2 (in the case of a plan lodged electronically).

Strata Schemes (Freehold Development) Regulation 2007

Clause 8

Strata plans, strata plans of subdivision, strata plans of consolidation and building alteration plans

Part 3

Part 3 Strata plans, strata plans of subdivision, strata plans of consolidation and building alteration plans

8 Strata plans: section 8

- (1) The administration sheet of a strata plan:
 - (a) must bear so much of the information and certification referred to in the approved form as is relevant to the plan, and
 - (b) must be signed by a duly authorised officer of the local council or by the accredited certifier (as appropriate) and by the surveyor by whom the plan has been prepared.
- (2) Each lot must be numbered consecutively, beginning with lot 1 and ending with a lot number corresponding with the total number of lots in the plan. If a numbered lot is shown as consisting of more than one part, each part must be described as part of that numbered lot.

Note. Section 8 of the Act provides that a strata plan must include a location plan, a floor plan, a schedule of unit entitlement, the by-laws being adopted for the scheme and the address at which documents may be served on the body corporate.

9 Strata plans of subdivision: sections 8A and 9

- (1) A strata plan of subdivision must be in the approved form.
- (2) The administration sheet of the plan:
 - (a) must bear so much of the information and certification referred to in the approved form as is relevant to the plan, and
 - (b) must be signed by a duly authorised officer of the local council or by the accredited certifier (as appropriate) and by the surveyor by whom the plan has been prepared.
- (3) Each lot resulting from the subdivision must be numbered consecutively, the lowest lot number being greater by one than the highest number of any existing lot in the strata scheme. If a numbered lot is shown as consisting of more than one part, each part must be described as part of that numbered lot.

10 Strata plans of consolidation: section 12

- (1) A strata plan of consolidation must be in the approved form and must include a floor plan.
- (2) The administration sheet of the plan:
 - (a) must bear so much of the information and certification referred to in the approved form as is relevant to the plan, and

Clause 11	Strata Schemes (Freehold Development) Regulation 2007
Part 3	Strata plans, strata plans of subdivision, strata plans of consolidation and building alteration plans

- (b) must be signed by the surveyor by whom the plan has been prepared.
- (3) Each lot resulting from the consolidation must be numbered consecutively, the lowest lot number being greater by one than the highest number of any existing lot in the strata scheme. If a numbered lot is shown as consisting of more than one part, each part must be described as part of that numbered lot.

11 Building alteration plans: section 14

- (1) A building alteration plan must be in the approved form and must include a floor plan and, if the Registrar-General so requires, a plan in the nature of a location plan.
- (2) The administration sheet of the plan:
 - (a) must bear so much of the information and certification referred to in the approved form as is relevant to the plan, and
 - (b) must be signed by the surveyor by whom the plan has been prepared.
- (3) The Registrar-General may permit specified survey information of an encroachment, sufficient to define the perimeter of a parcel, to be shown on a location plan.
- (4) Each lot must be numbered and identified in accordance with its existing numbering and identity in the strata scheme.
- (5) A certificate given by a surveyor under section 14 (1) (d) of the Act must be in the approved form.

12 Alteration of plans lodged by hand

- (1) The Registrar-General may at his or her discretion and after giving notice to such persons as he or she may think fit:
 - (a) number or re-number any lots in a plan lodged by hand, whether before or after registration, and
 - (b) before registration of a plan lodged by hand, supply omissions and correct obvious errors in the plan.
- (2) If an alteration to a plan lodged by hand is to be made before registration of the plan and the alteration is not made by the Registrar-General under subclause (1), the alteration must be authenticated by the original administration sheet being signed and dated:
 - (a) by the surveyor by whom the plan has been prepared, and
 - (b) if the alteration concerns the definition of a lot boundary or affects the proportional unit entitlement of any lot in the strata

Strata Schemes (Freehold Development) Regulation 2007

Clause 13

Strata plans, strata plans of subdivision, strata plans of consolidation and building alteration plans

Part 3

scheme, by a duly authorised officer of the local council or by the accredited certifier (as appropriate), and

- (c) by the registered proprietor, if the Registrar-General so requires.

13 Alteration of plans lodged electronically

- (1) The Registrar-General may, at his or her discretion and after giving notice to such persons as he or she may think fit:
- (a) before or after registration of a plan lodged electronically, direct that any lots in the plan be numbered or renumbered, and
 - (b) before registration of a plan lodged electronically, direct that anything omitted from the plan be added to the plan or that any obvious error in the plan be corrected, and
 - (c) require a replacement plan in a Tagged Image File Format (TIFF) approved by the Registrar-General to be submitted showing alterations in accordance with any directions given under paragraph (a) or (b).
- (2) If the alteration is to be made before registration of the plan and either concerns the definition of a lot boundary or affects the proportional unit entitlement of any lot in the strata scheme:
- (a) the original administration sheet is to be endorsed with a statement identifying the alteration, and
 - (b) the endorsed administration sheet is to be re-signed by a duly authorised officer of the local council or by an accredited certifier (as appropriate), and
 - (c) the alteration must be authenticated by the original administration sheet being signed and dated by the registered proprietor, if the Registrar-General so requires, and
 - (d) a new image of the endorsed and re-signed administration sheet is to be created and lodged with the Registrar-General.

Clause 14 Strata Schemes (Freehold Development) Regulation 2007

Part 4 Staged development

Part 4 Staged development

14 Strata development contracts

- (1) The description in a strata development contract referred to in section 28C (2) (c) of the Act must deal separately with each of the following matters in relation to each stage of the development:
 - (a) the types of buildings proposed, the proposed uses of the lots in the buildings, the proposed building style and the proposed height and density of the buildings,
 - (b) any common property amenities that will be provided,
 - (c) the number of lots to be created,
 - (d) details of access and construction zones and accompanying rights over common property and development lots,
 - (e) the manner in which it is proposed to landscape the parcel,
 - (f) building materials and finishes to be used,
 - (g) details of any vertical staging, and of the insurance cover that applies to any such staging,
 - (h) whether the developer's liability for expenses relating to the use or maintenance of the common property is to be determined by unit entitlement or differently and details of how the liability is to be determined, if it is to be determined differently,
 - (i) details of any by-laws, management agreements, covenants, easements or dedications that will be created or entered into.
- (2) The description in a strata development contract referred to in section 28C (2) (d) of the Act must deal separately with each of the following matters in relation to each stage of the development:
 - (a) the types of buildings proposed, the proposed uses of the lots in the buildings, the proposed building style and the proposed height and density of the buildings,
 - (b) the maximum number of lots to be created,
 - (c) details of any vertical staging, and of the insurance cover that applies to any such staging,
 - (d) whether the developer's liability for expenses relating to the use or maintenance of the common property is to be determined by unit entitlement or differently and details of how the liability is to be determined, if it is to be determined differently,
 - (e) details of any by-laws, management agreements, covenants, easements or dedications that will be created or entered into.

Strata Schemes (Freehold Development) Regulation 2007

Clause 15

Staged development

Part 4

15 Execution by developer on behalf of body corporate

If a dealing, plan or other instrument is executed by a developer on behalf of a body corporate under section 28N (3) of the Act for the purpose of giving effect to a decision about a development concern:

- (a) the execution must be in the approved form, and
- (b) a statutory declaration in the approved form specifying the circumstances in which the instrument was executed must be lodged by hand in conjunction with each dealing, plan or other instrument, whether or not any of those instruments is lodged electronically.

16 Notices relating to development concerns

A motion that relates to a development concern must be identified by the matter “(THIS MOTION RELATES TO A DEVELOPMENT CONCERN—SEE SECTIONS 28N, 28O AND 28P OF THE STRATA SCHEMES (FREEHOLD DEVELOPMENT) ACT 1973)” appearing after the proposed wording of the motion in the following notices and requisitions:

- (a) a notice served on the secretary of the council of the body corporate requiring inclusion in the agenda of the next general meeting of the body corporate of such a motion,
- (b) a notice served on the secretary or, in the absence of the secretary, another member of the council of the body corporate requiring the convening of an extraordinary general meeting to consider such a motion,
- (c) a requisition served on the secretary or, in the absence of the secretary, another member of the council of the body corporate requiring a meeting of the council to be convened to consider such a motion,
- (d) notice of a meeting of the body corporate or of the council of the body corporate at which such a motion is to be considered.

17 Insurance for vertical staged development

- (1) For the purposes of clause 8 of Schedule 1BA to the Act, a policy of indemnity must indemnify the developer against at least the following:
 - (a) contract works claims up to a value at least equivalent to the cover provided by the body corporate’s damage policy maintained under section 83 or 84 of the *Strata Schemes Management Act 1996*, subject only to such deductibles, exclusions and other terms and conditions as are reasonable and appropriate for contract works insurance,

Clause 17	Strata Schemes (Freehold Development) Regulation 2007
Part 4	Staged development

- (b) public liability claims up to a value of at least \$15,000,000, subject only to such deductibles, exclusions and other terms and conditions as are reasonable and appropriate for public liability insurance.
- (2) This clause does not affect any obligation of a developer to effect and maintain insurance required by or under any other law, such as the *Workers Compensation Act 1987*.
- (3) In this clause:
- contract works claim*** means a claim for accidental damage to buildings and works for the time being forming part of the parcel (including buildings erected and works carried out under the strata development contract), arising out of or resulting from the carrying out of the permitted development.
- public liability claim*** means a claim for damages because of death or personal injury for which the developer is liable as an occupier of the parcel.

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Clause 18

Administration sheets

Part 5

Part 5 Administration sheets

Note. If a plan is lodged by hand but the signatures and consents required are not endorsed on the plan, or a plan is lodged electronically, the signatures and consents required must be endorsed on the separate document required by Division 1 of Part 2 of the Act to be lodged with the plan (the **administration sheet**) and that form must be lodged in the same way as the plan. The administration sheet must accompany all plans and be used for all signatures and seals.

18 Content of the administration sheet

- (1) The administration sheet must include the plan heading and the surveyor's reference in the appropriate panels on each sheet of the approved form.
- (2) The administration sheet must contain all certificates required by the Registrar-General, endorsed in the appropriate panels on that document.

19 Administration sheet to comply with Schedule 3 or Schedules 3 and 4 requirements

- (1) An administration sheet that is lodged by hand at the office of the Registrar-General must comply with the requirements set out in Schedule 3.
- (2) An administration sheet can be lodged electronically only if:
 - (a) the plan to which it relates is also lodged electronically, and
 - (b) the administration sheet complies with the requirements set out in Schedules 3 and 4.

20 Refusal to accept an administration sheet

The Registrar-General may refuse to accept an administration sheet that, in the opinion of the Registrar-General, does not comply with, or is not lodged in accordance with, this Part.

21 Registration of an administration sheet

On registration of a plan that is accompanied by an administration sheet, the administration sheet is to be registered in the register of plans referred to in the *Conveyancing (General) Regulation 2003*.

Clause 22 Strata Schemes (Freehold Development) Regulation 2007

Part 6 Miscellaneous

Part 6 Miscellaneous

22 Notations relating to easements, profits à prendre, restrictions on the use of land and positive covenants

- (1) A notation referring to an intention to create or release an easement or profit à prendre, or to create a restriction or positive covenant, must not be entered on a plan unless it is intended that it is to be created or released pursuant to section 88B of the *Conveyancing Act 1919*.
- (2) However, a plan may designate the site of a proposed easement, profit à prendre, restriction or positive covenant that is intended to be created (otherwise than by registration of the plan) by an instrument of grant or reservation, or the proposed varied site of an existing easement or profit à prendre that is intended to be varied by an instrument of variation, if:
 - (a) the designation of the site of the proposed easement, profit à prendre, restriction or positive covenant, or of the proposed variation of existing easement or profit à prendre, includes the word “proposed” or an abbreviation of that word, and
 - (b) no other statement of intention to create or vary the easement or profit à prendre, or to create the restriction or positive covenant, is entered elsewhere on the plan.
- (3) The designation of the site of a proposed easement, profit à prendre, restriction or positive covenant in accordance with subclause (2) does not, for the purposes of section 88B of the *Conveyancing Act 1919*, indicate in the prescribed manner an intention to create an easement.
- (4) A notation referring to the proposed varied site of an existing easement or profit à prendre must not be entered on a plan unless it is intended that the easement or profit à prendre is to be varied pursuant to section 47 (5A) of the *Real Property Act 1900*.

23 Indication of creation of easement

- (1) If a plan is intended, on registration, to create an easement, profit à prendre, restriction or positive covenant pursuant to section 88B of the *Conveyancing Act 1919*:
 - (a) a statement of intention to create the easement, profit à prendre, restriction or positive covenant must be legibly printed in the panel provided on the approved form on the administration sheet, and
 - (b) the site of any proposed easement must be shown in the plan drawing area of the approved form with sufficient indication of the nature of the easement to distinguish it from any other easement intended to be created on registration of the plan, and

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Clause 24

Miscellaneous

Part 6

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- (c) if any proposed easement is to be limited in height or depth, the levels of the limits must be defined as required by the Registrar-General.
 - (2) A statement of intention referred to in subclause (1) (a) must neither incorporate the terms of the easement, profit à prendre, restriction or positive covenant nor specify the lots intended to be benefited and burdened.
 - (3) The plan must be accompanied by a section 88B instrument in the approved form that complies with Division 4 of Part 3 of, and the requirements set out in Schedule 9 to, the *Conveyancing (General) Regulation 2003* and is lodged in the same manner as the plan. If the instrument is lodged electronically, the requirements set out in Schedule 10 to that regulation must also be complied with.

24 Indication of release of easement

- (1) If a plan is intended, on registration, to release an easement or profit à prendre (in respect of some or all of the land to which it applies) pursuant to section 88B of the *Conveyancing Act 1919*:
 - (a) a statement of intention to release the easement or profit à prendre must be legibly printed in the panel provided on the approved form on the administration sheet, and
 - (b) sufficient information must be shown on the plan, or included in the relevant section 88B instrument, to indicate the extent of the release.
- (2) The plan must be accompanied by a section 88B instrument in the approved form that complies with Division 4 of Part 3 of, and the requirements set out in Schedule 9 to, the *Conveyancing (General) Regulation 2003* and is lodged in the same manner as the plan. If the instrument is lodged electronically, the requirements set out in Schedule 10 to that regulation must also be complied with.

25 Lodgment of plans by hand

- (1) A person lodging a plan by hand for registration at the office of the Registrar-General must produce the plan at that office in such manner as may be approved by the Registrar-General.
- (2) The original plan must be accompanied by:
 - (a) a completed plan lodgment form in the approved form, and
 - (b) one print of each sheet of the plan (each sheet being a positive reproduction on a light background), and

Clause 26 Strata Schemes (Freehold Development) Regulation 2007

Part 6 Miscellaneous

(c) completed plan checklists in the approved form, if required by the Registrar-General.

Note. Division 1 of Part 2 of the Act requires a plan to be lodged with a separate document in the approved form relating to the plan. Such a document is called an **administration sheet** in this Regulation. Part 5 makes provision for administration sheets.

- (3) If the Registrar-General so requires, a plan must also be accompanied by:
- (a) in the case of a strata plan, the certificate of title or Crown grant for the land comprising the parcel, and
 - (b) in the case of a strata plan of subdivision or a strata plan of consolidation, the certificates of title for the land comprised in the plan and for the common property comprised in the strata scheme, and
 - (c) in the case of a building alteration plan, the certificate of title for the common property comprised in the strata scheme.
- (4) The Registrar-General will not require a plan to be accompanied by a certificate of title or Crown grant if evidence is furnished to his or her satisfaction that the certificate of title or Crown grant is in his or her custody, and that he or she has authority to use that instrument in connection with registration of the plan, or that notice has been served under section 15 (1) (d) of the Act.
- (5) If an original of a plan bears evidence of a strata certificate:
- (a) the print of each sheet of the plan referred to in subclause (2) (b) must contain particulars of the certificate under the original signature of the duly authorised officer of the council or of the accredited certifier (as appropriate) who gave the certificate, and
 - (b) the administration sheet must be signed by the duly authorised officer of the council or of the accredited certifier (as appropriate) who gave the certificate.

26 Lodgment of plans electronically

- (1) An authorised person lodging a plan electronically for registration in the office of the Registrar-General must lodge the plan in accordance with the e-plan system established by section 195AA of the *Conveyancing Act 1919* or otherwise with the consent of the Registrar-General.
- (2) Plan lodgment details must be provided in the manner required by the Registrar-General. The plan must comply with the requirements set out in Schedule 2 and be lodged in accordance with the relevant requirements of that Schedule.
- (3) The plan file must be accompanied by files comprising:

Strata Schemes (Freehold Development) Regulation 2007

Clause 27

Miscellaneous

Part 6

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- (a) such instruments and data files as the Registrar-General may require, and
 - (b) completed plan checklists in the approved form, if required by the Registrar-General.

Note. Division 1 of Part 2 of the Act requires a plan to be lodged with a separate document in the approved form relating to the plan. Such a document is called an **administration sheet** in this Regulation. Part 5 makes provision for administration sheets.

- (4) The Registrar-General may permit a plan to be accompanied by:
 - (a) approved forms, and
 - (b) the consents referred to in subclause (5) (d).
- (5) The following original documents must be lodged by hand at the office of the Registrar-General, and may not be lodged electronically:
 - (a) in the case of a strata plan, the certificate of title or Crown grant for the land comprising the parcel,
 - (b) in the case of a strata plan of subdivision or a strata plan of consolidation, the certificates of title for the land comprised in the plan and for the common property comprised in the strata scheme,
 - (c) in the case of a building alteration plan, the certificate of title for the common property comprised in the strata scheme,
 - (d) such consents in writing to the registration of the plan signed by a lessee, caveator, judgment creditor or other person, as may be required by the Registrar-General,
 - (e) such other certificates of title, office copies of court orders, powers of attorney, statutory declarations and other original documents as may be required by the Registrar-General.
- (6) The Registrar-General will not require a certificate of title or Crown grant to be lodged if evidence is furnished to his or her satisfaction that the certificate of title or Crown grant is in his or her custody, and that he or she has authority to use that instrument in connection with registration of the plan, or that notice has been served under section 15 (1) (d) of the Act.

27 Lodgment of other documents electronically

Where a strata plan, a strata plan of subdivision, a strata plan of consolidation or a building alteration plan that the Registrar-General permits to be lodged electronically is accompanied by other documents, those documents must also be lodged electronically and comply with the requirements set out in Schedule 5, except those documents referred to in clause 26 (5).

Clause 28 Strata Schemes (Freehold Development) Regulation 2007

Part 6 Miscellaneous

28 Councils' strata certificates and notices

- (1) A strata certificate issued or notice given by a local council under section 37 (1), (1A), (2), (3), (4) or (5) of the Act must be in the approved form.
- (2) A notice under section 37 (2) of the Act must be accompanied by a copy of a plan illustrating the proposed subdivision, identified by the signature of the duly authorised officer of the council who signed the notice.
- (3) A local council must keep (as part of the register kept by the council under clause 264 or 265 of the *Environmental Planning and Assessment Regulation 2000*) a record of the following:
 - (a) the date of issue of each strata certificate issued by the council under section 37 of the Act,
 - (b) the date of issue of each strata certificate issued by an accredited certifier under section 37A of the Act in relation to a building or proposed building within the area of the council.
- (4) A local council must keep the following documents for each strata certificate issued by it under section 37 of the Act, or by an accredited certifier under section 37A of the Act, in relation to a building or proposed building within the area of the council:
 - (a) a copy of the strata certificate,
 - (b) a copy of the proposed strata plan, strata plan of subdivision or notice of conversion to which the strata certificate relates,
 - (c) copies of any related documents submitted to the council by the applicant for the strata certificate in connection with the application.
- (5) A local council must make the documents kept by it under subclause (4) available for inspection at its principal office, free of charge, during the council's ordinary office hours. A copy of any such document may be made on payment of a reasonable copying charge set by the council.

29 Accredited certifier certificates

- (1) A strata certificate issued by an accredited certifier under section 37A of the Act must be in the approved form.
- (2) An accredited certifier must within 7 days after issuing a strata certificate send a copy of the following documents to the consent authority that granted the relevant development consent and to the local council (if the local council is not the consent authority):
 - (a) the strata certificate,

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Part 6

- (b) the proposed strata plan, strata plan of subdivision or notice of conversion concerned,
- (c) any other related documents submitted to the accredited certifier by the applicant for the strata certificate in connection with the application.

- (3) Clause 8 (Record keeping by accredited certifiers) of the *Building Professionals Regulation 2007* applies (as a requirement of this Regulation) in respect of strata certificates and applications for strata certificates in the same way as it applies in respect of certificates and applications for certificates referred to in that clause.

30 Body corporate certificates

- (1) A certificate given by a body corporate under section 9 (3) (d) (i), 11 (b), 13 (2) (b) (i), 19 (3) (b), 28 (4) or 37 (2), (4) (a) or (5) (a) of the Act must be in the approved form.
- (2) For the purpose of identification, a plan in respect of which a certificate is given under section 37 (2) of the Act must be signed by each person who attested the affixing of the seal of the body corporate on the certificate.

31 Category 1 fire safety provisions: section 37

For the purposes of section 37 of the Act, the following provisions of the *Building Code of Australia* are prescribed as **Category 1 fire safety provisions**, namely, EP1.3, EP1.4, EP1.6, EP2.1, EP2.2 and EP3.2 in Volume One of that Code and P2.3.2 in Volume Two of that Code.

32 Periods for retention of documents: section 49

For the purposes of section 49 (2) (c) of the Act, the period prescribed is the period of 12 months commencing with the day on which the plan or other document was registered or recorded.

33 Fees

- (1) The fees specified opposite the matters listed in Schedule 6 are payable to the Registrar-General in respect of those matters.
- (2) A fee is payable before the service to which the fee relates is provided or at such time, and in accordance with such conditions, as the Registrar-General may agree with the person paying the fee.

34 Savings

Any act, matter or thing that, immediately before the repeal of the *Strata Schemes (Freehold Development) Regulation 2002*, had effect under that Regulation continues to have effect under this Regulation.

Strata Schemes (Freehold Development) Regulation 2007

Schedule 1 Requirements for plans lodged by hand

Schedule 1 Requirements for plans lodged by hand

(Clauses 5 and 7)

1 Material on which plan to be drawn

- (1) Each plan sheet must consist of archival quality paper, or some other medium approved by the Registrar-General.
- (2) A plan must be drawn on one side of a plan sheet only, and must be drawn on a matt surface.
- (3) Each plan sheet must be free from blemishes and creases.

2 Plan drawing sheet dimensions

Each plan sheet must have external dimensions of 420 millimetres by 297 millimetres (standard A3 size).

3 Margins

- (1) A margin of at least 10 millimetres must be left around the plan drawing area of each plan sheet.
- (2) No printing, writing or other notation (other than directions or notations authorised by the Registrar-General) must appear in, or extend into, the margin.

4 Lettering

- (1) Unless the Registrar-General otherwise approves, all words must be in the English language, and all letters, figures and symbols appearing on a plan must be in a font style that is:
 - (a) dense and black in colour, and
 - (b) in upper case only (except as otherwise provided by this Schedule), and
 - (c) open in formation and construction, and
 - (d) in an upright style.
- (2) Unless the Registrar-General otherwise approves or this Schedule otherwise allows, all symbols must be letters.

5 Use of colouring and edging prohibited

Neither colouring nor edging are to be used on a plan sheet.

Strata Schemes (Freehold Development) Regulation 2007

Requirements for plans lodged by hand

Schedule 1

6 Clarity of detail

The plan must be drawn in a manner and to a scale that allows all details and notations to be clearly reproduced by the copying processes used by the Registrar-General.

7 Alterations

- (1) A plan may be altered only by striking through the matter to be altered.
- (2) In particular, a plan may not be altered by the use of correction fluid or by rubbing, scraping or cutting the surface of the plan sheet.
- (3) The Registrar-General may require a plan sheet to be replaced if, in the opinion of the Registrar-General, any alteration on the sheet will render it unsuitable for copying.

8 Information to be included on plan sheets

- (1) Each plan sheet in a series of plan sheets must be numbered consecutively as part of the series (for example, the first and second sheets in a plan that is made up of 5 sheets must be numbered "Sheet 1 of 5 sheets" and "Sheet 2 of 5 sheets", respectively).
- (2) Each sheet of a location plan or floor plan must contain a north point (directed upwards).
- (3) No information (other than the plan and any separate diagrams and tabulations of dimensions relating to the plan) is to appear within the plan drawing area of a plan sheet.

9 Linear dimensions

- (1) Linear measurements must be expressed in metres without any accompanying symbol.
- (2) If a length of less than one metre is shown, the decimal point must be preceded by the numeral "0".

10 Area dimensions

- (1) Area measurements must be expressed as follows:
 - (a) areas of less than one hectare must be expressed in square metres, accompanied by the symbol "m²",
 - (b) areas of one hectare or more must be expressed in hectares (using not more than 4 significant figures), accompanied by the symbol "ha",
 - (c) areas of 10,000 hectares or more must be expressed in square kilometres, accompanied by the symbol "km²".

Strata Schemes (Freehold Development) Regulation 2007

Schedule 1 Requirements for plans lodged by hand

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- (2) A statement may be added to the plan stating that all areas are approximate.
- (3) The total area of a lot:
- (a) must be shown within or relevant to the most significant part of the lot, and
 - (b) must be the exact mathematical total of the areas shown elsewhere in the plan within or relevant to the component parts of that lot.

11 Bearings and angles

- (1) Bearings must not be shown on any plan sheet unless they form part of permitted survey information.
- (2) Angular relationships must be established by linear dimensions and rectangular offsets only, and not by use of angular dimensions, except in the case of an angular dimension of 90°, which may be shown as such on a floor plan.

12 Reduction ratio

There must be a statement on each sheet of a location plan or floor plan of the reduction ratio at which the plan is drawn.

13 Identification of new or proposed easements, profits à prendre, restrictions and positive covenants

- (1) A location plan must contain sufficient information to define the site of:
- (a) any easement, profit à prendre, restriction or positive covenant that is intended to be created as a consequence of the registration of the plan and that affects common property not within a building, and
 - (b) any easement or profit à prendre intended to be partially released as a consequence of the registration of the plan, and
 - (c) any proposed easement (other than an easement referred to in paragraph (a) or (b)), profit à prendre, restriction or positive covenant, or proposed variation or partial release of an easement or profit à prendre, that affects common property not within a building,

and, where necessary, contain sufficient information to indicate the relationship of any such easement, profit à prendre, restriction or positive covenant to the boundaries of any affected parcel or lot.

Strata Schemes (Freehold Development) Regulation 2007

Requirements for plans lodged by hand

Schedule 1

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- (2) A floor plan must contain sufficient information to define the site of:
 - (a) any easement, profit à prendre, restriction or positive covenant intended to be created as a consequence of the registration of the plan that affects a lot in the plan or common property within a building, and
 - (b) any proposed easement over a lot in the plan or common property within a building.
 - (3) If a proposed easement is in respect of an existing tunnel, pipe, conduit, wire or other similar object which is underground or is within or beneath an existing building, it is sufficient to indicate on the location plan or floor plan (as the case may be) the approximate position of the easement.

14 Identification of existing easements, profits à prendre, restrictions and positive covenants on location plans

- (1) A location plan must:
 - (a) contain sufficient information to define the site, nature and origin of any existing easement, profit à prendre, restriction or positive covenant affecting a parcel, and
 - (b) wherever possible, show the relationship of the easement, profit à prendre, restriction or positive covenant to the boundaries of the parcel.
- (2) If an easement is in respect of an existing tunnel, pipe, conduit, wire or other similar object which is underground or is within or beneath an existing building, it is sufficient to indicate on the location plan the approximate position of the easement.
- (3) A floor plan may show sufficient information to define the site of an existing easement that is located within a building if the Registrar-General agrees that the enjoyment of the easement would be reliant on its position being shown in such a manner.
- (4) In this clause:
origin, in relation to an existing easement, means the Gazette reference or registration number of the instrument or plan by which the easement was granted, reserved, notified or otherwise created.

15 Signatures not to appear

The plan drawing sheets are not to show any signatures or seals.

Note. All signatures and seals must be shown on the administration sheet.

Strata Schemes (Freehold Development) Regulation 2007

Schedule 2 Requirements for plans lodged electronically

Schedule 2 Requirements for plans lodged electronically

(Clauses 5, 7 and 26)

1 File type in which plan to be created

- (1) Each plan sheet must be created in a Tagged Image File Format (TIFF) approved by the Registrar-General.
- (2) Each image must be created to the following specifications:
 - (a) **Size**—true to the approved form size (standard A3),
 - (b) **Colour**—must be black and white (monochrome),
 - (c) **Resolution**—200 dots per inch (dpi),
 - (d) **Compression**—CCITT Group 4.
- (3) A plan comprising more than one sheet must be created as a multipage file.

2 Plan drawing sheet dimensions

Each plan sheet must have external dimensions of 420 millimetres in width by 297 millimetres in length (standard A3 size).

3 Margins

- (1) A margin of at least 10 millimetres must be left around the plan drawing area of each plan sheet.
- (2) No printing, writing or other notation (other than directions or notations authorised by the Registrar-General) must appear in, or extend into, the margin.

4 Lettering

- (1) Unless the Registrar-General otherwise approves, all words must be in the English language, and all letters, figures and symbols appearing on a plan must be in a font style that is:
 - (a) dense and black in colour, and
 - (b) in upper case only (except as otherwise provided by this Schedule), and
 - (c) open in formation and construction, and
 - (d) in an upright style.
- (2) Unless the Registrar-General otherwise approves or this Schedule otherwise allows, all symbols must be letters.

Strata Schemes (Freehold Development) Regulation 2007

Requirements for plans lodged electronically

Schedule 2

5 Use of colouring and edging prohibited

Neither colouring nor edging are to be used on a plan sheet.

6 Clarity of detail

- (1) The plan must be drawn to a scale and the image created in a manner that allows all details and notations to be clearly reproduced by the copying processes used by the Registrar-General.
- (2) The Registrar-General may require a plan file to be resubmitted if, in the opinion of the Registrar-General, the plan image does not comply with subclause (1).

7 Alterations

- (1) A plan image must not be altered.
- (2) Any alterations must be made to the Computer Aided Drafting (CAD) software plan file and a new image created.

8 Information to be included on plan sheets

- (1) Each plan sheet in a series of plan sheets must be numbered consecutively as part of the series (for example, the first and second sheets in a plan that is made up of 5 sheets must be numbered "Sheet 1 of 5 sheets" and "Sheet 2 of 5 sheets", respectively).
- (2) Each sheet of a location plan or floor plan must contain a north point (directed upwards).
- (3) No information (other than the plan and any separate diagrams and tabulations of dimensions relating to the plan) is to appear within the plan drawing area of a plan sheet.

9 Linear dimensions

- (1) Linear measurements must be expressed in metres, without rounding or any accompanying symbol.
- (2) If a length of less than one metre is shown, the decimal point must be preceded by the numeral "0".

10 Area dimensions

- (1) Area measurements must be expressed as follows:
 - (a) areas of less than one hectare must be expressed in square metres, accompanied by the symbol "m²",
 - (b) areas of one hectare or more must be expressed in hectares (using not more than 4 significant figures), accompanied by the symbol "ha",

Strata Schemes (Freehold Development) Regulation 2007

Schedule 2 Requirements for plans lodged electronically

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- (c) areas of 10,000 hectares or more must be expressed in square kilometres, accompanied by the symbol “km²”.
 - (2) A statement may be added to the plan stating that all areas are approximate.
 - (3) The total area of a lot:
 - (a) must be shown within or relevant to the most significant part of the lot, and
 - (b) must be the exact mathematical total of the areas shown elsewhere in the plan within or relevant to the component parts of that lot.

11 Bearings and angles

- (1) Bearings must not be shown on any plan sheet unless they form part of permitted survey information.
- (2) Angular relationships must be established by linear dimensions and rectangular offsets only, and not by use of angular dimensions, except in the case of an angular dimension of 90°, which may be shown as such on a floor plan.

12 Reduction ratio

There must be a statement on each sheet of the reduction ratio at which the plan is drawn.

13 Identification of new or proposed easements, profits à prendre, restrictions and positive covenants

- (1) A location plan must contain sufficient information to define the site of:
 - (a) any easement, profit à prendre, restriction or positive covenant that is intended to be created as a consequence of the registration of the plan and that affects common property not within a building, and
 - (b) any easement or profit à prendre intended to be partially released as a consequence of the registration of the plan, and
 - (c) any proposed easement (other than an easement referred to in paragraph (a) or (b)), profit à prendre, restriction or positive covenant, or proposed variation or partial release of an easement or profit à prendre, that affects common property not within a building,

and, where necessary, contain sufficient information to indicate the relationship of any such easement, profit à prendre, restriction or positive covenant to the boundaries of any affected parcel or lot.

Strata Schemes (Freehold Development) Regulation 2007

Requirements for plans lodged electronically

Schedule 2

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- (2) A floor plan must contain sufficient information to define the site of:
 - (a) any easement, profit à prendre, restriction or positive covenant intended to be created as a consequence of the registration of the plan that affects a lot in the plan or common property within a building, and
 - (b) any proposed easement over a lot in the plan or common property within a building.
 - (3) If a proposed easement is in respect of an existing tunnel, pipe, conduit, wire or other similar object which is underground or is within or beneath an existing building, it is sufficient to indicate on the location plan or floor plan (as the case may be) the approximate position of the easement.

14 Identification of existing easements, profits à prendre, restrictions and positive covenants on location plans

- (1) A location plan must:
 - (a) contain sufficient information to define the site, nature and origin of any existing easement, profit à prendre, restriction or positive covenant affecting a parcel, and
 - (b) wherever possible, show the relationship of the easement, profit à prendre, restriction or positive covenant to the boundaries of the parcel.
- (2) If an easement is in respect of an existing tunnel, pipe, conduit, wire or other similar object which is underground or is within or beneath an existing building, it is sufficient to indicate on the location plan the approximate position of the easement.
- (3) A floor plan may show sufficient information to define the site of an existing easement that is located within a building if the Registrar-General agrees that the enjoyment of the easement would be reliant on its position being shown in such a manner.
- (4) In this clause:
origin, in relation to an existing easement, means the Gazette reference or registration number of the instrument or plan by which the easement was granted, reserved, notified or otherwise created.

15 Signatures not to appear

The plan drawing sheets are not to show any signatures or seals.

Note. All signatures and seals must be shown on the administration sheet.

Strata Schemes (Freehold Development) Regulation 2007

Schedule 3 Requirements for administration sheet

Schedule 3 Requirements for administration sheet

(Clause 19)

Note. An administration sheet must be in the approved form (see Division 1 of Part 2 of the Act). All signatures and seals must be shown on the administration sheet. No signatures or seals are to appear on the plan drawing sheets. The completed administration sheet forms part of the plan and must be lodged with and in the same manner as the plan.

1 Use of approved form

- (1) An administration sheet must be in the approved form.
- (2) Any signatures, seals or certificates that cannot satisfactorily be shown on one sheet may be shown on one or more additional sheets in the approved form. The total number of additional sheets must not be more than 5 unless the Registrar-General otherwise approves.

2 Paper

The paper used must be:

- (a) white and free from discolouration and blemishes, and
- (b) archival quality, and
- (c) 297 millimetres in length by 210 millimetres in width (standard A4), or such other paper as may be approved by the Registrar-General.

3 Margins

- (1) The sheets used must have clear margins of not less than 10 millimetres on each side and top and bottom.
- (2) Typewriting, printing, writing or seals (other than directions or notations authorised by the Registrar-General) must not extend into a margin.

4 Lettering

- (1) The text of an administration sheet must be clearly printed or written:
 - (a) across the width of each panel on the sheet of paper used, and
 - (b) on one side only of each sheet.
- (2) All text must be clear and legible and in dense black ink or dense dark blue ink. The lines must not overlap. A carbon copy, or a copy in which the typewritten characters blur or spread or are liable to mark or damage an adjacent sheet, will not be accepted.
- (3) Handwriting and any imprint of a seal must be clear and legible and in dense black ink or dense dark blue ink.

Strata Schemes (Freehold Development) Regulation 2007

Requirements for administration sheet

Schedule 3

5 Alterations

- (1) Alterations must be made by striking through the matter intended to be altered and not by rubbing, scraping or cutting the surface of the paper or by using correction fluid.
- (2) Signatures or initials acknowledging alterations by interlineation or the striking through of matter must be placed in the margin as near as practicable to the alteration.

6 Information to be included on multiple sheets

If the administration sheet comprises more than one sheet:

- (a) each sheet other than the first sheet must repeat the heading on the first sheet, the strata certificate number and date of endorsement and the surveyor's reference, and
- (b) each sheet must be numbered sequentially in the top right hand corner of each sheet as "Sheet of sheets".

Strata Schemes (Freehold Development) Regulation 2007

Schedule 4 Requirements for lodging administration sheet electronically

Schedule 4 Requirements for lodging administration sheet electronically

(Clause 19 (2))

1 File type in which image of document to be created

- (1) Each sheet of the completed paper administration sheet complying with Schedule 3 that bears original signatures and seals is to be scanned by the lodging party and an image created in a Tagged Image File Format (TIFF) approved by the Registrar-General.
- (2) Each image must be created to the following specifications:
 - (a) **Size**—true to the approved form size (standard A4),
 - (b) **Colour**—must be black and white (monochrome),
 - (c) **Resolution**—200 dots per inch (dpi),
 - (d) **Compression**—CCITT Group 4.

2 Multiple sheets

An image of an administration sheet comprising more than one sheet must be created as a multipage file.

3 Lodging procedure

- (1) The TIFF image of the completed administration sheet is to be lodged electronically together with the TIFF image of the plan.
- (2) The standard of the electronic file received by the Registrar-General must be acceptable to the Registrar-General.

Note. The completed paper administration sheet, bearing original signatures and seals, must be retained by the lodging party for a period of at least 12 months following the date of registration of the plan because the lodging party may be required, under section 49 of the Act, to produce that sheet to the Registrar-General within that period.

Strata Schemes (Freehold Development) Regulation 2007

Requirements for lodging other documents electronically

Schedule 5

Schedule 5 Requirements for lodging other documents electronically

(Clause 27)

1 File type in which image of document to be created

- (1) Where a document other than an administration sheet is required to be lodged electronically with a plan, such as:
 - (a) a strata development contract, or
 - (b) a strata management statement, or
 - (c) by-laws, or
 - (d) any other documents required by the Registrar-General,each sheet of the completed paper document is to be scanned by the lodging party and an image created in a Tagged Image File Format (TIFF) approved by the Registrar-General.
- (2) Each image must be created to the following specifications:
 - (a) **Size**—true to the approved form size (standard A4),
 - (b) **Colour**—must be black and white (monochrome),
 - (c) **Resolution**—200 dots per inch (dpi),
 - (d) **Compression**—CCITT Group 4.

2 Multiple sheets

An image of a document comprising more than one sheet must be created as a multipage file.

3 Lodging procedure

- (1) The TIFF image of the completed document is to be lodged electronically together with the TIFF image of the plan.
- (2) The standard of the electronic file received by the Registrar-General must be acceptable to the Registrar-General.

Note. The completed paper document, bearing original signatures and seals, must be retained by the lodging party for a period of at least 12 months following the date of registration of the plan because the lodging party may be required, under section 49 of the Act, to produce that document to the Registrar-General within that period.

Strata Schemes (Freehold Development) Regulation 2007

Schedule 6 Fees

Schedule 6 Fees

(Clause 33)

	\$
1 On lodgment of a plan for registration:	
(a) comprising no more than 2 lots	1000.00
(b) comprising more than 2 lots	1200.00
And, in addition, for each quarter-hour or part of a quarter-hour in excess of:	
(a) the first 4 hours occupied in the examination of the plan referred to in paragraph (a) above	50.00
(b) the first 6 hours occupied in the examination of the plan referred to in paragraph (b) above	50.00
In addition, for the preparation and supply of a certificate of title for common property in a strata scheme	120.00
In addition, for each lot shown on the plan	120.00
And, if the plan is accompanied by a copy of the proposed by-laws for the strata scheme, an additional	180.00
And, if the plan is accompanied by a section 88B instrument, for each easement, restriction on the use of land, positive covenant or profit à prendre to be created, irrespective of the number of lots burdened or benefited, an additional	90.00
And, if the plan is accompanied by a section 88B instrument, for each easement to be released, irrespective of the number of lots burdened or benefited, an additional	90.00
And, if the plan is a strata plan of consolidation—for each folio of the Register to be consolidated, an additional	16.50
2 On lodgment of a substituted plan or any sheet of such a plan	90.00
3 On lodgment of a section 88B instrument in substitution for another such instrument or part of such instrument	Such fee as would be appropriate to the instrument as an original lodgment fee
4 On lodgment of an application to amend a plan	90.00
In addition, if the application involves the amendment of a certificate of title or folio of the Register:	

Strata Schemes (Freehold Development) Regulation 2007

Fees

Schedule 6

		\$
	(a) for the first certificate or folio	90.00
	(b) for each certificate or folio after the first	12.50
5	For examining a plan before lodgment:	
	(a) comprising no more than 2 lots	1100.00
	(b) comprising more than 2 lots	1320.00
	In addition, for each quarter-hour or part of a quarter-hour in excess of:	
	(a) the first 4 hours occupied in the examination of the plan referred to in paragraph (a) above	55.00
	(b) the first 6 hours occupied in the examination of the plan referred to in paragraph (b) above	55.00
6	On lodgment of a notification of change of by-laws	90.00
7	On lodgment of a notice of conversion	90.00
8	On lodgment of a notification of change of address for service of notices on an owners corporation	90.00
9	On lodgment of an order varying a strata scheme	90.00
10	On lodgment of an application for an order terminating a strata scheme	90.00
	In addition, for each quarter-hour or part of a quarter-hour occupied in examining the application	50.00
11	On lodgment of an order terminating a strata scheme	90.00
12	On lodgment of a certificate that the initial period has expired, given by an owners corporation pursuant to section 9 (3) (d) (i), 13 (2) (b) (i) or 28 (4) (b) of the Act	90.00
13	On lodgment of a strata management statement	300.00
14	On lodgment for registration of a strata development contract	200.00
15	On lodgment for registration of an amendment to a strata development contract	90.00
16	For supplying a copy of a document or part of a document (other than a certified copy) in the custody of the Registrar-General:	
	(a) to any person attending an office of the Department of Lands	12.50

Strata Schemes (Freehold Development) Regulation 2007

Schedule 6 Fees

		\$
(b)	by electronic means to any agent licensed by the Department of Lands	6.20
(c)	to any person by some other means	Such reasonable fee (determined by the Registrar-General) as is warranted by the work involved in providing the service
17	On lodgment of any document not otherwise referred to in this Schedule	90.00



New South Wales

Strata Schemes (Leasehold Development) Regulation 2007

under the

Strata Schemes (Leasehold Development) Act 1986

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Strata Schemes (Leasehold Development) Act 1986*.

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

Explanatory note

The object of this Regulation is to remake, without substantial alteration, the *Strata Schemes (Leasehold Development) Regulation 2002*, which is repealed on 1 September 2007 by section 10 (2) of the *Subordinate Legislation Act 1989*.

The new Regulation deals with the following matters:

- (a) the form in which location plans, schedules of unit entitlements and floor plans are to be prepared (Part 2 and Schedules 1 and 2),
- (b) the form in which strata plans, strata plans of subdivision, strata plans of consolidation and building alteration plans are to be prepared (Part 3 and Schedules 1 and 2),
- (c) matters relating to staged development (Part 4),
- (d) administration sheets (Part 5 and Schedules 3 and 4),
- (e) miscellaneous matters, including lodgment of documents by hand and electronically, and fees payable to the Registrar-General in connection with the lodgment, examination, copying and issue of documents (Part 6 and Schedules 5 and 6),
- (f) other matters of a formal or ancillary nature (Part 1).

This Regulation is made under the *Strata Schemes (Leasehold Development) Act 1986*, including sections 66C and 196 (the general regulation-making power) and the sections mentioned in the Regulation.

This Regulation (other than clause 35 and Schedule 6, which deal with fees) relates to matters of a machinery nature.

Strata Schemes (Leasehold Development) Regulation 2007

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Strata Schemes (Leasehold Development) Regulation 2007

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Clause 1 Strata Schemes (Leasehold Development) Regulation 2007

Part 1 Preliminary

Strata Schemes (Leasehold Development) Regulation 2007

under the

Strata Schemes (Leasehold Development) Act 1986

Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Strata Schemes (Leasehold Development) Regulation 2007*.

2 Commencement

This Regulation commences on 1 September 2007.

Note. This Regulation replaces the *Strata Schemes (Leasehold Development) Regulation 2002* which is repealed on 1 September 2007 by section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definitions

(1) In this Regulation:

administration sheet, in relation to a plan, means the separate document, in the approved form, required to be lodged with the plan under Division 1 of Part 2 of the Act.

plan means a plan lodged in the office of the Registrar-General for registration as a strata plan, a strata plan of subdivision, a strata plan of consolidation or a building alteration plan.

section 88B instrument means an instrument of a kind that:

- (a) under clause 22, is required to accompany a plan that creates an easement, profit à prendre, restriction or positive covenant, or
- (b) under clause 23, is required to accompany a plan that releases an easement or profit à prendre,

under section 88B of the *Conveyancing Act 1919*.

the Act means the *Strata Schemes (Leasehold Development) Act 1986*.

Note. Section 3 (1) of the *Real Property Act 1900* defines **approved form** as a form approved by the Registrar-General for the purposes of the provision of the *Real Property Act 1900* or any other Act in relation to which the expression is used. Section 5 (1) of the *Strata Schemes (Leasehold Development) Act 1986* requires that Act to be read and construed as if it formed part of the *Real Property Act 1900*.

Strata Schemes (Leasehold Development) Regulation 2007

Clause 4

Preliminary

Part 1

-
- (2) Notes included in this Regulation do not form part of this Regulation.

4 Application of other instruments

- (1) The provisions of this Regulation apply in addition to the provisions of:
- (a) Division 4 of Part 3 of, and Schedules 9 and 10 to, the *Conveyancing (General) Regulation 2003* (which deal with instruments under section 88B of the *Conveyancing Act 1919*), and
 - (b) the *Real Property Regulation 2003*, and
 - (c) any regulation replacing either of those Regulations.
- (2) The provisions of this Regulation prevail in the event of any inconsistency between those provisions and the provisions referred to in subclause (1).

Note. This Regulation includes provisions concerning plans for land the subject of a strata scheme. All such land is under the provisions of the *Real Property Act 1900*. That Act, and the regulations under that Act, include provisions concerning the preparation and lodgment of dealings for such land (including provisions requiring the payment of fees).

Clause 5	Strata Schemes (Leasehold Development) Regulation 2007
Part 2	Location plans, schedules of unit entitlement and floor plans

Part 2 Location plans, schedules of unit entitlement and floor plans

5 Location plans: sections 7, 10 and 11

- (1) A location plan must be in the approved form known as “Strata Plan Form 2” and show the following:
- (a) the external boundaries, and the lengths of the external boundaries, of the parcel,
 - (b) except as provided by subclause (2), the projection onto a horizontal plane of the external limits of:
 - (i) the building,
 - (ii) any other structural feature used in the plan to define boundaries of lots or parts of lots,
 - (iii) any lots or parts of lots not within the building,
 - (c) if:
 - (i) any part of the building, or
 - (ii) in the case of a lot that is not within the building but is defined by linear measurement from a part of the building or from a part of some other structural feature, any part of that lot,
is within 2 metres of a boundary of the parcel, the perpendicular distances from that part of the building, or from that part of the structural feature, to that boundary of the parcel (being perpendicular distances that correspond to the connections referred to in clause 7 (1) (b) or (c)),
 - (d) the identity of:
 - (i) the building, by reference to the street number, the material of its external construction and the number of floors or levels, and
 - (ii) any other structural feature used in the plan to define lots or parts of lots, by reference to its nature and the material of its construction,
 - (e) the identities of all adjoining lands,
 - (f) if any encroachment exists, such survey information as the Registrar-General may require to indicate the relationship of the encroachment to the parcel boundary.
- (2) In the case of a proposed stratum parcel, the matter to be shown on a location plan by means of the projection referred to in subclause (1) (b) is to include the following information instead of that required by subclause (1) (b):

Strata Schemes (Leasehold Development) Regulation 2007

Clause 6

Location plans, schedules of unit entitlement and floor plans

Part 2

-
- (a) the perimeter of the site of the building of which the proposed stratum parcel forms part,
 - (b) in relation to that perimeter, the external limits of:
 - (i) the building, and
 - (ii) the proposed stratum parcel,
 - (c) in relation to the boundaries of the proposed stratum parcel, such elevations, sections, levels and planes as in the Registrar-General's opinion are necessary to illustrate:
 - (i) the part of the building that will be the subject of the proposed stratum parcel, and
 - (ii) any other structural feature used in the plan to define boundaries of lots or parts of lots, and
 - (iii) any proposed lots or parts of lots not within the building.
- (3) All linear connections shown on a location plan must be referred to a stated surface of a floor, wall, ceiling or structural feature.
 - (4) A location plan must comply with the requirements set out in Schedule 1 (in the case of a plan lodged by hand) or 2 (in the case of a plan lodged electronically).

6 Schedules of unit entitlement: sections 7, 13 and 14

- (1) The schedule of unit entitlement must be set out on the administration sheet in the panel provided.
- (2) A schedule of unit entitlement (other than a schedule of unit entitlement referred to in section 10 of the Act) must set out:
 - (a) in vertical columns in numerical sequence, a reference to the number of each lot in the strata scheme, and
 - (b) opposite each lot number, in whole numbers (excluding zero), the proposed unit entitlement of that lot, and
 - (c) the proposed aggregate unit entitlement as the numerical total of the proposed unit entitlement of all lots in the strata scheme.
- (3) Despite subclause (2) (a), the references to successively numbered lots having the same unit entitlement may be grouped in abbreviated form instead of being set out in vertical columns.

7 Floor plans: sections 7, 10 and 11

- (1) A floor plan must be in the approved form known as "Strata Plan Form 2", on a separate sheet from the location plan, and show the following:
 - (a) by continuous lines, the boundaries of lots or whole separate parts of lots, so that boundaries defined by walls or other structural

Clause 7	Strata Schemes (Leasehold Development) Regulation 2007
Part 2	Location plans, schedules of unit entitlement and floor plans

- features are shown by a consistent thick line and boundaries defined by lines only are shown by a consistent thin line,
- (b) if the boundary of a lot is defined by reference to the surface of a structural feature, other than the surface of a floor or ceiling, linear connections to that surface and such linear dimensions of that boundary as the Registrar-General may require,
 - (c) if the boundary of a lot is defined by reference to the surface of a floor or ceiling, such vertical connections and notations as are necessary to define that boundary,
 - (d) notations sufficient to ensure that each cubic space forming the whole of a lot or a whole separate part of a lot is fully defined (provided that if it is intended that a lot boundary is to be defined in accordance with the formula set out in section 4 (2) (a) of the Act, no notation need be made for the purpose of defining that boundary).
- (2) All linear connections shown on a floor plan must be referred to a stated surface of a floor, wall, ceiling or structural feature.
 - (3) No reference is to be made in a floor plan to the relationship of boundaries of lots to boundaries of the parcel, except to the extent required by subclause (4).
 - (4) For the purposes of sections 5 (4) (a) and 17 (4) (a) of the Act, so much of an encroachment as is intended for use with a proposed lot is to be indicated in a floor plan in such manner as the Registrar-General may require.
 - (5) Subclauses (3) and (4) do not apply to a floor plan for a stratum parcel.
 - (6) A floor plan must be shown from the lowest level to the highest level, unless prior approval has been given to showing the levels in another manner by the Registrar-General.
 - (7) A floor plan must show or refer to all occupations within an external part of a lot and within 1 metre of the boundary of that lot and identify the occupations (other than any occupation that is a dividing fence within the meaning of the *Dividing Fences Act 1991* and that is made of timber, pre-painted steel, wire or similar materials but is not made of masonry) as either common property or part of the lot.
 - (8) A floor plan must comply with the requirements set out in Schedule 1 (in the case of a plan lodged by hand) or 2 (in the case of a plan lodged electronically).

Strata Schemes (Leasehold Development) Regulation 2007

Clause 8

Strata plans, strata plans of subdivision, strata plans of consolidation and building alteration plans

Part 3

Part 3 Strata plans, strata plans of subdivision, strata plans of consolidation and building alteration plans

8 Strata plans: section 7

- (1) The administration sheet of a strata plan:
 - (a) must bear so much of the information and certification referred to in the approved form as is relevant to the plan, and
 - (b) must be signed by a duly authorised officer of the local council or by the accredited certifier (as appropriate) and by the surveyor by whom the plan has been prepared.
- (2) Each lot must be numbered consecutively, beginning with lot 1 and ending with a lot number corresponding with the total number of lots in the plan. If a numbered lot is shown as consisting of more than one part, each part must be described as part of that numbered lot.

Note. Section 7 of the Act provides that a strata plan must include a location plan, a floor plan, a schedule of unit entitlement, the by-laws being adopted for the scheme, the name of the body corporate and the address at which documents may be served on the body corporate.

9 Strata plans of subdivision: sections 10 and 11

- (1) A strata plan of subdivision must be in the approved form.
- (2) The administration sheet of the plan:
 - (a) must bear so much of the information and certification referred to in the approved form as is relevant to the plan, and
 - (b) must be signed by a duly authorised officer of the local council or by the accredited certifier (as appropriate) and by the surveyor by whom the plan has been prepared.
- (3) Each lot resulting from the subdivision must be numbered consecutively, the lowest lot number being greater by one than the highest number of any existing lot in the strata scheme. If a numbered lot is shown as consisting of more than one part, each part must be described as part of that numbered lot.

10 Strata plans of consolidation: section 15

- (1) A strata plan of consolidation must be in the approved form and must include a floor plan.
- (2) The administration sheet of the plan:
 - (a) must bear so much of the information and certification referred to in the approved form as is relevant to the plan, and

Clause 11 Strata Schemes (Leasehold Development) Regulation 2007

Part 3 Strata plans, strata plans of subdivision, strata plans of consolidation and building alteration plans

- (b) must be signed by the surveyor by whom the plan has been prepared.
- (3) Each lot resulting from the consolidation must be numbered consecutively, the lowest lot number being greater by one than the highest number of any existing lot in the strata scheme. If a numbered lot is shown as consisting of more than one part, each part must be described as part of that numbered lot.

11 Building alteration plans: section 17

- (1) A building alteration plan must be in the approved form and must include a floor plan and, if the Registrar-General so requires, a plan in the nature of a location plan.
- (2) The administration sheet of the plan:
 - (a) must bear so much of the information and certification referred to in the approved form as is relevant to the plan, and
 - (b) must be signed by the surveyor by whom the plan has been prepared.
- (3) The Registrar-General may permit specified survey information of an encroachment, sufficient to define the perimeter of a parcel, to be shown on a location plan.
- (4) Each lot must be numbered and identified in accordance with its existing numbering and identity in the strata scheme.
- (5) A certificate given by a surveyor under section 17 (1) (d) of the Act must be in the approved form.

12 Alteration of plans lodged by hand

- (1) The Registrar-General may at his or her discretion and after giving notice to such persons as he or she may think fit:
 - (a) number or re-number any lots in a plan lodged by hand, whether before or after registration, and
 - (b) before registration of a plan lodged by hand, supply omissions and correct obvious errors in the plan.
- (2) If an alteration to a plan lodged by hand is to be made before registration of the plan and the alteration is not made by the Registrar-General under subclause (1), the alteration must be authenticated by the plan or original administration sheet being signed and dated:
 - (a) by the surveyor by whom the plan has been prepared, and
 - (b) if the alteration concerns the definition of a lot boundary or affects the proportional unit entitlement of any lot in the strata

Strata Schemes (Leasehold Development) Regulation 2007

Clause 13

Strata plans, strata plans of subdivision, strata plans of consolidation and building alteration plans

Part 3

scheme, by a duly authorised officer of the local council or by the accredited certifier (as appropriate), and

- (c) by the registered proprietor, if the Registrar-General so requires.

13 Alteration of plans lodged electronically

- (1) The Registrar-General may, at his or her discretion and after giving notice to such persons as he or she may think fit:
- (a) before or after registration of a plan lodged electronically, direct that any lots in the plan be numbered or renumbered, and
 - (b) before registration of a plan lodged electronically, direct that anything omitted from the plan be added to the plan or that any obvious error in the plan be corrected, and
 - (c) require a replacement plan in a Tagged Image File Format (TIFF) approved by the Registrar-General to be submitted showing alterations in accordance with any directions given under paragraph (a) or (b).
- (2) If the alteration is to be made before registration of the plan and either concerns the definition of a lot boundary or affects the proportional unit entitlement of any lot in the strata scheme:
- (a) the original administration sheet is to be endorsed with a statement identifying the alteration, and
 - (b) the endorsed administration sheet is to be re-signed by a duly authorised officer of the local council or by an accredited certifier (as appropriate), and
 - (c) the alteration must be authenticated by the original administration sheet being signed and dated by the registered proprietor, if the Registrar-General so requires, and
 - (d) a new image of the endorsed and re-signed administration sheet is to be created and lodged with the Registrar-General.

Clause 14 Strata Schemes (Leasehold Development) Regulation 2007

Part 4 Staged development

Part 4 Staged development

14 Strata development contracts

- (1) The description in a strata development contract referred to in section 43 (2) (c) of the Act must deal separately with each of the following matters in relation to each stage of the development:
 - (a) the types of buildings proposed, the proposed uses of the lots in the buildings, the proposed building style and the proposed height and density of the buildings,
 - (b) any common property amenities that will be provided,
 - (c) the number of lots to be created,
 - (d) details of access and construction zones and accompanying rights over common property and development lots,
 - (e) the manner in which it is proposed to landscape the parcel,
 - (f) building materials and finishes to be used,
 - (g) details of any vertical staging, and of the insurance cover that applies to any such staging,
 - (h) whether the developer's liability for expenses relating to the use or maintenance of the common property is to be determined by unit entitlement or differently and details of how the liability is to be determined, if it is to be determined differently,
 - (i) details of any by-laws, management agreements, covenants, easements or dedications that will be created or entered into.
- (2) The description in a strata development contract referred to in section 43 (2) (d) of the Act must deal separately with each of the following matters in relation to each stage of the development:
 - (a) the types of buildings proposed, proposed uses of the lots in the buildings, the proposed building style and the proposed height and density of the buildings,
 - (b) the maximum number of lots to be created,
 - (c) details of any vertical staging, and of the insurance cover that applies to any such staging,
 - (d) whether the developer's liability for expenses relating to the use or maintenance of the common property is to be determined by unit entitlement or differently and details of how the liability is to be determined, if it is to be determined differently,
 - (e) details of any by-laws, management agreements, covenants, easements or dedications that will be created or entered into.

Strata Schemes (Leasehold Development) Regulation 2007

Clause 15

Staged development

Part 4

15 Execution by developer on behalf of body corporate

If a dealing, plan or other instrument is executed by a developer on behalf of a body corporate under section 54 (3) of the Act for the purpose of giving effect to a decision about a development concern:

- (a) the execution must be in the approved form, and
- (b) a statutory declaration in the approved form specifying the circumstances in which the instrument was executed must be lodged by hand in conjunction with each dealing, plan or other instrument, whether or not any of those instruments is lodged electronically.

16 Notices relating to development concerns

A motion that relates to a development concern must be identified by the matter “(THIS MOTION RELATES TO A DEVELOPMENT CONCERN—SEE SECTIONS 54, 55 AND 56 OF THE STRATA SCHEMES (LEASEHOLD DEVELOPMENT) ACT 1986)” appearing after the proposed wording of the motion in the following notices and requisitions:

- (a) a notice served on the secretary of the council of the body corporate requiring inclusion in the agenda of the next general meeting of the body corporate of such a motion,
- (b) a notice served on the secretary or, in the absence of the secretary, another member of the council of the body corporate requiring the convening of an extraordinary general meeting to consider such a motion,
- (c) a requisition served on the secretary or, in the absence of the secretary, another member of the council of the body corporate requiring a meeting of the council to be convened to consider such a motion,
- (d) notice of a meeting of the body corporate or of the council of the body corporate at which such a motion is to be considered.

17 Insurance for vertical staged development

- (1) For the purposes of clause 8 of Schedule 2AA to the Act, a policy of indemnity must indemnify the developer against at least the following:
 - (a) contract works claims up to a value at least equivalent to the cover provided by the body corporate’s damage policy maintained under section 83 or 84 of the *Strata Schemes Management Act 1996*, subject only to such deductibles, exclusions and other terms and conditions as are reasonable and appropriate for contract works insurance,

Clause 17	Strata Schemes (Leasehold Development) Regulation 2007
Part 4	Staged development

- (b) public liability claims up to a value of at least \$15,000,000, subject only to such deductibles, exclusions and other terms and conditions as are reasonable and appropriate for public liability insurance.
- (2) This clause does not affect any obligation of a developer to effect and maintain insurance required by or under any other law, such as the *Workers Compensation Act 1987*.
- (3) In this clause:
- contract works claim*** means a claim for accidental damage to buildings and works for the time being forming part of the parcel (including buildings erected and works carried out under the strata development contract), arising out of or resulting from the carrying out of the permitted development.
- public liability claim*** means a claim for damages because of death or personal injury for which the developer is liable as an occupier of the parcel.

Strata Schemes (Leasehold Development) Regulation 2007

Clause 18

Administration sheets

Part 5

Part 5 Administration sheets

Note. If a plan is lodged by hand but the signatures and consents required are not endorsed on the plan, or a plan is lodged electronically, the signatures and consents required must be endorsed on the separate document required by Division 1 of Part 2 of the Act to be lodged with the plan (the **administration sheet**) and that document must be lodged in the same way as the plan. The administration sheet must accompany all plans and be used for all signatures and seals.

18 Content of the administration sheet

- (1) The administration sheet must include the plan heading and the surveyor's reference in the appropriate panels on each sheet of the approved form.
- (2) The administration sheet must contain all certificates required by the Registrar-General, endorsed in the appropriate panels on that document.

19 Administration sheet to comply with Schedule 3 or Schedules 3 and 4 requirements

- (1) An administration sheet that is lodged by hand at the office of the Registrar-General must comply with the requirements set out in Schedule 3.
- (2) An administration sheet can be lodged electronically only if:
 - (a) the plan to which it relates is also lodged electronically, and
 - (b) the administration sheet complies with the requirements set out in Schedules 3 and 4.

20 Refusal to accept an administration sheet

The Registrar-General may refuse to accept an administration sheet that, in the opinion of the Registrar-General, does not comply with, or is not lodged in accordance with, this Part.

21 Registration of an administration sheet

On registration of a plan that is accompanied by an administration sheet, the administration sheet is to be registered in the register of plans referred to in the *Conveyancing (General) Regulation 2003*.

Clause 22 Strata Schemes (Leasehold Development) Regulation 2007

Part 6 Miscellaneous

Part 6 Miscellaneous

22 Notations relating to easements, profits à prendre, restrictions on the use of land and positive covenants

- (1) A notation referring to an intention to create or release an easement or profit à prendre, or to create a restriction or positive covenant, must not be entered on a plan unless it is intended that it is to be created or released pursuant to section 88B of the *Conveyancing Act 1919*.
- (2) However, a plan may designate the site of a proposed easement, profit à prendre, restriction or positive covenant that is intended to be created (otherwise than by registration of the plan) by an instrument of grant or reservation, or the proposed varied site of an existing easement or profit à prendre that is intended to be varied by an instrument of variation, if:
 - (a) the designation of the site of the proposed easement, profit à prendre, restriction or positive covenant, or of the proposed variation of existing easement or profit à prendre, includes the word “proposed” or an abbreviation of that word, and
 - (b) no other statement of intention to create or vary the easement or profit à prendre, or to create the restriction or positive covenant, is entered elsewhere on the plan.
- (3) The designation of the site of a proposed easement, profit à prendre, restriction or positive covenant in accordance with subclause (2) does not, for the purposes of section 88B of the *Conveyancing Act 1919*, indicate in the prescribed manner an intention to create an easement.
- (4) A notation referring to the proposed varied site of an existing easement or profit à prendre must not be entered on a plan unless it is intended that the easement or profit à prendre is to be varied pursuant to section 47 (5A) of the *Real Property Act 1900*.

23 Indication of creation of easement

- (1) If a plan is intended, on registration, to create an easement, profit à prendre, restriction or positive covenant pursuant to section 88B of the *Conveyancing Act 1919*:
 - (a) a statement of intention to create the easement, profit à prendre, restriction or positive covenant must be legibly printed in the panel provided on the approved form on the administration sheet, and
 - (b) the site of any proposed easement must be shown in the plan drawing area of the approved form with sufficient indication of the nature of the easement to distinguish it from any other easement intended to be created on registration of the plan, and

Strata Schemes (Leasehold Development) Regulation 2007

Clause 24

Miscellaneous

Part 6

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- (c) if any proposed easement is to be limited in height or depth, the levels of the limits must be defined as required by the Registrar-General.
 - (2) A statement of intention referred to in subclause (1) (a) must neither incorporate the term of the easement, profit à prendre, restriction or positive covenant nor specify the lots intended to be benefited and burdened.
 - (3) The plan must be accompanied by a section 88B instrument in the approved form that complies with Division 4 of Part 3 of, and the requirements set out in Schedule 9 to, the *Conveyancing (General) Regulation 2003* and is lodged in the same manner as the plan. If the instrument is lodged electronically, the requirements set out in Schedule 10 to that regulation must also be complied with.

24 Indication of release of easement

- (1) If a plan is intended, on registration, to release an easement or profit à prendre (in respect of some or all of the land to which it applies) pursuant to section 88B of the *Conveyancing Act 1919*:
 - (a) a statement of intention to release the easement or profit à prendre must be legibly printed in the panel provided on the approved form on the administration sheet, and
 - (b) sufficient information must be shown on the plan, or included in the relevant section 88B instrument, to indicate the extent of the release.
- (2) The plan must be accompanied by a section 88B instrument in the approved form that complies with Division 4 of Part 3 of, and the requirements set out in Schedule 9 to, the *Conveyancing (General) Regulation 2003* and is lodged in the same manner as the plan. If the instrument is lodged electronically, the requirements set out in Schedule 10 to that regulation must also be complied with.

25 Lodgment of plans by hand

- (1) A person lodging a plan by hand for registration at the office of the Registrar-General must produce the plan at that office in such manner as may be approved by the Registrar-General.
- (2) The original plan must be accompanied by:
 - (a) a completed plan lodgment form in the approved form, and
 - (b) one print of each sheet of the plan (each sheet being a positive reproduction on a light background), and

Clause 26	Strata Schemes (Leasehold Development) Regulation 2007
Part 6	Miscellaneous

- (c) completed plan checklists in the approved form, if required by the Registrar-General.

Note. Division 1 of Part 2 of the Act requires a plan to be lodged with a separate document in the approved form relating to the plan. Such a document is called an **administration sheet** in this Regulation. Part 5 makes provision for administration sheets.

- (3) If the Registrar-General so requires, a plan must also be accompanied by:
- (a) in the case of a strata plan, the certificate of title or Crown grant for the land comprising the parcel, and
 - (b) in the case of a strata plan of subdivision or a strata plan of consolidation, the certificates of title for the lease of the land comprised in the plan and for the common property comprised in the strata scheme, and
 - (c) in the case of a building alteration plan, the certificate of title for the common property comprised in the strata scheme.
- (4) The Registrar-General will not require a plan to be accompanied by a certificate of title or Crown grant if evidence is furnished to his or her satisfaction that the certificate of title or Crown grant is in his or her custody, and that he or she has authority to use that instrument in connection with registration of the plan, or that notice has been served under section 18 (1) (d) of the Act.
- (5) If an original of a plan bears evidence of a strata certificate:
- (a) the print of each sheet of the plan referred to in subclause (2) (b) must contain particulars of the certificate under the original signature of the duly authorised officer of the council or of the accredited certifier (as appropriate) who gave the certificate, and
 - (b) the administration sheet must be signed by the duly authorised officer of the council or of the accredited certifier (as appropriate) who gave the certificate.

26 Lodgment of plans electronically

- (1) An authorised person lodging a plan electronically for registration in the office of the Registrar-General must lodge the plan in accordance with the e-plan system established by section 195AA of the *Conveyancing Act 1919* or otherwise with the consent of the Registrar-General.
- (2) Plan lodgment details must be provided in the manner required by the Registrar-General. The plan must comply with the requirements set out in Schedule 2 and be lodged in accordance with the relevant requirements of that Schedule.

Strata Schemes (Leasehold Development) Regulation 2007

Clause 27

Miscellaneous

Part 6

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- (3) The plan file must be accompanied by files comprising:
- (a) such instruments and data files as the Registrar-General may require, and
 - (b) completed plan checklists in the approved form, if required by the Registrar-General.
- Note.** Division 1 of Part 2 of the Act requires a plan to be lodged with a separate document in the approved form relating to the plan. Such a document is called an **administration sheet** in this Regulation. Part 5 makes provision for administration sheets.
- (4) The Registrar-General may permit a plan to be accompanied by:
- (a) approved forms, and
 - (b) the consents referred to in subclause (5) (d).
- (5) The following original documents must be lodged by hand at the office of the Registrar-General, and may not be lodged electronically:
- (a) in the case of a strata plan, the certificate of title or Crown grant for the land comprising the parcel,
 - (b) in the case of a strata plan of subdivision or a strata plan of consolidation, the certificates of title for the lease of the land comprised in the plan and for the common property comprised in the strata scheme,
 - (c) in the case of a building alteration plan, the certificate of title for the common property comprised in the strata scheme,
 - (d) such consents in writing to the registration of the plan signed by a lessee, caveator, judgment creditor or other person, as may be required by the Registrar-General,
 - (e) such other certificates of title, office copies of court orders, powers of attorney, statutory declarations and other original documents as may be required by the Registrar-General.
- (6) The Registrar-General will not require a certificate of title or Crown grant to be lodged if evidence is furnished to his or her satisfaction that the certificate of title or Crown grant is in his or her custody, and that he or she has authority to use that instrument in connection with registration of the plan, or that notice has been served under section 18 (1) (d) of the Act.

27 Lodgment of other documents electronically

Where a strata plan, a strata plan of subdivision, a strata plan of consolidation or a building alteration plan that the Registrar-General permits to be lodged electronically is accompanied by other documents, those documents must also be lodged electronically and comply with

Clause 28 Strata Schemes (Leasehold Development) Regulation 2007

Part 6 Miscellaneous

the requirements set out in Schedule 5, except those documents referred to in clause 26 (5).

28 Lessees' certificates

For the purposes of section 7 (1) (c) (iii) of the Act, the prescribed persons by whom a certificate referred to in that subparagraph must be signed are:

- (a) if the total number of leases is 3 or fewer, all of the lessees, or
- (b) if the total number of leases is more than 3:
 - (i) the person presiding at the meeting referred to in section 7 (1) (c) (iii) of the Act, and
 - (ii) two other lessees (not being joint lessees).

29 Councils' strata certificates and notices

- (1) A strata certificate issued or notice given by a local council under section 66 (1), (2), (3), (4), (5) or (6) of the Act must be in the approved form.
- (2) A notice under section 66 (3) of the Act must be accompanied by a copy of a plan illustrating the proposed subdivision, identified by the signature of the duly authorised officer of the council who signed the notice.
- (3) A local council must keep (as part of the register kept by the council under clause 264 or 265 of the *Environmental Planning and Assessment Regulation 2000*) a record of the following:
 - (a) the date of issue of each strata certificate issued by the council under section 66 of the Act,
 - (b) the date of issue of each strata certificate issued by an accredited certifier under section 66A of the Act in relation to a building or proposed building within the area of the council.
- (4) A local council must keep the following documents for each strata certificate issued by it under section 66 of the Act, or by an accredited certifier under section 66A of the Act, in relation to a building or proposed building within the area of the council:
 - (a) a copy of the strata certificate,
 - (b) a copy of the proposed strata plan, strata plan of subdivision or notice of conversion to which the strata certificate relates,
 - (c) copies of any related documents submitted to the council by the applicant for the strata certificate in connection with the application.

Strata Schemes (Leasehold Development) Regulation 2007

Clause 30

Miscellaneous

Part 6

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- (5) A local council must make the documents kept by it under subclause (4) available for inspection at its principal office, free of charge, during the council's ordinary office hours. A copy of any such document may be made on payment of a reasonable copying charge set by the council.

30 Accredited certifier certificates

- (1) A strata certificate issued by an accredited certifier under section 66A of the Act must be in the approved form.
- (2) An accredited certifier must within 7 days after issuing a strata certificate send a copy of the following documents to the consent authority that granted the relevant development consent and to the local council (if the local council is not the consent authority):
- (a) the strata certificate,
 - (b) the proposed strata plan, strata plan of subdivision or notice of conversion concerned,
 - (c) any other related documents submitted to the accredited certifier by the applicant for the strata certificate in connection with the application.
- (3) Clause 8 (Record keeping by accredited certifiers) of the *Building Professionals Regulation 2007* applies (as a requirement of this Regulation) in respect of strata certificates and applications for strata certificates in the same way as it applies in respect of certificates and applications for certificates referred to in that clause.

31 Body corporate certificates

- (1) A certificate given by a body corporate under section 11 (2) (d) (i), 14 (b), 16 (2) (b) (i), 22 (5) (b), 32 (4) or 66 (3), (5) (a) or (6) (a) of the Act must be in the approved form.
- (2) For the purpose of identification, a plan in respect of which a certificate is given under section 66 (3) of the Act must be signed by each person who attested the affixing of the seal of the body corporate to the certificate.

32 Notice to water supply authorities

- (1) A lessor must give written notice to the relevant water supply authority within 60 days after the lessor grants or terminates a lease, or allows or terminates occupation, of a lot in a leasehold strata scheme.
- Maximum penalty: 2 penalty units.

Clause 33 Strata Schemes (Leasehold Development) Regulation 2007

Part 6 Miscellaneous

(2) In this clause:

water supply authority means:

- (a) the Sydney Water Corporation, the Hunter Water Corporation or a water supply authority constituted under the *Water Management Act 2000*, or
- (b) a council or county council exercising water supply, sewerage or stormwater drainage functions under Division 2 of Part 3 of Chapter 6 of the *Local Government Act 1993*.

33 Category 1 fire safety provisions: section 66

For the purposes of section 66 of the Act, the following provisions of the *Building Code of Australia* are prescribed as ***Category 1 fire safety provisions***, namely, EP1.3, EP1.4, EP1.6, EP2.1, EP2.2 and EP3.2 in Volume One of that Code and P2.3.2 in Volume Two of that Code.

34 Periods for retention of documents: section 78

For the purposes of section 78 (2) (c) of the Act, the period prescribed is the period of 12 months commencing with the day on which the plan or other document was registered or recorded.

35 Fees

- (1) The fees specified opposite the matters listed in Schedule 6 are payable to the Registrar-General in respect of those matters.
- (2) A fee is payable before the service to which the fee relates is provided or at such time, and in accordance with such conditions, as the Registrar-General may agree with the person paying the fee.

36 Savings

Any act, matter or thing that, immediately before the repeal of the *Strata Schemes (Leasehold Development) Regulation 2002*, had effect under that Regulation continues to have effect under this Regulation.

Strata Schemes (Leasehold Development) Regulation 2007

Requirements for plans lodged by hand

Schedule 1

Schedule 1 Requirements for plans lodged by hand

(Clauses 5 and 7)

1 Material on which plan to be drawn

- (1) Each plan sheet must consist of archival quality paper, or some other medium approved by the Registrar-General.
- (2) A plan must be drawn on one side of a plan sheet only, and must be drawn on a matt surface.
- (3) Each plan sheet must be free from blemishes and creases.

2 Plan sheet drawing dimensions

Each plan sheet must have external dimensions of 420 millimetres by 297 millimetres (standard A3 size).

3 Margins

- (1) A margin of at least 10 millimetres must be left around the plan drawing area of each plan sheet.
- (2) No printing, writing or other notation (other than directions or notations authorised by the Registrar-General) must appear in, or extend into, the margin.

4 Lettering

- (1) Unless the Registrar-General otherwise approves, all words must be in the English language, and all letters, figures and symbols appearing on a plan must be in a font style that is:
 - (a) dense and black in colour, and
 - (b) in upper case only (except as otherwise provided by this Schedule), and
 - (c) open in formation and construction, and
 - (d) in an upright style.
- (2) Unless the Registrar-General otherwise approves or this Schedule otherwise allows, all symbols must be letters.

5 Use of colouring and edging prohibited

Neither colouring nor edging is to be used on a plan sheet.

Strata Schemes (Leasehold Development) Regulation 2007

Schedule 1 Requirements for plans lodged by hand

6 Clarity of detail

The plan must be drawn in a manner and to a scale that allows all details and notations to be clearly reproduced by the copying processes used by the Registrar-General.

7 Alterations

- (1) A plan may be altered only by striking through the matter to be altered.
- (2) In particular, a plan may not be altered by the use of correction fluid or by rubbing, scraping or cutting the surface of the plan sheet.
- (3) The Registrar-General may require a plan sheet to be replaced if, in the opinion of the Registrar-General, any alteration on the sheet will render it unsuitable for copying.

8 Information to be included on plan sheets

- (1) Each plan sheet in a series of plan sheets must be numbered consecutively as part of the series (for example, the first and second sheets in a plan that is made up of 5 sheets must be numbered "Sheet 1 of 5 sheets" and "Sheet 2 of 5 sheets", respectively).
- (2) Each sheet of a location plan or floor plan must contain a north point (directed upwards).
- (3) No information (other than the plan and any separate diagrams and tabulations of dimensions relating to the plan) is to appear within the plan drawing area of a plan sheet.

9 Linear dimensions

- (1) Linear measurements must be expressed in metres without any accompanying symbol.
- (2) If a length of less than one metre is shown, the decimal point must be preceded by the numeral "0".

10 Area dimensions

- (1) Area measurements must be expressed as follows:
 - (a) areas of less than one hectare must be expressed in square metres, accompanied by the symbol "m²",
 - (b) areas of one hectare or more must be expressed in hectares (using not more than 4 significant figures), accompanied by the symbol "ha",
 - (c) areas of 10,000 hectares or more must be expressed in square kilometres, accompanied by the symbol "km²".

Strata Schemes (Leasehold Development) Regulation 2007

Requirements for plans lodged by hand

Schedule 1

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- (2) A statement may be added to the plan stating that all areas are approximate.
 - (3) The total area of a lot:
 - (a) must be shown within or relevant to the most significant part of the lot, and
 - (b) must be the exact mathematical total of the areas shown elsewhere in the plan within or relevant to the component parts of that lot.

11 Bearings and angles

- (1) Bearings must not be shown on any plan sheet unless they form part of permitted survey information.
- (2) Angular relationships must be established by linear dimensions and rectangular offsets only, and not by use of angular dimensions, except in the case of an angular dimension of 90°, which may be shown as such on a floor plan.

12 Reduction ratio

There must be a statement on each sheet of a location plan or floor plan of the reduction ratio at which the plan is drawn.

13 Identification of new or proposed easements, profits à prendre, restrictions and positive covenants

- (1) A location plan must contain sufficient information to define the site of:
 - (a) any easement, profit à prendre, restriction or positive covenant that is intended to be created as a consequence of the registration of the plan and that affects common property not within a building, and
 - (b) any easement or profit à prendre intended to be partially released as a consequence of the registration of the plan, and
 - (c) any proposed easement (other than an easement referred to in paragraph (a) or (b)), profit à prendre, restriction or positive covenant, or proposed variation or partial release of an easement or profit à prendre, that affects common property not within a building,and, where necessary, contain sufficient information to indicate the relationship of any such easement, profit à prendre, restriction or positive covenant to the boundaries of any affected parcel or lot.
- (2) A floor plan must contain sufficient information to define the site of:
 - (a) any easement, profit à prendre, restriction or positive covenant intended to be created as a consequence of the registration of the

Strata Schemes (Leasehold Development) Regulation 2007

Schedule 1 Requirements for plans lodged by hand

plan that affects a lot in the plan or common property within a building, and

- (b) any proposed easement over a lot in the plan or common property within a building.
- (3) If a proposed easement is in respect of an existing tunnel, pipe, conduit, wire or other similar object which is underground or is within or beneath an existing building, it is sufficient to indicate on the location plan or floor plan (as the case may be) the approximate position of the easement.

14 Identification of existing easements, profits à prendre, restrictions and positive covenants on location plans

- (1) A location plan must:
 - (a) contain sufficient information to define the site, nature and origin of any existing easement, profit à prendre, restriction or positive covenant affecting the parcel, and
 - (b) wherever possible, show the relationship of the easement, profit à prendre, restriction or positive covenant to the boundaries of the parcel.
- (2) If an easement is in respect of an existing tunnel, pipe, conduit, wire or other similar object which is underground or is within or beneath an existing building, it is sufficient to indicate on the location plan the approximate position of the easement.
- (3) A floor plan may show sufficient information to define the site of an existing easement that is located within a building if the Registrar-General agrees that the enjoyment of the easement would be reliant on its position being shown in such a manner.
- (4) In this clause:
origin, in relation to an existing easement, means the Gazette reference or registration number of the instrument or plan by which the easement was granted, reserved, notified or otherwise created.

15 Signatures not to appear

The plan drawing sheets are not to show any signatures or seals.

Note. All signatures and seals must be shown on the administration sheet.

Strata Schemes (Leasehold Development) Regulation 2007

Requirements for plans lodged electronically

Schedule 2

Schedule 2 Requirements for plans lodged electronically

(Clauses 5, 7 and 26)

1 File type in which plan to be created

- (1) Each plan sheet must be created in a Tagged Image File Format (TIFF) approved by the Registrar-General.
- (2) Each image must be created to the following specifications:
 - (a) **Size**—true to the approved form size (standard A3),
 - (b) **Colour**—must be black and white (monochrome),
 - (c) **Resolution**—200 dots per inch (dpi),
 - (d) **Compression**—CCITT Group 4.
- (3) A plan comprising more than one sheet must be created as a multipage file.

2 Plan sheet drawing dimensions

Each plan sheet must have external dimensions of 420 millimetres in width by 297 millimetres in length (standard A3 size).

3 Margins

- (1) A margin of at least 10 millimetres must be left around the plan drawing area of each plan sheet.
- (2) No printing, writing or other notation (other than directions or notations authorised by the Registrar-General) must appear in, or extend into, the margin.

4 Lettering

- (1) Unless the Registrar-General otherwise approves, all words must be in the English language, and all letters, figures and symbols appearing on a plan must be in a font style that is:
 - (a) dense and black in colour, and
 - (b) in upper case only (except as otherwise provided by this Schedule), and
 - (c) open in formation and construction, and
 - (d) in an upright style.
- (2) Unless the Registrar-General otherwise approves or this Schedule otherwise allows, all symbols must be letters.

Strata Schemes (Leasehold Development) Regulation 2007

Schedule 2 Requirements for plans lodged electronically

5 Use of colouring and edging prohibited

Neither colouring nor edging are to be used on a plan sheet.

6 Clarity of detail

- (1) The plan must be drawn to a scale and the image created in a manner that allows all details and notations to be clearly reproduced by the copying processes used by the Registrar-General.
- (2) The Registrar-General may require a plan file to be resubmitted if, in the opinion of the Registrar-General, the plan image does not comply with subclause (1).

7 Alterations

- (1) A plan image must not be altered.
- (2) Any alterations must be made to the Computer Aided Drafting (CAD) software plan file and a new image created.

8 Information to be included on plan sheets

- (1) Each plan sheet in a series of plan sheets must be numbered consecutively as part of the series (for example, the first and second sheets in a plan that is made up of 5 sheets must be numbered "Sheet 1 of 5 sheets" and "Sheet 2 of 5 sheets", respectively).
- (2) Each sheet of a location plan or floor plan must contain a north point (directed upwards).
- (3) No information (other than the plan and any separate diagrams and tabulations of dimensions relating to the plan) is to appear within the plan drawing area of a plan sheet.

9 Linear dimensions

- (1) Linear measurements must be expressed in metres, without rounding or any accompanying symbol.
- (2) If a length of less than one metre is shown, the decimal point must be preceded by the numeral "0".

10 Area dimensions

- (1) Area measurements must be expressed as follows:
 - (a) areas of less than one hectare must be expressed in square metres, accompanied by the symbol "m²",
 - (b) areas of one hectare or more must be expressed in hectares (using not more than 4 significant figures), accompanied by the symbol "ha",

Strata Schemes (Leasehold Development) Regulation 2007

Requirements for plans lodged electronically

Schedule 2

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- (c) areas of 10,000 hectares or more must be expressed in square kilometres, accompanied by the symbol “km²”.
 - (2) A statement may be added to the plan stating that all areas are approximate.
 - (3) The total area of a lot:
 - (a) must be shown within or relevant to the most significant part of the lot, and
 - (b) must be the exact mathematical total of the areas shown elsewhere in the plan within or relevant to the component parts of that lot.

11 Bearings and angles

- (1) Bearings must not be shown on any plan sheet unless they form part of permitted survey information.
- (2) Angular relationships must be established by linear dimensions and rectangular offsets only, and not by use of angular dimensions, except in the case of an angular dimension of 90°, which may be shown as such on a floor plan.

12 Reduction ratio

There must be a statement on each sheet of the reduction ratio at which the plan is drawn.

13 Identification of new or proposed easements, profits à prendre, restrictions and positive covenants

- (1) A location plan must contain sufficient information to define the site of:
 - (a) any easement, profit à prendre, restriction or positive covenant that is intended to be created as a consequence of the registration of the plan and that affects common property not within a building, and
 - (b) any easement or profit à prendre intended to be partially released as a consequence of the registration of the plan, and
 - (c) any proposed easement (other than an easement referred to in paragraph (a) or (b)), profit à prendre, restriction or positive covenant, or proposed variation or partial release of an easement or profit à prendre, that affects common property not within a building,

and, where necessary, contain sufficient information to indicate the relationship of any such easement, profit à prendre, restriction or positive covenant to the boundaries of any affected parcel or lot.

Strata Schemes (Leasehold Development) Regulation 2007

Schedule 2 Requirements for plans lodged electronically

-
- (2) A floor plan must contain sufficient information to define the site of:
 - (a) any easement, profit à prendre, restriction or positive covenant intended to be created as a consequence of the registration of the plan that affects a lot in the plan or common property within a building, and
 - (b) any proposed easement over a lot in the plan or common property within a building.
 - (3) If a proposed easement is in respect of an existing tunnel, pipe, conduit, wire or other similar object which is underground or is within or beneath an existing building, it is sufficient to indicate on the location plan or floor plan (as the case may be) the approximate position of the easement.

14 Identification of existing easements, profits à prendre, restrictions and positive covenants on location plans

- (1) A location plan must:
 - (a) contain sufficient information to define the site, nature and origin of any existing easement, profit à prendre, restriction or positive covenant affecting a parcel, and
 - (b) wherever possible, show the relationship of the easement, profit à prendre, restriction or positive covenant to the boundaries of the parcel.
- (2) If an easement is in respect of an existing tunnel, pipe, conduit, wire or other similar object which is underground or is within or beneath an existing building, it is sufficient to indicate on the location plan the approximate position of the easement.
- (3) A floor plan may show sufficient information to define the site of an existing easement that is located within a building if the Registrar-General agrees that the enjoyment of the easement would be reliant on its position being shown in such a manner.
- (4) In this clause:
origin, in relation to an existing easement, means the Gazette reference or registration number of the instrument or plan by which the easement was granted, reserved, notified or otherwise created.

15 Signatures not to appear

The plan drawing sheets are not to show any signatures or seals.

Note. All signatures and seals must be shown on the administration sheet.

Strata Schemes (Leasehold Development) Regulation 2007

Requirements for administration sheet

Schedule 3

Schedule 3 Requirements for administration sheet

(Clause 19)

Note. An administration sheet must be in the approved form (see Division 1 of Part 2 of the Act.) When an administration sheet is adopted, all signatures and seals must be shown on the sheet. No signatures or seals are to appear on the plan drawing sheets. The completed administration sheet forms part of the plan and must be lodged with and in the same manner as the plan.

1 Use of approved form

Any signatures, seals or certificates that cannot satisfactorily be shown on one sheet may be shown on one or more additional sheets in the approved form. The total number of additional sheets must not be more than 5 unless the Registrar-General otherwise approves.

2 Paper

The paper used must be:

- (a) white and free from discolouration and blemishes, and
- (b) archival quality paper, and
- (c) 297 millimetres in length by 210 millimetres in width (standard A4), or such other paper as may be approved by the Registrar-General.

3 Margins

- (1) The sheets used must have clear margins of not less than 10 millimetres on each side and top and bottom.
- (2) Typewriting, printing, writing or seals (other than directions or notations authorised by the Registrar-General) must not extend into a margin.

4 Lettering

- (1) The text of an administration sheet must be clearly printed or written:
 - (a) across the width of each panel on the sheet of paper used, and
 - (b) on one side only of each sheet.
- (2) All text must be clear and legible and in dense black ink or dense dark blue ink. The lines must not overlap. A carbon copy, or a copy in which the typewritten characters blur or spread or are liable to mark or damage an adjacent sheet, will not be accepted.
- (3) Handwriting and any imprint of a seal must be clear and legible and in dense black ink or dense dark blue ink.

Strata Schemes (Leasehold Development) Regulation 2007

Schedule 3 Requirements for administration sheet

5 Alterations

- (1) Alterations must be made by striking through the matter intended to be altered and not by rubbing, scraping or cutting the surface of the paper or by using correction fluid.
- (2) Signatures or initials acknowledging alterations by interlineation or the striking through of matter must be placed in the margin as near as practicable to the alteration.

6 Information to be included on multiple sheets

If the administration sheet comprises more than one sheet:

- (a) each sheet other than the first sheet must repeat the heading on the first sheet, the strata certificate number and date of endorsement and the surveyor's reference, and
- (b) each sheet must be numbered sequentially in the top right hand corner of each sheet as "Sheet of sheets".

Strata Schemes (Leasehold Development) Regulation 2007

Requirements for lodging administration sheet electronically

Schedule 4

Schedule 4 Requirements for lodging administration sheet electronically

(Clause 19 (2) (b))

1 File type in which image of document to be created

- (1) Each sheet of the completed paper administration sheet complying with Schedule 3 that bears original signatures and seals is to be scanned by the lodging party and an image created in a Tagged Image File Format (TIFF) approved by the Registrar-General.
- (2) Each image must be created to the following specifications:
 - (a) **Size**—true to the approved form size (standard A4),
 - (b) **Colour**—must be black and white (monochrome),
 - (c) **Resolution**—200 dots per inch (dpi),
 - (d) **Compression**—CCITT Group 4.

2 Multiple sheets

An image of an administration sheet comprising more than one sheet must be created as a multipage file.

3 Lodging procedure

- (1) The TIFF image of the completed administration sheet is to be lodged electronically together with the TIFF image of the plan.
- (2) The standard of the electronic file received by the Registrar-General must be acceptable to the Registrar-General.

Note. The completed paper administration sheet, bearing original signatures and seals, must be retained by the lodging party for a period of at least 12 months following the date of registration of the plan because the lodging party may be required, under section 78 of the Act, to produce that sheet to the Registrar-General within that period.

Strata Schemes (Leasehold Development) Regulation 2007

Schedule 5 Requirements for lodging other documents electronically

Schedule 5 Requirements for lodging other documents electronically

(Clause 27)

1 File type in which image of document to be created

- (1) Where a document other than an administration sheet is required to be lodged electronically with a plan, such as:
 - (a) a strata development contract, or
 - (b) a strata management statement, or
 - (c) by-laws, or
 - (d) any other documents required by the Registrar-General,each sheet of the completed paper document is to be scanned by the lodging party and an image created in a Tagged Image File Format (TIFF) approved by the Registrar-General.
- (2) Each image must be created to the following specifications:
 - (a) **Size**—true to the approved form size (standard A4),
 - (b) **Colour**—must be black and white (monochrome),
 - (c) **Resolution**—200 dots per inch (dpi),
 - (d) **Compression**—CCITT Group 4.

2 Multiple sheets

An image of a document comprising more than one sheet must be created as a multipage file.

3 Lodging procedure

- (1) The TIFF image of the completed document is to be lodged electronically together with the TIFF image of the plan.
- (2) The standard of the electronic file received by the Registrar-General must be acceptable to the Registrar-General.

Note. The completed paper document, bearing original signatures and seals, must be retained by the lodging party for a period of at least 12 months following the date of registration of the plan because the lodging party may be required, under section 78 of the Act, to produce that document to the Registrar-General within that period.

Strata Schemes (Leasehold Development) Regulation 2007

Fees

Schedule 6

Schedule 6 Fees

(Clause 35)

	\$
1 On lodgment of a plan for registration:	
(a) comprising no more than 2 lots	1000.00
(b) comprising more than 2 lots	1200.00
In addition, for each quarter-hour or part of a quarter-hour in excess of:	
(a) the first 4 hours occupied in the examination of the plan referred to in paragraph (a) above	50.00
(b) the first 6 hours occupied in the examination of the plan referred to in paragraph (b) above	50.00
In addition, for the preparation and supply of a certificate of title for lease of common property in a leasehold strata scheme	120.00
In addition, for each lot shown on the plan	120.00
And, if the plan is accompanied by a copy of the proposed by-laws for the leasehold strata scheme, an additional	180.00
And, if the plan is accompanied by a section 88B instrument, for each easement, restriction on the use of land, positive covenant or profit à prendre to be created, irrespective of the number of lots burdened or benefited, an additional	90.00
And, if the plan is accompanied by a section 88B instrument, for each easement to be released, irrespective of the number of lots burdened or benefited, an additional	90.00
And, if the plan is lodged for registration as a strata plan of consolidation—for each folio of the Register to be consolidated, an additional	16.50
2 On lodgment of a substituted plan or any sheet of such a plan	90.00
3 On lodgment of a section 88B instrument in substitution for another such instrument or part of such instrument	Such fee as would be appropriate to the instrument as an original lodgment fee

Strata Schemes (Leasehold Development) Regulation 2007

Schedule 6 Fees

	\$
4	90.00
	On lodgment of an application to amend a plan
	In addition, if the application involves the amendment of a certificate of title or folio of the Register:
	(a) for the first certificate or folio 90.00
	(b) for each certificate or folio after the first 12.50
5	
	For examining a plan before lodgment:
	(a) comprising no more than 2 lots 1100.00
	(b) comprising more than 2 lots 1320.00
	In addition, for each quarter-hour or part of a quarter-hour in excess of:
	(a) the first 4 hours occupied in the examination of the plan referred to in paragraph (a) above 55.00
	(b) the first 6 hours occupied in the examination of the plan referred to in paragraph (b) above 55.00
6	90.00
	On lodgment of a notification of change of by-laws
7	90.00
	On lodgment of a notice of conversion
8	90.00
	On lodgment of a notification of change of address for service of notices on an owners corporation
9	90.00
	On lodgment of an order varying a leasehold strata scheme
10	90.00
	On lodgment of an application for an order terminating a leasehold strata scheme
	In addition, for each quarter-hour or part of a quarter-hour occupied in examining the application 50.00
11	90.00
	On lodgment of an order terminating a leasehold strata scheme
12	90.00
	On lodgment of a certificate that the initial period has expired, given by an owners corporation pursuant to section 11 (2) (d) (i), 16 (2) (b) (i) or 32 (4) (b) of the Act
13	300.00
	On lodgment of a strata management statement
14	200.00
	On lodgment for registration of a strata development contract
15	90.00
	On lodgment for registration of an amendment to a strata development contract

Strata Schemes (Leasehold Development) Regulation 2007

Fees

Schedule 6

		\$
16	For supplying a copy of a document or part of a document (other than a certified copy) in the custody of the Registrar-General:	
(a)	to any person attending an office of the Department of Lands	12.50
(b)	by electronic means to any agent licensed by the Department of Lands	6.20
(c)	to any person by some other means	Such reasonable fee (determined by the Registrar-General) as is warranted by the work involved in providing the service
17	On lodgment of any document not otherwise referred to in this Schedule	90.00



New South Wales

Sydney Olympic Park Authority Regulation 2007

under the

Sydney Olympic Park Authority Act 2001

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Sydney Olympic Park Authority Act 2001*.

FRANK SARTOR, M.P.,
Minister for Planning

Explanatory note

The object of this Regulation is to remake, with only minor changes in substance, the *Sydney Olympic Park Regulation 2001*, which is repealed on 1 September 2007 by section 10 (2) of the *Subordinate Legislation Act 1989*.

This Regulation makes provision for or with respect to the following:

- (a) the regulation of activities at Sydney Olympic Park generally,
- (b) the regulation of activities at the sportsgrounds within Sydney Olympic Park (such as the Telstra Stadium and the Sydney Olympic Park Aquatic Centre),
- (c) functions of a local government council (additional to those specified in the *Sydney Olympic Park Authority Act 2001*) that the Sydney Olympic Park Authority may exercise in relation to Sydney Olympic Park,
- (d) the issue of penalty notices for certain offences against the Regulation,
- (e) miscellaneous and formal matters.

This Regulation is made under the *Sydney Olympic Park Authority Act 2001*, including sections 19 (Authority's functions as a local government council), 79 (Penalty notices) and 82 (the general regulation-making power).

Sydney Olympic Park Authority Regulation 2007

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Sydney Olympic Park Authority Regulation 2007

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Clause 1	Sydney Olympic Park Authority Regulation 2007
Part 1	Preliminary

Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Sydney Olympic Park Authority Regulation 2007*.

2 Commencement

This Regulation commences on 1 September 2007.

Note. This Regulation replaces the *Sydney Olympic Park Regulation 2001* which is repealed on 1 September 2007 by section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definitions

(1) In this Regulation:

liquor has the same meaning as in the *Liquor Act 1982*.

public domain means that part of Sydney Olympic Park that is not the site of a sportsground.

sell includes the following:

- (a) sell by wholesale, retail, auction or tender,
- (b) hire,
- (c) barter or exchange,
- (d) supply for profit,
- (e) offer for sale or hire, receive for sale or hire, have in possession for sale or hire or expose or exhibit for sale or hire,
- (f) conduct negotiations for sale or hire,
- (g) consign or deliver for sale or hire,
- (h) solicit for sale or hire,
- (i) cause or permit anything referred to above.

sign includes a board, post, banner, notice or painted marking.

sportsground means any one or more of the following:

- (a) Telstra Stadium,
- (b) Sydney Showground,
- (c) Sydney SuperDome,
- (d) Sydney Olympic Park Aquatic Centre,
- (e) Sydney Olympic Park Athletic Centre,
- (f) Sydney Olympic Park Golf Centre,
- (g) Sydney Olympic Park Hockey Centre,
- (h) Sydney Olympic Park Sports Centre,

Clause 3	Sydney Olympic Park Authority Regulation 2007
Part 1	Preliminary

- (i) Sydney Olympic Park Sports Halls,
- (j) Sydney International Archery Centre,
- (k) Sydney International Tennis Centre.

the Act means the *Sydney Olympic Park Authority Act 2001*.

vehicle includes any of the following:

- (a) a motor vehicle,
- (b) a trailer or caravan, whether or not it is in the course of being towed,
- (c) an apparatus that is propelled by human, animal or mechanical power, or by the wind, and is wholly or partly used for the conveyance of persons or things, other than a wheelchair, pram or stroller,
- (d) a boat, raft, canoe, ski, barge or other vessel.

Note. Penalty unit is defined in section 17 of the *Crimes (Sentencing Procedure) Act 1999* which provides that a reference in any Act or statutory rule to a number of penalty units is to be read as a reference to an amount of money equal to the amount obtained by multiplying a specified monetary value by that number of penalty units. On the commencement of this Regulation, the monetary value of a penalty unit was \$110.

- (2) Notes included in this Regulation do not form part of this Regulation.

Clause 4	Sydney Olympic Park Authority Regulation 2007
Part 2	Regulation of activities—generally

Part 2 Regulation of activities—generally

4 Commercial and other activities

A person must not do any of the following at Sydney Olympic Park, except as authorised by the Authority:

- (a) sell any article,
- (b) provide, or offer to provide, any services for fee, gain or reward,
- (c) supply or attempt to supply (including by selling or attempting to sell) a ticket for admission to a sportsground,
- (d) use any audio, loudspeaker or broadcasting equipment or camera (whether photographic, cinematic or video) for a commercial purpose,
- (e) distribute any advertising matter or display any advertisement (other than on a vehicle driven or operated by the person or on any clothing worn by the person),
- (f) damage, destroy or remove any tree, plant or other vegetation,
- (g) damage, destroy or remove any building, structure or equipment,
- (h) leave any rubbish or litter, except in a receptacle provided for the purpose,
- (i) distribute a brochure, leaflet or handbill,
- (j) conduct a wedding,
- (k) collect or attempt to collect money,
- (l) busk,
- (m) conduct, or participate in, any game or other activity in a manner that unduly interferes with the amenity of the area,
- (n) operate or use any radio, television, record-player, tape recorder, compact disc player, musical instrument or other sound-generating device in a manner that unduly interferes with the amenity of the area,
- (o) camp or use facilities for sleeping overnight,
- (p) erect a tent or other temporary structure,
- (q) paint, erect or affix any decoration, sign or other equipment,
- (r) climb any tree, sculpture, decoration, flagpole or other fixture,
- (s) bathe, wade, wash or swim, or operate a boat, kayak or any other water craft or vessel or flotation device, in any lake, pond or stream or in any ornamental water,
- (t) light any fire, barbecue or stove (not being a cooking facility provided for the purpose by the Authority),

Clause 4 Sydney Olympic Park Authority Regulation 2007

Part 2 Regulation of activities—generally

- (u) set off any firework,
 - (v) carry or discharge or have in the person's possession any firearm (within the meaning of the *Firearms Act 1996*) or prohibited weapon (within the meaning of the *Weapons Prohibition Act 1998*), unless:
 - (i) the person is a police officer of the State or the Commonwealth, or
 - (ii) the person is the holder of a licence under the *Security Industry Act 1997*, is carrying out functions authorised by the licence, and is the holder of the relevant licence or permit under the *Firearms Act 1996* or the *Weapons Prohibition Act 1998* (as the case requires),
 - (w) operate a motorised model aircraft, boat, car or similar thing,
 - (x) play or practise golf,
 - (y) land or launch any aircraft, helicopter, parachute, hang-glider or hot air or gas-filled balloon, or any similar thing,
 - (z) ride or use any skate board, roller skates, in-line skates, or recreational equipment, whether motorised or not, or similar equipment (other than a bicycle),
 - (aa) ride or push a bicycle otherwise than on a cycleway or other path designated for that purpose,
 - (ab) bring a horse into the park, or lead or ride a horse, or leave a horse unattended or untethered,
 - (ac) bring a dog into, or have a dog within, the park unless it is on a leash,
 - (ad) abandon an animal,
 - (ae) destroy, capture, injure or annoy an animal,
 - (af) be in possession of a trap or device for the hunting or capturing of animals,
 - (ag) destroy or interfere with the habitat of an animal,
 - (ah) dig up or disturb the surface of any road or other land,
 - (ai) deposit waste,
 - (aj) allow a vehicle to leak, onto a sealed surface in the park, an amount of oil in excess of what a properly-maintained vehicle of that kind could reasonably be expected to leak,
 - (ak) moor a vessel (otherwise than by securing the vessel to a wharf of the Authority) or tie a vessel to any vegetation.
- Maximum penalty: 20 penalty units.

Clause 5	Sydney Olympic Park Authority Regulation 2007
Part 2	Regulation of activities—generally

5 Other controls

- (1) The Authority may do any one or more of the following:
 - (a) limit the number of persons who may enter Sydney Olympic Park or any part of Sydney Olympic Park,
 - (b) prohibit categories of persons from entering, or limit categories of person who may enter, or limit the number of persons within categories of persons who may enter, Sydney Olympic Park or any part of Sydney Olympic Park,
 - (c) close Sydney Olympic Park or any part of Sydney Olympic Park to the public,
 - (d) charge admission to Sydney Olympic Park or any part of Sydney Olympic Park,
 - (e) prohibit persons from entering Sydney Olympic Park or any part of Sydney Olympic Park:
 - (i) if they are in possession of any specified thing, or
 - (ii) if, in the opinion of a person authorised by the Authority, they are or appear to be intoxicated.
- (2) The Authority may do any one or more of the following:
 - (a) prohibit the entry of vehicles to Sydney Olympic Park or any part of Sydney Olympic Park,
 - (b) regulate or otherwise control the entry of vehicles to Sydney Olympic Park or any part of Sydney Olympic Park,
 - (c) refuse to admit a vehicle to Sydney Olympic Park or any part of Sydney Olympic Park.
- (3) The Authority may take any action referred to in subclause (1) or (2) by means of the erection of a sign or the giving of a direction to the person concerned.
- (4) A person must not do anything in wilful contravention of a sign erected or a direction given under this clause.
Maximum penalty: 20 penalty units.
- (5) Nothing in this clause limits any other function of the Authority under this Regulation.

6 Bringing of liquor into Sydney Olympic Park

- (1) A person must not bring or attempt to bring liquor into Sydney Olympic Park or any part of Sydney Olympic Park specified by the Authority without the approval of the Authority.
Maximum penalty: 10 penalty units.

Clause 7	Sydney Olympic Park Authority Regulation 2007
Part 2	Regulation of activities—generally

- (2) As an alternative to being refused entry to the Sydney Olympic Park or any part of Sydney Olympic Park, or being removed from Sydney Olympic Park or any part of Sydney Olympic Park, for a contravention of this clause, a person may be required to dispose of the liquor concerned in a manner approved by the Authority or to surrender the liquor to the Authority for disposal.
- (3) This clause does not apply to a person who holds a licence under the *Liquor Act 1982* that allows the person to sell liquor on a part of Sydney Olympic Park set aside for that purpose.

7 Sale or supply of liquor to minors

A person must not sell or supply liquor within Sydney Olympic Park to any person under the age of 18 years.
Maximum penalty: 10 penalty units.

8 Prohibition on liquor

- (1) The Authority may prohibit the drinking of liquor in Sydney Olympic Park or any part of Sydney Olympic Park (either at any time or at any particular time). The Authority is to give public notice of any such prohibition.
- (2) A person must not drink liquor in Sydney Olympic Park or any part of Sydney Olympic Park in contravention of any such prohibition.
Maximum penalty: 1 penalty unit.
- (3) A person is not guilty of an offence under this clause unless it is established that on the day of the contravention a person authorised by the Authority or a police officer warned the person that the drinking of liquor was prohibited and that the person commenced to drink, continued to drink or resumed drinking liquor in contravention of the prohibition.

9 Parking

- (1) The Authority may regulate the parking of vehicles on any part of the public domain by a sign or signs displayed on or adjacent to the part.
- (2) A person must not park a vehicle on a part of the public domain in contravention of a sign displayed in accordance with this clause.
Maximum penalty: 10 penalty units.
- (3) The Authority or a person authorised by the Authority may direct a person to remove a vehicle that is unlawfully parked and that is under the person's control.

Clause 10 Sydney Olympic Park Authority Regulation 2007

Part 2 Regulation of activities—generally

(4) A person must comply with a direction under subclause (3).
Maximum penalty: 10 penalty units.

(5) For the purposes of this clause, *park* includes stand.

10 Use of land by buses

(1) The Authority may set aside any land within the public domain for use by buses.

(2) The Authority may determine:

- (a) the days and times during which, and the conditions on which, any such land may be used by buses, and
- (b) the charges (if any) to be imposed for the use by buses of any such land.

(3) A person must not, except as authorised by the Authority, contravene any conditions of use of any such land that are displayed in, or at the places of entry into, that land.

Maximum penalty: 20 penalty units.

11 Closure and use of roads

Clauses 5, 9 and 10:

- (a) do not extend the powers of the Authority under the Act in relation to roads (not being private roads) at Sydney Olympic Park, and
- (b) do not authorise the doing of anything in relation to the control and regulation of traffic on, or the temporary closure of, a road at Sydney Olympic Park contrary to a traffic management plan in force under section 41 of the Act.

12 Securing of vessels to wharves of the Authority

(1) A person must not, except as authorised by the Authority, secure a vessel to a wharf of the Authority.

Maximum penalty: 20 penalty units.

(2) The Authority may determine:

- (a) the days and times during which, and the conditions on which, a wharf of the Authority may be used to secure vessels, and
- (b) the charges (if any) to be imposed for the use of a wharf of the Authority to secure vessels.

(3) This clause does not apply to a vessel that is secured to a wharf of the Authority at the direction or with the permission of any person or body entitled to give such a direction or permission.

Clause 13 Sydney Olympic Park Authority Regulation 2007

Part 2 Regulation of activities—generally

(4) In this clause:

vessel includes a charter boat, water taxi or ferry.

wharf of the Authority means a wharf (including a pier, jetty, landing stage or dock) that is vested in or managed by the Authority at Sydney Olympic Park.

13 Personal conduct

(1) A person must not do any of the following at Sydney Olympic Park:

- (a) use indecent, obscene, insulting or threatening language,
- (b) behave in an offensive or indecent manner,
- (c) cause serious alarm or affront to a person by disorderly conduct,
- (d) obstruct a person in the performance of the person's work or duties,
- (e) fail to comply with a reasonable request or direction given for the purpose of securing good order and management and enjoyment of Sydney Olympic Park, or any part of Sydney Olympic Park, by the Authority, a person authorised by the Authority or a police officer.

Maximum penalty: 10 penalty units.

(2) Without limiting subclause (1) (e), it is reasonable for the Authority, a person authorised by the Authority or a police officer to request a person:

- (a) to open any bag, container or other thing in the person's possession in order that its contents may be inspected, and
- (b) to permit any thing in the person's possession, and the contents of any such thing, to be inspected.

14 Provision and operation of public services and facilities

(1) The Authority may, at Sydney Olympic Park, provide, or authorise any other person to provide, any one or more of the following:

- (a) public services,
- (b) public information,
- (c) first aid,
- (d) food and beverages,
- (e) entertainment (such as concerts, dancing and theatre, whether or not involving the participation of the public),
- (f) commercial services,
- (g) any thing for sale or distribution to any person.

Clause 14 Sydney Olympic Park Authority Regulation 2007

Part 2 Regulation of activities—generally

- (2) The Authority may, at Sydney Olympic Park, construct, install, provide, operate and maintain, or authorise any other person to construct, install, provide, operate or maintain, any one or more of the following (whether for the purpose of providing any thing referred to in subclause (1) or otherwise):
- (a) toilets (including temporary toilets),
 - (b) places and areas for giving information, including associated infrastructure,
 - (c) first aid units (mobile and non-mobile),
 - (d) tents, shelters, marquees, sheds, vans and other structures and facilities for the sale and supply of food and beverages, including bars and areas for corporate entertainment and promotion,
 - (e) infrastructure for or associated with the sale or supply of food and beverages (such as refrigeration units, counters and storage units),
 - (f) infrastructure for or associated with entertainment (such as steps, stages, platforms and towers),
 - (g) video screens and sound systems,
 - (h) tents, shelters, marquees, sheds, vans and other structures and facilities for commercial outlets,
 - (i) underground, on-ground and aboveground utilities (such as utilities for the provision of energy and water),
 - (j) fences, barricades and bollards,
 - (k) tables,
 - (l) seating,
 - (m) tents, shelters, marquees, sheds, vans and other structures and facilities for site services,
 - (n) temporary hardstand areas,
 - (o) temporary areas of ground protection,
 - (p) ramps for disability access,
 - (q) site sheds and vans for staff accommodation,
 - (r) temporary signs,
 - (s) temporary flagpoles,
 - (t) temporary site dressing and decoration,
 - (u) amusement devices, carnival rides and similar facilities.

Clause 14 Sydney Olympic Park Authority Regulation 2007

Part 2 Regulation of activities—generally

- (3) The Authority may determine and impose, or authorise any other person to determine and impose, a fee or charge for or in respect of the provision of any service or facility, or any other thing, in accordance with this clause. Nothing in this subclause affects clause 23.

Clause 15 Sydney Olympic Park Authority Regulation 2007

Part 3 Regulation of activities—sportsgrounds

Part 3 Regulation of activities—sportsgrounds

15 Reserved areas and reserved seating

- (1) Without limiting clause 5, the Authority may, either generally or for a particular event, set aside any area of a sportsground for reserved seats. An area so set aside is referred to in this clause as a *reserved area*.
- (2) A person who is not in lawful possession of an appropriate ticket must not:
 - (a) enter or remain in a sportsground or any reserved area, or
 - (b) occupy a reserved seat.Maximum penalty: 10 penalty units.
- (3) A person authorised by the Authority or a police officer may direct a person:
 - (a) who is within a sportsground or any reserved area, or
 - (b) who is occupying a reserved seat,to produce an appropriate ticket for inspection by the person or police officer.
- (4) A person authorised by the Authority or a police officer may direct a person who is in unlawful possession of a ticket to surrender the ticket to the person or police officer.
- (5) A person must comply with a direction under this clause. Maximum penalty: 10 penalty units.
- (6) In this clause, *ticket* means a ticket issued by the Authority or a person authorised by the Authority, being a ticket that authorises its holder:
 - (a) to enter a sportsground or a reserved area within a sportsground, or
 - (b) to occupy a reserved seat in a reserved area.

16 Prohibited entry to playing fields

A person must not enter or remain on a playing field or other competition area within a sportsground unless the person:

- (a) is a participant in a sport or event held with the authorisation of the Authority, or
- (b) is engaged in the control or management of any such sport or event, or

Clause 17 Sydney Olympic Park Authority Regulation 2007

Part 3 Regulation of activities—sportsgrounds

- (c) has, or is a member of a class of persons that has, been authorised by the Authority to enter the playing field or other competition area.

Maximum penalty: 50 penalty units.

17 Removal from sportsground

- (1) A person who contravenes any provision of this Regulation while at a sportsground, or who trespasses or causes annoyance or inconvenience on any part of a sportsground, may be removed from the sportsground or the relevant part of the sportsground by a person authorised by the Authority or a police officer.
- (2) A person authorised by the Authority or a police officer acting in accordance with this clause may use such force as is reasonable in the circumstances for the purpose of discharging his or her functions under this clause.

18 Banning from sportsground

- (1) A person who is removed from a playing field or other competition area within a sportsground as a result of contravening clause 16 is banned from entering the sportsground for a period of 12 months commencing on the day the person is so removed.
- (2) A person who is so banned from entering a sportsground under subclause (1) and who is found on any part of the sportsground during the period of the ban is banned from entering the sportsground for life.
- (3) A person who has been banned from entering a sportsground under subclause (1) and who is at any subsequent time removed from the sportsground as a result of contravening clause 16 is banned from entering the sportsground for life.

19 Authority may ban persons for specified period

- (1) The Authority may ban a person from entering any part of Sydney Olympic Park for such period (not exceeding 6 months) as the Authority determines if the person contravenes any provision of this Regulation.
- (2) This clause does not apply to a person who is banned from entering a sportsground under clause 18.

20 Taking photographs of certain persons

The Authority may take a photograph or make another form of image of a person who is removed from a sportsground under this Regulation.

Clause 21 Sydney Olympic Park Authority Regulation 2007

Part 3 Regulation of activities—sportsgrounds

21 Observance of ticket conditions

A person who has gained admission to an event at a sportsground must not contravene or fail to comply with the conditions of the ticket for the event.

Maximum penalty: 20 penalty units.

Clause 22	Sydney Olympic Park Authority Regulation 2007
Part 4	Authority's functions as a local government council

Part 4 Authority's functions as a local government council

22 Conferral of functions

Pursuant to section 19 of the Act, the Authority, in relation to Sydney Olympic Park, has and may exercise to any necessary extent the following functions of a council (within the meaning of the *Local Government Act 1993*) under the following provisions as in force for the time being:

- (a) in the case of the *Environmental Planning and Assessment Act 1979*:
 - (i) Divisions 2, 2A, 3, 6, 6A and 7 of Part 4, and
 - (ii) Part 7A, and
 - (iii) sections 149A–149G,

Note. The Authority may exercise the functions of a council under Part 6 (Implementation and enforcement) of the *Environmental Planning and Assessment Act 1979*—see section 25 of the *Sydney Olympic Park Authority Act 2001*.
- (b) in the case of the *Environmental Planning and Assessment Regulation 2000*—Parts 4, 6, 7, 8, 9, 12 and 16, clauses 260, 280, 281, 284 and 286, Parts 2, 3 and 4 of Schedule 1, and Schedule 5,
- (c) in the case of the *Local Government Act 1993*:
 - (i) Part 1 (Approvals) of Chapter 7 in so far as it relates to the matters specified in Parts A (Structures or places of public entertainment), C (Management of waste), E (Public roads) and F (Other activities) of the Table to section 68, and
 - (ii) Part 2 (Orders) of Chapter 7, and
 - (iii) Part 5 (Appeals) of Chapter 7, and
 - (iv) Part 2 (Entry on to land and other powers) of Chapter 8, and
 - (v) Parts 1 (General offences), 2 (Public places) and 8 (Miscellaneous) of Chapter 16, and
 - (vi) Chapter 17, except section 674 and Divisions 4 and 5 of Part 2 (Proceedings by the council or its employees),
- (d) Parts 2 (Approvals), 3 (Orders) and 12 (Penalty notices) of, and Schedules 1, 2 and 12 to, the *Local Government (General) Regulation 2005*,
- (e) the *Food Act 2003*,
- (f) the *Food Regulation 2004*,

Clause 22 Sydney Olympic Park Authority Regulation 2007

Part 4 Authority's functions as a local government council

- (g) Part 4 (Microbial control) of the *Public Health Act 1991*,
- (h) the *Public Health (Microbial Control) Regulation 2000*,
- (i) the *Swimming Pools Act 1992*,
- (j) the *Swimming Pools Regulation 1998*,
- (k) any Act, statutory instrument or provision replacing an Act, statutory instrument or provision referred to in paragraphs (a)–(j).

Clause 23 Sydney Olympic Park Authority Regulation 2007

Part 5 Miscellaneous

Part 5 Miscellaneous

23 Fees

- (1) The Authority may charge and recover a fee for any authorisation it gives or any service it provides under the Act or this Regulation.
- (2) The services for which a fee may be charged include the following:
 - (a) supplying a service, product or commodity,
 - (b) giving information,
 - (c) providing a service in connection with the exercise of the Authority's regulatory functions—for example, receiving an application for an approval or a certificate, granting an approval, making an inspection and issuing a certificate,
 - (d) allowing admission to a sportsground or to any building or enclosure.
- (3) In particular, the Authority may charge a fee for inspecting premises that are reasonably required to be inspected in the exercise of the Authority's functions, whether or not the inspection is requested or agreed to by the owner or occupier of the premises.
- (4) However, the Authority may not charge a fee for the inspection of premises that are not used for a commercial activity, except where it is necessary to inspect the premises in connection with an application for an approval or a certificate concerning the premises or in connection with any inspection that is reasonably necessary to determine if an approval or a certificate has been complied with.
- (5) If inspections of premises are reasonably necessary to determine if an approval or a certificate has been complied with, a fee may not be charged for the inspection of any thing for which the Authority relies on a certificate under section 93 of the *Local Government Act 1993* that the thing has been done in compliance with the approval or certificate.
- (6) A fee charged for inspecting premises must be repaid to the person who paid it if the inspection is not carried out.

24 Determination of amount of fee

- (1) The Authority must determine the amount of a fee it proposes to charge before it can impose the fee.
- (2) The Authority may, from time to time, determine to increase or decrease the amount of a fee that has been determined under this clause.

Clause 25 Sydney Olympic Park Authority Regulation 2007

Part 5 Miscellaneous

- (3) In making a determination under this clause in respect of a fee for giving an authorisation, the Authority must take into consideration the following factors:
 - (a) the cost to the Authority of giving the authorisation,
 - (b) the nature of the authorisation given.
- (4) In making a determination under this clause in respect of a fee for providing a service, the Authority must take into consideration the following factors:
 - (a) the cost to the Authority of providing the service,
 - (b) the price suggested for that service by any relevant industry body or in any schedule of charges published, from time to time, by the government department or agency engaged in the administration of the Act or statutory instrument under which the service is provided,
 - (c) the importance of the service to the community.
- (5) The cost to the Authority of providing a service in connection with the exercise of a regulatory function need not be the only basis for determining the fee for that service.
- (6) A higher fee or an additional fee may be charged for an expedited service provided, for example, in the case of urgency.

25 Effect of other Acts and statutory instruments

- (1) If the amount of a fee for a service is determined under an Act (other than the Act) or statutory instrument, the Authority may charge a fee in addition to the amount determined under the Act concerned or the statutory instrument.
- (2) If the charging of a fee for a service is prohibited under an Act, the Authority must not charge a fee for that service.

26 Authority may waive or reduce fees

The Authority may waive payment of, or reduce, a fee (whether expressed as an actual or a maximum amount) in a particular case if the Authority is satisfied that the case falls within a category of hardship or any other category in respect of which the Authority has determined that payment should be so waived or reduced.

27 Schedule of fees

The Authority may, from time to time, publish a schedule of fees that may be charged by the Authority, whether the fees are determined under the Act or this Regulation or under another Act or statutory instrument.

Clause 28 Sydney Olympic Park Authority Regulation 2007

Part 5 Miscellaneous

28 Conditions attaching to authorisations

- (1) The Authority may give an authorisation under this Regulation subject to such conditions as the Authority considers appropriate.
- (2) The Authority may require a person to whom an authorisation under this Regulation is proposed to be given to give security in such amount and form as the Authority determines for fulfilment of the person's obligations under the conditions of that authorisation.
- (3) A person who fails to comply with an authorisation or with a condition to which an authorisation is subject is guilty of an offence.
Maximum penalty: 10 penalty units.

29 Requirement to state name and address

- (1) A person authorised by the Authority or a police officer who suspects on reasonable grounds that a person at Sydney Olympic Park has committed, or been involved in the commission of, an offence against the Act or this Regulation may require the person to state his or her full name and residential address.
- (2) A person must not:
 - (a) fail without reasonable excuse to comply with a requirement under this clause, or
 - (b) in purported compliance with such a requirement, furnish information that the person knows to be false or misleading.Maximum penalty: 20 penalty units.
- (3) A person is not guilty of an offence against this clause unless it is established that the person authorised by the Authority or police officer warned the person that the failure to comply with the requirement is an offence.

30 Removal of certain persons

- (1) A person who:
 - (a) causes annoyance or inconvenience to other persons at Sydney Olympic Park or a part of Sydney Olympic Park, or
 - (b) contravenes any provision of this Regulation at Sydney Olympic Park, or
 - (c) trespasses on any part of Sydney Olympic Park closed to the public,must leave Sydney Olympic Park or the part of Sydney Olympic Park concerned immediately when requested to do so by a person authorised by the Authority or a police officer.
Maximum penalty: 20 penalty units.

Clause 31 Sydney Olympic Park Authority Regulation 2007

Part 5 Miscellaneous

- (2) A person who fails to comply with such a request may be removed from Sydney Olympic Park or the part of Sydney Olympic Park concerned by a person authorised by the Authority or a police officer.
- (3) Reasonable force (including by means of passive restraints) may be used to effect the person's removal.
- (4) A person who leaves or is removed from Sydney Olympic Park or a part of Sydney Olympic Park under this clause must remove any equipment, vehicle or animal, or any other item belonging to or associated with the person from Sydney Olympic Park or the part of Sydney Olympic Park concerned, unless, in the case of a vehicle, the person is so affected by alcohol that the driving of the vehicle by the person would constitute an offence.
- (5) A person is not guilty of an offence against this clause unless it is established that the person authorised by the Authority or police officer warned the person that the failure to comply with the request is an offence.

31 Removal of obstructions

- (1) The Authority or a police officer may order the removal of anything which obstructs or encroaches on any part of land at Sydney Olympic Park.
- (2) The order may be given to either or both of the following:
 - (a) the person who caused the obstruction or encroachment,
 - (b) a person using the thing causing the obstruction or encroachment.
- (3) A person to whom such an order is given must comply with the order. Maximum penalty: 20 penalty units.
- (4) The Authority or a police officer may remove the obstruction or encroachment whether or not an order for its removal has been given under this clause.
- (5) The Authority may recover from either of the persons referred to in subclause (2) the Authority's reasonable costs and expenses incurred in removing an obstruction or encroachment.
- (6) This clause does not apply to an obstruction or encroachment if its presence on land at Sydney Olympic Park is authorised:
 - (a) by the Authority, or
 - (b) by any other person having lawful authority, and its presence has not ceased to be so authorised.

Clause 32 Sydney Olympic Park Authority Regulation 2007

Part 5 Miscellaneous

32 Confiscation of articles

- (1) In this clause:
article means any article, equipment or other thing, and includes an animal but does not include an unattended motor vehicle or trailer to which section 44 of the Act applies.
authorised person means a person who is authorised by the Authority.
confiscated article means an article of which an authorised person takes possession under this clause.
- (2) This clause applies to an article:
(a) that is in the possession of a person, or
(b) that is used by a person,
in contravention of this Regulation.
- (3) An authorised person may take possession of any article to which this clause applies if:
(a) in the case of an article that is in the possession of a person in contravention of this Regulation—the authorised person has directed the person to remove it from Sydney Olympic Park and the person has not done so, or
(b) in the case of an article that is used by a person in contravention of this Regulation—the authorised person has directed the person to stop the use of the article and, despite the direction, the person has continued to use the article in contravention of this Regulation,
but may not use force to do so.
- (4) On taking possession of a confiscated article, the authorised person must give a receipt to the person from whom it has been taken, indicating the nature of the article and the date and time when the authorised person took possession of it.
- (5) A confiscated article:
(a) must be returned to the person from whom it was taken, or be delivered to a public pound (within the meaning of the *Impounding Act 1993*), within 24 hours after possession of it is taken, and
(b) if it is delivered to a public pound, the person from whom it was taken must be notified in writing of the address of the pound.
- (6) The *Impounding Act 1993* (sections 20 and 23 (2) (b) and (c) excepted) applies to a confiscated article that is delivered to a public pound as if the article had been impounded under that Act. Accordingly, it will become returnable on demand.

Clause 33 Sydney Olympic Park Authority Regulation 2007

Part 5 Miscellaneous

- (7) The deadline for the release of a confiscated article, as referred to in section 24 of the *Impounding Act 1993*, is taken to be 28 days from the day on which possession of it was taken.

33 Penalty notices: section 79

For the purposes of section 79 of the Act:

- (a) each offence created by a provision specified in Column 1 of Schedule 1 is prescribed as a penalty notice offence, and
- (b) the prescribed penalty for such an offence is the amount specified in Column 2 of that Schedule.

34 Saving

Any act, matter or thing that had effect under the *Sydney Olympic Park Regulation 2001* immediately before the repeal of that Regulation is taken to have effect under this Regulation.

Sydney Olympic Park Authority Regulation 2007

Penalty notice offences

Schedule 1

Schedule 1 Penalty notice offences

(Clause 33)

Column 1	Column 2
Offence	Penalty
clause 4	\$200
clause 5 (4)	\$200
clause 6 (1)	\$150
clause 7	\$150
clause 8 (2)	\$20
clause 9 (2)	\$150
clause 9 (4)	\$150
clause 10 (3)	\$200
clause 12 (1)	\$200
clause 13 (1)	\$150
clause 15 (2)	\$150
clause 15 (5)	\$150
clause 16	\$500
clause 21	\$200
clause 28 (3)	\$150
clause 29 (2)	\$200
clause 30 (1)	\$200
clause 31 (3)	\$200



New South Wales

Teaching Service Regulation 2007

under the

Teaching Service Act 1980

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

JOHN DELLA BOSCA, M.L.C.,
Minister for Education and Training

Explanatory note

The object of this Regulation is to remake, without substantial change, the *Teaching Service Regulation 2001* which is repealed on 1 September 2007 by section 10 (2) of the *Subordinate Legislation Act 1989*.

The Regulation makes provision for the following matters:

- (a) the duties and responsibilities of members of the Teaching Service,
- (b) the management of schools,
- (c) the medical examination of members of the Teaching Service to ascertain their fitness to perform their duties.

This Regulation is made under the *Teaching Service Act 1980*, including section 100 (the general regulation-making power).

Teaching Service Regulation 2007

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Teaching Service Regulation 2007

Clause 1

Teaching Service Regulation 2007

under the

Teaching Service Act 1980

1 Name of Regulation

This Regulation is the *Teaching Service Regulation 2007*.

2 Commencement

This Regulation commences on 1 September 2007.

Note. This Regulation replaces the *Teaching Service Regulation 2001* which is repealed on 1 September 2007 by section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definitions

(1) In this Regulation:

member of the Teaching Service means an officer or temporary employee of the Teaching Service, whether a member of the teaching staff, administrative staff or any other staff of the Service.

school includes any school department, school faculty or school counselling team, and any other establishment at which a member of the Teaching Service is employed.

statutory conditions of service means the provisions of:

- (a) the Act, or
- (b) this Regulation, or
- (c) any determination under section 13 of the Act, that impose duties on members of the Teaching Service.

the Act means the *Teaching Service Act 1980*.

(2) Notes included in this Regulation do not form part of this Regulation.

4 Compliance with statutory conditions of service

(1) All members of the Teaching Service must acquaint themselves with the statutory conditions of service.

Clause 5 Teaching Service Regulation 2007

- (2) The Director-General is to make available to all members of the Teaching Service copies of the following documents in a reasonably accessible form:
 - (a) the Act,
 - (b) this Regulation,
 - (c) all determinations under section 13 of the Act in relation to members of the Teaching Service.
- (3) A member of the Teaching Service who is in charge of a school must report to the Director-General any breach of the statutory conditions of service that comes to the member's knowledge.
- (4) It is sufficient compliance with subclause (2) if the documents are available on the Internet or the Department's Intranet.

5 Compliance with directions

- (1) A member of the Teaching Service must immediately comply with any lawful direction given by a person who has authority under the Act or this Regulation to give the direction.
- (2) A request for the review of a direction may be made by or on behalf of one or more members of the Teaching Service by means of a notice in writing given to the person who gave the direction.
- (3) The person to whom such a notice is given must immediately send it to the Director-General or to an officer authorised by the Director-General in writing for the purposes of this clause.
- (4) The making of a request for the review of a direction does not relieve a member of the Teaching Service of his or her obligation to comply with the direction as far as is reasonably practicable.

6 Scope of duties

In addition to discharging the specific duties that the member is employed to discharge, a member of the Teaching Service:

- (a) must participate actively in all of the corporate interests of the Department and of the school in which the member is employed, and
- (b) must undertake such other duties as may be assigned to the member by the person in charge of that school or by any other person having the authority to assign duties.

7 Use and disclosure of information

A member of the Teaching Service must not use or disclose (whether directly or indirectly) any information obtained by or conveyed to the member in the course of the discharge of official duties, except:

- (a) with the express direction or permission of the Minister or the Director-General, or
- (b) in the discharge of official duties, or
- (c) as authorised or required by law.

8 Holding of local government office

A member of the Teaching Service may accept and hold the office of mayor of a local government area or chairperson of a county council, but must resign that office if, in the opinion of the Director-General, the holding of that office is incompatible with the proper discharge of his or her duties as a member of the Teaching Service.

9 Management of schools

- (1) The member of the Teaching Service who is in charge of a school must manage the school concerned in a proper, efficient, economic and equitable manner.
- (2) The obligations imposed by subclause (1) include the following:
 - (a) having well-stated policies and plans of action, clearly defined goals, a balanced, sequential and appropriate curriculum and suitable mechanisms for supervision, evaluation and documentation that ensure co-ordination of all school activities, continuity of policy and good communication,
 - (b) encouraging and assisting the professional development of members of the Teaching Service without discrimination as required by the *Anti-Discrimination Act 1977*,
 - (c) making effective and economic use of resources,
 - (d) ensuring staff and student discipline,
 - (e) encouraging members of the Teaching Service to submit suggestions for increasing the efficiency of the Teaching Service,
 - (f) training members of the Teaching Service and providing opportunities and facilities for them to improve themselves in matters connected with their official duties:
 - (i) by attendance at courses held at the school or courses organised by or for the school, and
 - (ii) at tertiary institutions,
 - (g) compliance with the *Occupational Health and Safety Act 2000*.

Clause 10 Teaching Service Regulation 2007

10 Medical examination

- (1) For the purpose of ascertaining the fitness of a member of the Teaching Service to perform his or her duties or to participate in any disciplinary proceedings relating to the member, the Director-General may direct the member to submit to a medical examination by a qualified medical practitioner selected by the Director-General.
- (2) The member of the Teaching Service must comply with the direction.
- (3) If the Director-General has issued any such direction to a member of the Teaching Service, the Director-General may also direct the member of the Teaching Service:
 - (a) if on duty, to cease duty immediately, and
 - (b) not to resume duty until the medical examination is complete and the medical practitioner concerned has furnished a certificate stating that the member is fit for work.

11 Saving

- (1) Any act, matter or thing that had effect immediately before the repeal of the repealed Regulation is taken to have effect under this Regulation.
- (2) In particular, and without limiting subclause (1), clause 4A of the repealed Regulation is taken to have effect under this Regulation.

Note. The *Education Legislation Amendment (Staff) Act 2006* omitted provisions of the repealed Regulation relating to breaches of discipline by members of the Teaching Service (**the omitted provisions**) and introduced a new legislative framework. Clause 4A of the repealed Regulation is a transitional provision that makes it clear that anything done, or in the process of being done, under the monitoring procedures in the omitted provisions does not need to be repeated under the new legislative framework. Clause 4A also makes it clear that the omitted provisions continue to apply to a breach of discipline charge that was not finally determined before the omission of those provisions.
- (3) In this clause, the **repealed Regulation** means the *Teaching Service Regulation 2001*.



New South Wales

Water Management (Benerembah Irrigation District Environment Protection Trust) Regulation 2007

under the

Water Management Act 2000

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Water Management Act 2000*.

PHILIP KOPERBERG, M.P.,
Minister for Climate Change, Environment and Water

Explanatory note

The object of this Regulation is to provide for the distribution of any funds held by the Benerembah Irrigation District Environment Protection Trust to landholders within the Trust's area of operations but only with the approval of the Minister for Climate Change, Environment and Water.

This Regulation replaces the *Water Management (Benerembah Irrigation District Environment Protection Trust) Regulation 2001*, which is repealed on 1 September 2007 under section 10 (2) of the *Subordinate Legislation Act 1989*. This Regulation is repealed at the end of 31 August 2008.

This Regulation is made under the *Water Management Act 2000*, including Part 2 of Chapter 6 and sections 322 (1) (i) and 400 (the general regulation-making power).

This Regulation comprises or relates to matters set out in Schedule 3 to the *Subordinate Legislation Act 1989*—namely, matters of a machinery nature and matters that are not likely to impose an appreciable burden, cost or disadvantage on any sector of the public.

Water Management (Benerembah Irrigation District Environment Protection Trust) Regulation
2007

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Water Management (Benerembah Irrigation District Environment Protection Trust) Regulation 2007

Clause 1

Water Management (Benerembah Irrigation District Environment Protection Trust) Regulation 2007

under the

Water Management Act 2000

1 Name of Regulation

This Regulation is the *Water Management (Benerembah Irrigation District Environment Protection Trust) Regulation 2007*.

2 Commencement

This Regulation commences on 1 September 2007.

Note. This Regulation replaces the *Water Management (Benerembah Irrigation District Environment Protection Trust) Regulation 2001* which is repealed on 1 September 2007 by section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definitions

(1) In this Regulation:

the Act means the *Water Management Act 2000*.

Trust means Benerembah Irrigation District Environment Protection Trust.

(2) Notes included in this Regulation do not form part of this Regulation.

4 Area of operations of Trust

Pursuant to section 289 (1) of the Act, the area of operations of the Trust is the area shown bounded by a red line on the map numbered 123—630 and held at the office of the Department of Water and Energy.

5 Function of Trust

Pursuant to section 289 (2) of the Act, the Trust has, and may exercise in its area of operations, only the function of providing refunds in accordance with clause 6.

6 Refunds to landholders

The Trust may, with the approval of the Minister and in accordance with that approval, refund to landholders (including former landholders) in its area of operations any funds held by it.

Clause 7 Water Management (Benerembah Irrigation District Environment Protection Trust) Regulation 2007

7 Repeal of Regulation

This Regulation is repealed at the end of 31 August 2008.



New South Wales

Wentworth Irrigation Regulation 2007

under the

Wentworth Irrigation Act 1890

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Wentworth Irrigation Act 1890*.

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

Explanatory note

This Regulation remakes, without any major changes in substance, the *Wentworth Irrigation Regulation 2002*. That Regulation will be repealed on 1 September 2007 under section 10 (2) of the *Subordinate Legislation Act 1989*.

The object of this Regulation is to provide for the following matters:

- (a) the recovery of amounts payable under the *Wentworth Irrigation Act 1890*,
- (b) the charging of interest on arrears of rent,
- (c) the making of applications for the consent of the Lands Administration Ministerial Corporation to transfers or other dealings,
- (d) the surrender of leases,
- (e) the granting of licences to occupy,
- (f) other matters of a minor, consequential or ancillary nature.

This Regulation is made under the *Wentworth Irrigation Act 1890*, including section 33 (the general regulation-making power).

This Regulation comprises or relates to matters of a machinery nature.

Wentworth Irrigation Regulation 2007

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Wentworth Irrigation Regulation 2007

Clause 1

Wentworth Irrigation Regulation 2007

under the

Wentworth Irrigation Act 1890

1 Name of Regulation

This Regulation is the *Wentworth Irrigation Regulation 2007*.

2 Commencement

This Regulation commences on 1 September 2007.

Note. This Regulation replaces the *Wentworth Irrigation Regulation 2002* which is repealed on 1 September 2007 by section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definitions

(1) In this Regulation:

approved means approved for the time being by the Ministerial Corporation.

Ministerial Corporation means the Lands Administration Ministerial Corporation constituted by the *Crown Lands Act 1989*.

the Act means the *Wentworth Irrigation Act 1890*.

Western Lands Office means the Western Lands Office, Department of Natural Resources, Dubbo.

(2) Notes in the text of this Regulation do not form part of this Regulation.

4 Recovery of amounts payable under the Act

Any amount payable under the Act may be recovered as a debt due to the Ministerial Corporation.

5 Interest on arrears of rent

(1) Any rent payable under the Act accrues interest at the rate prescribed for the time being under section 148 (2) of the *Crown Lands Act 1989*.

(2) The Ministerial Corporation may, if it is satisfied that the circumstances so warrant, postpone or waive payment of the whole or any part of any interest payable under this clause or remit the whole or any part of any interest that has been paid.

Clause 6 Wentworth Irrigation Regulation 2007

6 Applications for consent to transfers or other dealings

- (1) An application for the consent of the Ministerial Corporation to a transfer or other dealing, as referred to in section 26 of the Act, must be lodged at the Western Lands Office.
- (2) The application must be accompanied by a fee of the amount prescribed for the time being under clause 9 of the *Crown Lands (Continued Tenures) Regulation 2006*.

7 Surrender of leases

- (1) A lessee may at any time, with the consent of the Ministerial Corporation, surrender the lease or part of the lease.
- (2) The Ministerial Corporation may accept a surrender.

8 Granting of licences to occupy

- (1) The Ministerial Corporation may grant licences to occupy land within the Area subject to such conditions as it determines.
- (2) A licence to occupy may be terminated at any time by either party by notice in writing to the other party.

9 Savings

Any act, matter or thing that, immediately before the repeal of the *Wentworth Irrigation Regulation 2002*, had effect under that Regulation continues to have effect under this Regulation.

Orders



New South Wales

Anglican Church of Australia (Anglican Care) Order 2007

under the

Anglican Church of Australia (Bodies Corporate) Act 1938

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 4 of the *Anglican Church of Australia (Bodies Corporate) Act 1938*, make the following Order.

Dated, this 22nd day of August 2007.

By Her Excellency's Command,

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

Explanatory note

Section 4 of the *Anglican Church of Australia (Bodies Corporate) Act 1938* provides that persons who, for the time being, are members of an unincorporated body that is constituted by an ordinance of the Synod of a diocese for the purposes of managing, governing or controlling an institution or organisation of the Anglican Church of Australia, or of dealing with any church trust property, may be the subject of a declaration by an ordinance of the Synod that it is expedient to constitute them as a body corporate. Once the ordinance making the declaration is passed, the Governor may, by order published in the Gazette, declare the members of the unincorporated body to be a body corporate.

The object of this Order is to declare that the members of Anglican Care are a body corporate known as "Anglican Care". The relevant ordinances are the *C.A. Brown Anglican Village Ordinance 1995* and the *Anglican Care Incorporation Ordinance 2006*.

This Order is made under section 4 of the *Anglican Church of Australia (Bodies Corporate) Act 1938*.

Clause 1 Anglican Church of Australia (Anglican Care) Order 2007

Anglican Church of Australia (Anglican Care) Order 2007

under the

Anglican Church of Australia (Bodies Corporate) Act 1938

1 Name of Order

This Order is the *Anglican Church of Australia (Anglican Care) Order 2007*.

2 Commencement

This Order commences on 1 October 2007.

3 Anglican Care

It is declared that persons who for the time being are members of the body known as Anglican Care constituted under the *C.A. Brown Anglican Village Ordinance 1995* are a body corporate under the name "Anglican Care".



New South Wales

Subordinate Legislation (Postponement of Repeal) Order 2007

under the

Subordinate Legislation Act 1989

JAMES JACOB SPIGELMAN, Lieutenant-Governor

I, the Honourable James Jacob Spigelman AC, Lieutenant-Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 11 of the *Subordinate Legislation Act 1989*, make the following Order.

Dated, this 29th day of August 2007.

By His Excellency's Command,

MORRIS IEMMA, M.P.,
Premier

Clause 1 Subordinate Legislation (Postponement of Repeal) Order 2007

Subordinate Legislation (Postponement of Repeal) Order 2007

under the

Subordinate Legislation Act 1989

1 Name of Order

This Order is the *Subordinate Legislation (Postponement of Repeal) Order 2007*.

2 Commencement

This Order commences on 31 August 2007.

3 Postponement of repeal of certain statutory rules

The repeal, by section 10 of the *Subordinate Legislation Act 1989*, of the statutory rules listed in Schedule 1 is postponed from 1 September 2007 to 1 September 2008.

Subordinate Legislation (Postponement of Repeal) Order 2007

Statutory rules

Schedule 1

Schedule 1 Statutory rules

(Clause 3)

Associations Incorporation Regulation 1999
Bail Regulation 1999
Building and Construction Industry Security of Payment Regulation 2001
Casino Control Regulation 2001
Child Protection (Offenders Registration) Regulation 2001
Children and Young Persons (Care and Protection) Regulation 2000
Companion Animals Regulation 1999
Consumer Credit Administration Regulation 2002
Consumer, Trader and Tenancy Tribunal Regulation 2002
Contaminated Land Management Regulation 1998
Crimes (Administration of Sentences) Regulation 2001
Crimes (Forensic Procedures) Regulation 2000
Electricity Supply (General) Regulation 2001
Electricity Supply (Safety and Network Management) Regulation 2002
Employment Protection Regulation 2001
Environmental Planning and Assessment Regulation 2000
Environmentally Hazardous Chemicals Regulation 1999
Fisheries Management (Aquatic Reserves) Regulation 2002
Fisheries Management (General) Regulation 2002
Gaming Machines Regulation 2002
Gas Supply (Gas Meters) Regulation 2002
Gas Supply (Natural Gas Retail Competition) Regulation 2001
Gas Supply (Safety Management) Regulation 2002
Grain Marketing Regulation 2001
Industrial Relations (General) Regulation 2001
Marine Parks Regulation 1999
Mental Health Regulation 2000
Mines Inspection General Rule 2000
Mines Inspection Regulation 1999

Subordinate Legislation (Postponement of Repeal) Order 2007

Schedule 1 Statutory rules

Motor Vehicle Repairs Regulation 1999
National Parks and Wildlife Regulation 2002
Occupational Health and Safety Regulation 2001
Occupational Health and Safety (Clothing Factory Registration) Regulation 2001
Parliamentary Electorates and Elections Regulation 2001
Pesticides Regulation 1995
Pharmacy (Elections) Regulation 1998
Pharmacy (General) Regulation 1998
Poisons and Therapeutic Goods Regulation 2002
Police Regulation 2000
Protection of the Environment Operations (Clean Air) Regulation 2002
Protection of the Environment Operations (General) Regulation 1998
Protection of the Environment Operations (Noise Control) Regulation 2000
Public Health (Disposal of Bodies) Regulation 2002
Public Health (General) Regulation 2002
Public Health (Microbial Control) Regulation 2000
Public Health (Skin Penetration) Regulation 2000
Public Health (Swimming Pools and Spa Pools) Regulation 2000
Public Health (Tobacco) Regulation 1999
Public Trustee Regulation 2001
Retirement Villages Regulation 2000
Road and Rail Transport (Dangerous Goods) (Rail) Regulation 1999
Road and Rail Transport (Dangerous Goods) (Road) Regulation 1998
Road Transport (Driver Licensing) Regulation 1999
Road Transport (Safety and Traffic Management) (Driver Fatigue) Regulation 1999
Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999
Road Transport (Vehicle Registration) Regulation 1998
Roads (General) Regulation 2000
Rookwood Necropolis Regulation 2002
Royal Botanic Gardens and Domain Trust Regulation 2002
Rural Fires Regulation 2002
Rural Lands Protection (General) Regulation 2001

Subordinate Legislation (Postponement of Repeal) Order 2007

Statutory rules

Schedule 1

Swimming Pools Regulation 1998

Sydney Water Catchment Management (Environment Protection) Regulation 2001

Sydney Water Catchment Management (General) Regulation 2000

Tow Truck Industry Regulation 1999

Weapons Prohibition Regulation 1999

OFFICIAL NOTICES**Appointments****STATE EMERGENCY AND RESCUE
MANAGEMENT ACT 1989**Revocation of Appointment of State Emergency
Operations Controller

HIS Excellency the Lieutenant Governor with the advice of the Executive Council, in pursuance of Schedule 1 (5) (2) to the State Emergency and Rescue Management Act 1989, has approved the revocation of the appointment of Deputy Commissioner ANDREW SCIPIONE, NSW Police, as State Emergency Operations Controller, at midnight 31 August 2007.

NATHAN REES, M.P.,
Minister for Emergency Services

**THE UNIVERSITY OF NEW SOUTH WALES
ACT 1989**

Notification of Appointment to the Council

I, John Della Bosca, Minister for Education and Training, in pursuance of section 9 (1) (b) of the University of New South Wales Act 1989, appoint the following person as member of the Council of the University of New South Wales:

Mr WARWICK NEGUS – for a term of office expiring
on 30 June 2011

JOHN DELLA BOSCA, M.L.C.,
Minister for Education and Training

**STATE EMERGENCY AND RESCUE
MANAGEMENT ACT 1989**

Appointment of State Emergency Operations Controller

HIS Excellency the Lieutenant Governor with the advice of the Executive Council, in pursuance of section 18 (1) of the State Emergency and Rescue Management Act 1989, has appointed Assistant Commissioner ROBERT MAY, NSW Police, as State Emergency Operations Controller for the purposes of administering the requirements of the State Emergency and Rescue Management Act 1989 effective from 1 September 2007.

NATHAN REES, M.P.,
Minister for Emergency Services

Department of Lands

DUBBO OFFICE

142 Brisbane Street (PO Box 865), Dubbo NSW 2830

Phone: (02) 6841 5200 Fax: (02) 6841 5231

RESERVATION OF CROWN LAND

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

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Land District: Nyngan	Reserve No. 1013433
Local Government Area: Lachlan Shire Council	Public Purpose: Future Public Requirements
Parish: Beaconsfield	
County: Kennedy	
Locality: Tottenham	
Lot 7019, DP 753968#	
Lot 7020, DP 753968#	
Area: 11.51 ha.	
File Reference: DB03 H 90	

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

REVOCATION OF RESERVATION OF CROWN LAND

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

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Land District: Nyngan	The whole being
Local Government Area: Lachlan Shire Council	Lot 1, DP 752921, Parish Wilmatha, County Flinders
Locality: Willmatha	of an area of 3015ha
Reserve No. 80465	
Public Purpose: Generally	
Notified: 21 March 1958	
File Reference: DB07 H 55/1	
Notes: Revocation of Reserve	

REVOCATION OF RESERVATION OF CROWN LAND

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

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Land District: Walgett	The part being
Local Government Area: Walgett Shire Council	Lot 11, DP 752258, Parish Myall, County Denham
Locality: Myall	of an area of 1780.79ha
Reserve No. 94931	
Public Purpose: Future Public Requirements	
Notified: 22 May 1981	
<i>Lot DP Parish County</i>	
11 752258 Myall Denham	
15 752258 Myall Denham	
16 752258 Myall Denham	
File Reference: DB05 H 305/1	
Notes: Revocation of reserve.	

REVOCATION OF RESERVATION OF CROWN LAND

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

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Land District: Nyngan	The part being
Local Government Area: Lachlan Shire Council	Lot 17, DP 754000, Parish Meryula, County Kennedy
Locality: Meryula	Lot 16, DP 754000, Parish Meryula, County Kennedy
Reserve No. 76934	of an area of 668.8ha
Public Purpose: Generally	
Notified: 30 July 1954	
<i>Lot DP Parish County</i>	
9 754000 Meryula Kennedy	
14 754000 Meryula Kennedy	
16 754000 Meryula Kennedy	
17 754000 Meryula Kennedy	
File Reference: DB05 H 40/1	
Notes: Revocation of Reserve	

NOTIFICATION OF CLOSING OF ROADS

IN pursuance of the provisions of the Roads Act 1993, the roads hereunder specified are closed and the lands comprised therein are freed and discharged from any rights of the public or any other person to the same as highways.

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

Description	SCHEDULE																					
<i>Local Government Area and Land District – Dubbo</i>	<i>Column 1</i>	<i>Column 2</i>																				
<p>Lot 1 in DP 1116083, Parish of Whylandra, County of Gordon (not being land under the Real Property Act). File No.: DB06 H 22</p> <p>Note: On closing, the title for Lot 1 shall vest in the State of New South Wales as Crown land.</p>	<p>Land District: Nyngan Local Government Area: Bogan Shire Council Locality: Bergo Reserve No. 95130 Public Purpose: Future Public Requirements Notified: 5 June 1981</p>	<p>The part being Lot 39, DP 753420, Parish Bergo, County Gregory of an area of 47.75ha</p>																				
<hr/> <p>REVOCATION OF RESERVATION OF CROWN LAND</p> <p>PURSUANT to section 90 of the Crown Lands Act 1989, the reservation of Crown land specified in Column 1 of the Schedule hereunder is revoked to the extent specified opposite thereto in Column 2 of the Schedule.</p> <p style="text-align: center;">TONY KELLY, M.L.C., Minister for Lands</p>																						
<p style="text-align: right;">Notes: Purchase of Perpetual Lease 109376 – T & S Waterhouse</p>																						
<hr/> <table style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="text-align: left;"><i>Lot</i></th> <th style="text-align: left;"><i>DP</i></th> <th style="text-align: left;"><i>Parish</i></th> <th style="text-align: left;"><i>County</i></th> </tr> </thead> <tbody> <tr> <td>38</td> <td>753420</td> <td>Bergo</td> <td>Gregory</td> </tr> <tr> <td>39</td> <td>753420</td> <td>Bergo</td> <td>Gregory</td> </tr> <tr> <td>85</td> <td>753420</td> <td>Bergo</td> <td>Gregory</td> </tr> <tr> <td>92</td> <td>753420</td> <td>Bergo</td> <td>Gregory</td> </tr> </tbody> </table> <p>File Reference: DB98 H 211/1</p>			<i>Lot</i>	<i>DP</i>	<i>Parish</i>	<i>County</i>	38	753420	Bergo	Gregory	39	753420	Bergo	Gregory	85	753420	Bergo	Gregory	92	753420	Bergo	Gregory
<i>Lot</i>	<i>DP</i>	<i>Parish</i>	<i>County</i>																			
38	753420	Bergo	Gregory																			
39	753420	Bergo	Gregory																			
85	753420	Bergo	Gregory																			
92	753420	Bergo	Gregory																			

GOULBURN OFFICE

159 Auburn Street (PO Box 748), Goulburn NSW 2580
Phone: (02) 4828 6725 Fax: (02) 4828 6730

NOTIFICATION OF CLOSING OF A ROAD

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

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

DESCRIPTION

Parish – Tuggeranong; County – Murray
Land District – Queanbeyan
LGA – Queanbeyan City Council

Lots 50 and 51, DP 1097874 (not being land under the Real Property Act). File Reference: GB07 H 55.BA

Note: On closing, the title for the land in Lots 50 and 51, DP 1097874 remains vested in Queanbeyan City Council as operational land.

In accordance with section 44 of the Roads Act 1993, the Crown consents to the land in Lots 50 and 51, DP 1097874 being vested in the Queanbeyan City 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.

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

ESTABLISHMENT OF RESERVE TRUST

PURSUANT to section 92 (1) of the Crown Lands Act 1989, the reserve trust specified in Column 1 of the Schedule hereunder is established under the name stated in that Column and is appointed as trustee of the reserves specified opposite thereto in Column 2 of the Schedule.

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

SCHEDULE

Column 1

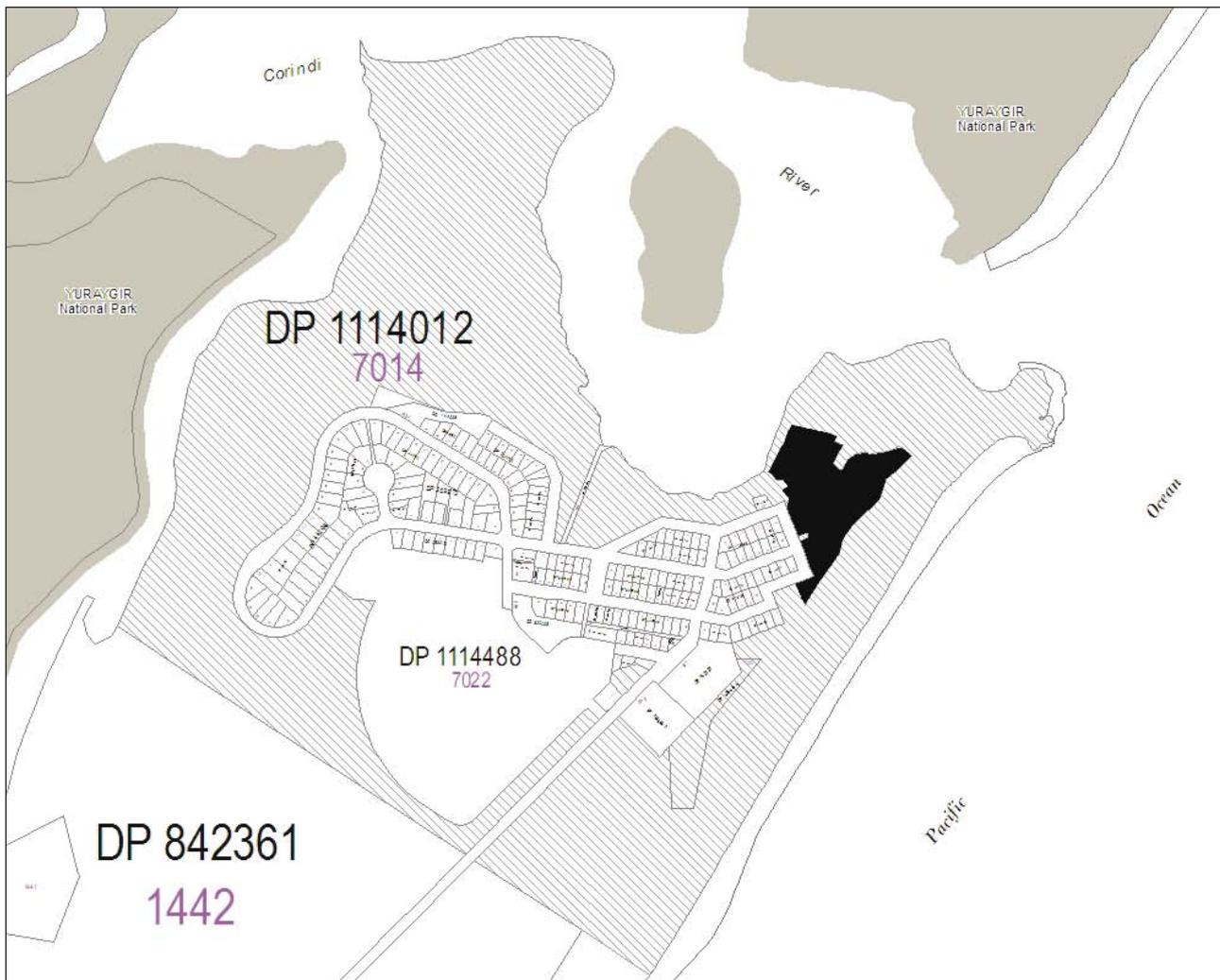
Red Rock Coast Trust

Column 2

Part Reserve No. 64746
 Public Purpose: Resting Place
 Public Recreation
 Notified: 14 September 1934
 The part shown by hatching on diagram hereunder.

Reserve No. 86054
 Public Purpose: Children's Playground
 Notified: 11 November 1966

Reserve No. 97655
 Public Purpose: Public Recreation
 Notified: 18 January 1985
 File Reference: 07/2216



Note: This notice replaces the notice that appeared in the *Government Gazette* of 10 August 2007 Folio 5649 under the heading of "Establishment of Reserve Trust".

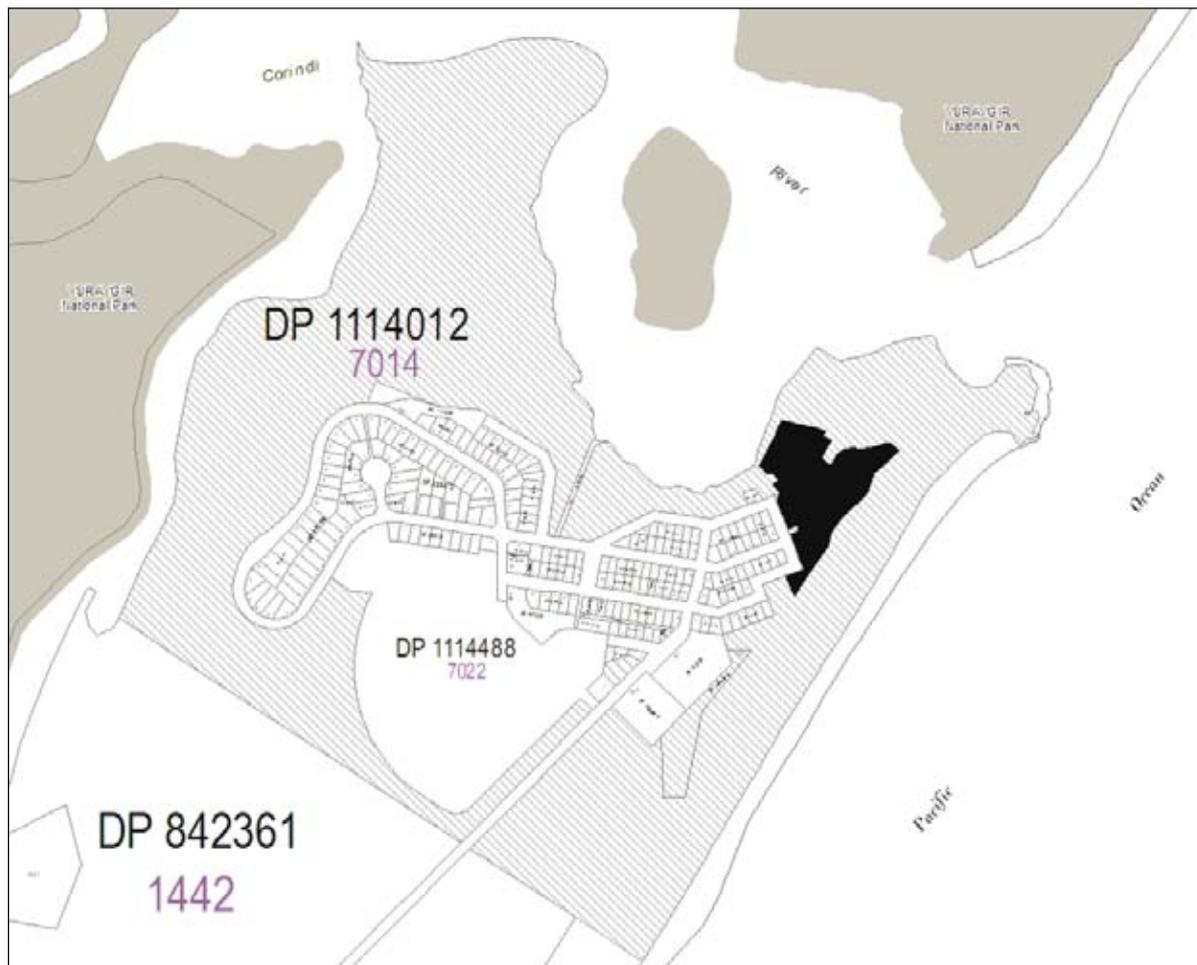
APPOINTMENT OF ADMINISTRATOR TO MANAGE A RESERVE TRUST

PURSUANT to section 117 of the Crown Lands Act 1989, the person specified in Column 1 of the Schedule hereunder is appointed as administrator for the term also specified in Column 1, of the reserve trust specified opposite thereto in Column 2, which is trustee of the reserves referred to in Column 3 of the Schedule.

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Robert Fish	Red Rock Coast Trust	Part Reserve No.64746 The part shown by hatching on diagram hereunder. Purpose: Resting Place Public Recreation Notified: 14 September 1934 Parish of Corindi County of Fitzroy Reserve No. 86054 Public Purpose: Children's Playground Notified: 11 November 1966 Parish of Corindi County Fitzroy Reserve No. 97655 Public Purpose: Public Recreation Notified: 18 January 1985 Parish of Corindi County of Fitzroy File Reference: 07/2216



For a term commencing the date of this notice and expiring 9 February 2008.

Note: This notice replaces the notice that appeared in the *Government Gazette* of 10 August 2007, Folio 5648 under the heading of "Appointment of Administrator to Manage a Reserve Trust".

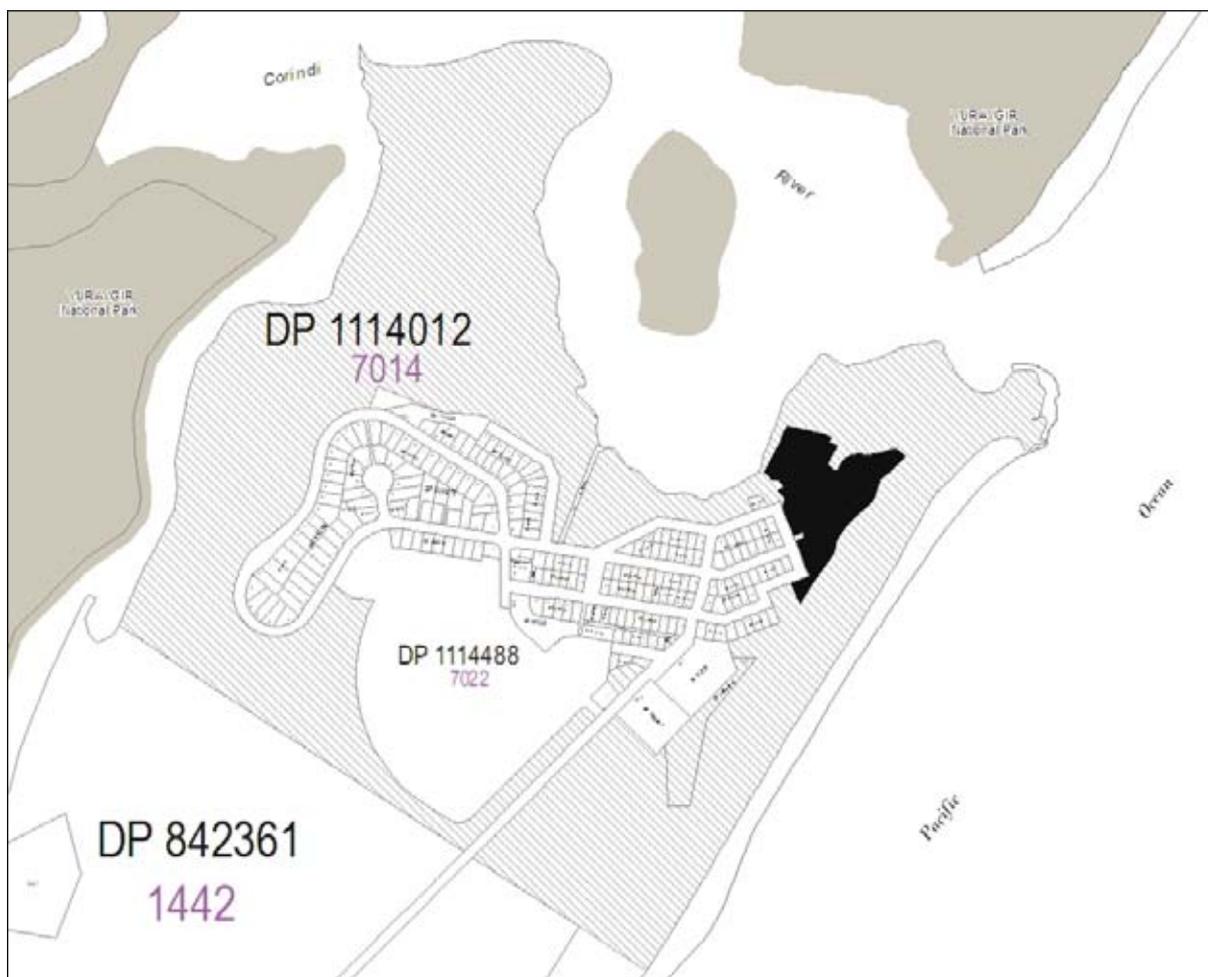
APPOINTMENT OF ADMINISTRATOR TO MANAGE A RESERVE TRUST

PURSUANT to section 117 of the Crown Lands Act 1989, the person specified in Column 1 of the Schedule hereunder is appointed as administrator for the term also specified in Column 1, of the reserve trust specified opposite thereto in Column 2, which is trustee of the reserve referred to in Column 3 of the Schedule.

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Geoff Firkin	Red Rock Public Recreation Reserve Trust	Part Reserve No. 64746 Purpose: Resting Place Public Recreation. The part shown by black colour on the diagram hereunder Parish of Corindi. County of Rous File Reference: GF81 R 98



For a term commencing the date of this notice and expiring 9 February 2008.

Note: This notice replaces the notice that appeared in the *Government Gazette* of 10 August 2007, Folio 5649 under the heading of "Appointment of Administrator to Manage a Reserve Trust".

REMOVAL OF RESERVE TRUST FROM MANAGEMENT OF RESERVE

PURSUANT to section 96 (2) of the Crown Lands Act 1989, the reserve trust specified in Schedule 1 hereunder is removed from of management of that part of the reserves specified in Schedule 2.

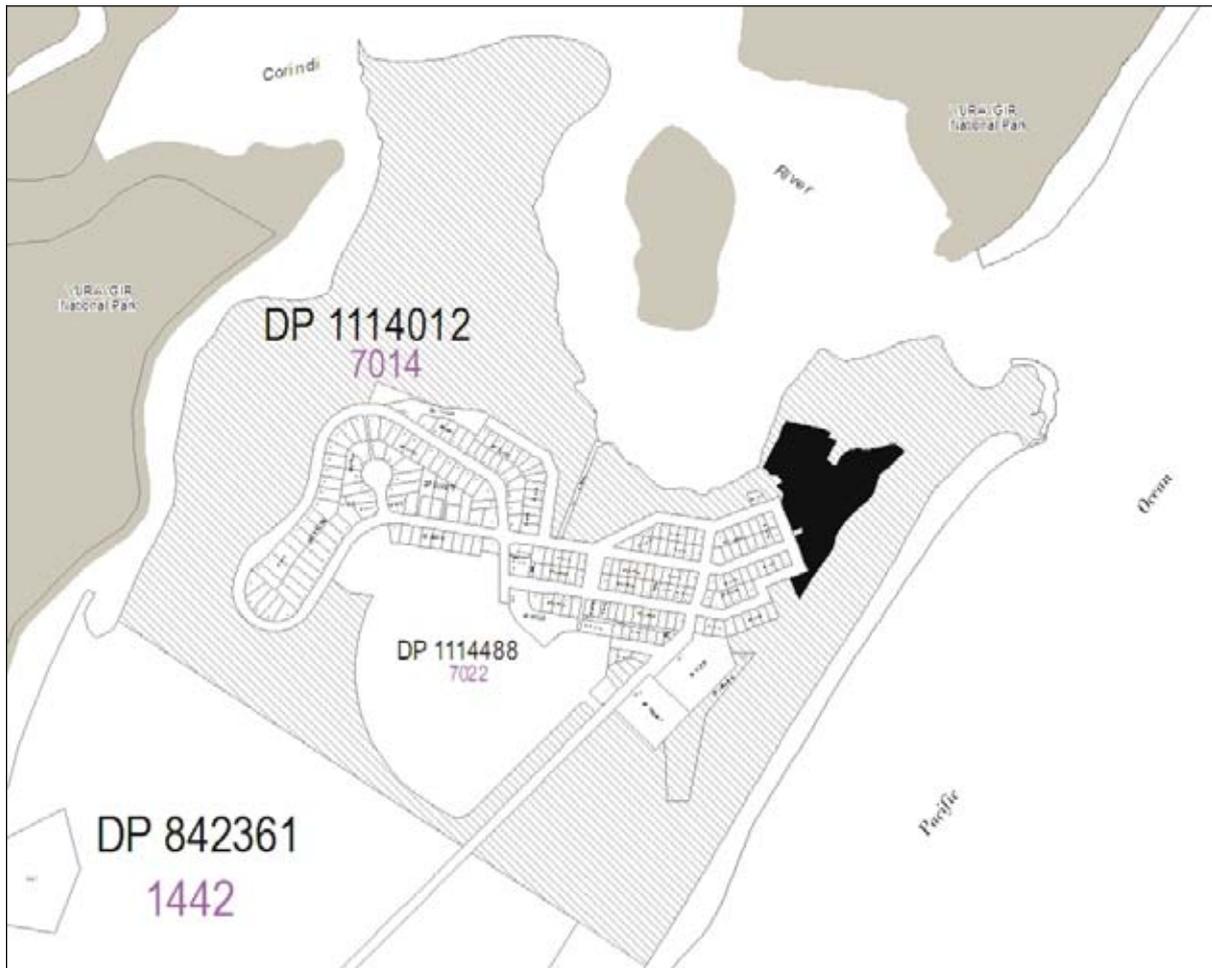
TONY KELLY, M.L.C.,
Minister for Lands

SCHEDULE 1

Red Rock Public Recreation Reserve Trust

SCHEDULE 2

Part Reserve No. 64746
Public Purpose: Resting Place
Public Recreation
Notified: 14 September 1934
The part shown by hatching on diagram hereunder
Parish Corindi
County Fitzroy
Reserve No. 86054
Public Purpose: Children's Playground
Notified: 11 November 1966
Parish Corindi
County Fitzroy
Reserve No. 97655
Public Purpose: Public Recreation
Notified: 18 January 1985
Parish Corindi
County Fitzroy
File Reference: 07/2216



Note: This notice replaces the notice that appeared in the *Government Gazette* of 10 August 2007 Folios 5648 and 5649 under the heading of "Removal of Reserve Trust from Management of Reserve".

NOTIFICATION OF CLOSING OF ROAD

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

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

Description

Land District – Casino; LGA – Kyogle Council

Roads Closed: Lot 7001, DP 755711 and Lot 7002, DP 1101644 at Wadeville, Parish Hanging Rock, County Rous.

File Reference: GF04 H 61

SCHEDULE

On closing, the land within Lot 7002, DP 1101644 remains vested in the State of New South Wales as Crown Land.

On closing, the land within Lot 7001, DP 755711, the former Council public road is vested in the State of New South Wales as Crown Land.

Note: These Crown lands have been reserved for public recreation on this day.

RESERVATION OF CROWN LAND

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

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

SCHEDULE

Column 1

Land District: Casino
Local Government Area:
Kyogle Shire Council
Locality: Hanging Rock
Lot 7002, DP 1101644 #,
Parish Hanging Rock,
County Rous
Lot 7001, DP 755711 #,
Parish Bonville,
County Raleigh
Area: About 2.214ha
File Reference: GF04 R 32/1

Column 2

Reserve No. 1013709
Public Purpose: Public
Recreation

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

APPOINTMENT OF RESERVE TRUST AS TRUSTEE OF A RESERVE

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

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

SCHEDULE

Column 1

Wadeville (R91046)
Reserve Trust

Column 2

Reserve No. 1013709
Public Purpose: Public
Recreation
Notified: This Day
File Reference: GF02 R 35/1

MAITLAND OFFICE**Corner Newcastle Road and Banks Street (PO Box 6), East Maitland NSW 2323****Phone: (02) 4937 9300 Fax: (02) 4934 2252****APPOINTMENT OF CORPORATION TO MANAGE RESERVE TRUST**

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

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Lands Administration Ministerial Corporation	Waratah Community Reserve (R1014028) Reserve Trust	Reserve No. 1014028 Public Purpose: Community Purposes Notified: This day File Ref.: MD81 H 464/2

ESTABLISHMENT OF RESERVE TRUST

PURSUANT to section 92 (1) of the Crown Lands Act 1989, the reserve trust specified in Column 1 of the Schedule hereunder is established under the name stated in that Column and is appointed as trustee of the reserve specified opposite thereto in Column 2 of the Schedule.

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Waratah Community Reserve (R1014028) Reserve Trust	Reserve No. 1014028 Public Purpose: Community Purposes Notified: This Day File Ref.: MD81 H 464/2

RESERVATION OF CROWN LAND

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

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Land District: Newcastle Local Government Area: Newcastle City Council Locality: Waratah Lot 3188, DP 44990, Parish Newcastle, County Northumberland Area: About 6325m2 File Reference: MD81 H 464/2	Reserve No. 1014028 Public Purpose: Community Purposes

MOREE OFFICE

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

REVOCATION OF RESERVATION OF CROWN LAND

PURSUANT to section 90 of the Crown Lands Act 1989, the reservations of Crown land specified in Column 1 of the Schedule hereunder are revoked to the extent specified opposite thereto in Column 2 of the Schedule.

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Land District: Moree Local Government Area: Moree Plains Reserve No: 94261 Purpose: Future Public Requirements Notified: 30 January 1981 File No: ME94 H 261	The whole being Lot 16 DP 750441 Parish Caidmurra , County Benarba of 1574 ha.
Land District: Moree Local Government Area: Moree Plains Reserve No: 93192 Purpose: Future Public Requirements Notified: 18 July 1980 File No: ME94 H 262	The whole being Lot 21, DP 750441, Parish Caidmurra , County Benarba of 1946 ha.

APPOINTMENT OF TRUST BOARD MEMBERS

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

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Russell Whitton (new member)	Boobera Lagoon (R1009930) Reserve Trust	Reserve No. 1009930 Public Purpose: Environmental Protection Heritage Purposes Public Recreation Notified: 12 March 2004 File Reference: ME03 R 8
For a term commencing the date of this notice and expiring 11 March 2009.		

NEWCASTLE OFFICE

437 Hunter Street, Newcastle NSW 2300 (PO Box 2185, Dangar NSW 2309)
Phone: (02) 4920 5000 Fax: (02) 4925 3489

CROWN LANDS ACT 1989, SECTION 180

Delegation of function under the Crown Lands Act 1989

I, Tony Kelly, M.L.C., Minister for Lands, pursuant to section 180 of the Crown Lands Act 1989 hereby delegate my function under section 137 of the Crown Lands Act 1989 to the Minister administering the National Parks and Wildlife Act 1974 for the purpose only of accepting surrender of a perpetual lease, or part thereof, that is vested in the Minister administering the National Parks and Wildlife Act 1974 pursuant to the Brigalow and Nandewar Community Conservation Area Act 2005.

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

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

**PLAN OF MANAGEMENT FOR CROWN
 FORESHORE RESERVES UNDER DIVISION 6
 OF PART 5 OF THE CROWN LANDS ACT 1989
 AND CROWN REGULATION 1995**

A Draft Plan of Management has been prepared for Crown foreshore Reserves at Wollongong. The Plan of Management area includes City Beach, Flagstaff Hill, Brighton Lawn, Osborne Park, North Beach, JP Galvin Park and Stuart Park.

Inspection of the draft plan is available in the following ways:

- Viewing by Wollongong City Council's website at www.wollongong.nsw.gov.au
- Visiting Wollongong City Council's Administration Building, 41 Burelli Street, Wollongong and inspecting the document at the Central Library or Council's Property Division on Level 9;
- Visiting any of the Branch Libraries of Wollongong City Council and request to inspect the document;
- Attending a public information kiosk about the draft plan to be held at –
 - North Beach on 8 September 2007 between 11 am and 1pm and
 - Belmore Basin on 22 September 2007 between 11 am and 1 pm; and
- Attending a public hearing session on 26 September 2007 at level 9 of the Council Administration Building at 3 pm or 5:30 pm.

Representations are invited from the public on the draft plan. The draft plan will be on exhibition for a period of 42 days from 3 September 2007. Submissions will be received up until 5 pm on 15 October 2007 and should be sent to The General Manager, Wollongong City Council, Locked Bag 8821, Wollongong, NSW 2500. For additional details, please contact Martha Tyndall at Wollongong City Council on (02) 4227 7549.

TONY KELLY, M.P.,
 Minister for Lands

Description of Reserves

Land District – Kiama; City – Wollongong
Parish – Wollongong; County – Camden

Reserve 84424 for Public Recreation
 Reserve D580076 for Public Recreation
 Reserve 580097 for Public Recreation
 Reserve 40945 for Public Baths
 Reserve 40944 for Public Baths
 Reserve 1000703 for Public Recreation
 Reserve 40908 for Public Recreation
 Reserve 71482 for Public Recreation & Baths
 Reserve 72138 for Public Recreation
 Reserve D580060 for Public Park
 File No.: NA07 R 13

NOTIFICATION OF CLOSING OF PUBLIC ROAD

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

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

Description

Parish – Wandella; County – Dampier
Land District – Moruya; LGA – Bega Valley

Lot 3 in DP 1113782 at Wandella. File No. NA07 H 37.

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

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

NOTIFICATION OF CLOSING OF PUBLIC ROAD

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

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

Description

Parish – Mingelo; County – Narromine; Land District – Parkes; Shire – Parkes

Road Closed: Lot 1 in Deposited Plan 1107362 at Peak Hill. File No.: OE05 H 276

Note: On closing Title to the land comprised in Lot 1 remains vest in the Crown as Crown Land

WITHDRAWAL OF RESERVES FROM CONTROL OF A RURAL LANDS PROTECTION BOARD

IN pursuance of the provisions of section 861), Rural Lands Protection Act 1998, the reserves specified hereunder are withdrawn from control of the Rural Lands Protection Board specified in the notice.

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

Rural Lands Protection District – Forbes Rural Lands Protection Board

Parish Forbes, County Ashburnham, Part Reserve No.13185 for Travelling Stock notified 20 December 1890, comprised in Lots 7063, 7104 & 7105 in DP 750158 of 16.4 hectares.
(Placed under control, Gazette, 23 June 1933).

Parish Forbes , County Ashburnham , Reserve No. 13189 for Camping, notified 20 December 1890, comprised in Lot 7066 DP 1020611 of about 6.79 hectares.
(Placed under control, Gazette, 31 May 1935).

Parish Forbes, County Ashburnham, Reserve No.13181 for Travelling Stock, notified 20 December 1890, comprised in Lots 802, 792, 769, 770, 793, 700-703, 706, 708, 710, 711, 716, 718, 704, 707, 709, 712, 730, 705 in DP 750158 & lots 7067, 7068 in DP 1020612 of about 14.26 hectares.
(Placed under control, Gazette, 31 May 1935).

Note: Reserves have been revoked and re-reserved for the purpose of future public requirements this day.

File Reference: OE 06R7/1.

REVOCATION OF RESERVATION OF CROWN LAND

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

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>				
Land District: Forbes	The whole being				
Local Government Area: Forbes Shire Council	<i>Lot</i>	<i>Sec.</i>	<i>DP</i>	<i>Parish</i>	<i>County</i>
Locality: Forbes	802		750158	Forbes	Ashburnham
Reserve No. 13181	792		750158	Forbes	Ashburnham
Public Purpose: Travelling Stock	769		750158	Forbes	Ashburnham
Notified: 20 December 1890	770		750158	Forbes	Ashburnham
File Reference: OE06 R 7/1	793		750158	Forbes	Ashburnham
	700		750158	Forbes	Ashburnham
	701		750158	Forbes	Ashburnham
	702		750158	Forbes	Ashburnham
	703		750158	Forbes	Ashburnham

706	750158	Forbes	Ashburnham
708	750158	Forbes	Ashburnham
710	750158	Forbes	Ashburnham
711	750158	Forbes	Ashburnham
716	750158	Forbes	Ashburnham
718	750158	Forbes	Ashburnham
7067	1020612	Forbes	Ashburnham
7068	1020612	Forbes	Ashburnham
704	750158	Forbes	Ashburnham
707	750158	Forbes	Ashburnham
709	750158	Forbes	Ashburnham
712	750158	Forbes	Ashburnham
730	750158	Forbes	Ashburnham
705	750158	Forbes	Ashburnham

of an area of 14.26ha

Note: Added to Reserve 750158 for future public requirements, this day.

REVOCATION OF RESERVATION OF CROWN LAND

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

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

SCHEDULE

Column 1

Land District: Forbes
Local Government Area: Forbes Shire Council
Locality: Forbes
Reserve No. 13185
Public Purpose: Travelling Stock
Notified: 20 December 1890

Lot	Sec.	DP	Parish	County
7058		1070116 #	Forbes	Ashburnham
7059		1070116 #	Forbes	Ashburnham
7061		1020609	Forbes	Ashburnham
7063		750158 #	Forbes	Ashburnham
7103		750158 #	Forbes	Ashburnham
7104		750158 #	Forbes	Ashburnham
7105		750158 #	Forbes	Ashburnham
1717		729074	Forbes	Ashburnham
7060		1070117	Forbes	Ashburnham

File Reference: OE06 R 7/1

Note: Added to Reserve 750158 for future public requirements, this day.

Column 2

The part being
Lot Sec. DP Parish County
7063 750158 # Forbes Ashburnham
7105 750158 # Forbes Ashburnham
7104 750158 # Forbes Ashburnham
of an area of 16.4ha

REVOCATION OF RESERVATION OF CROWN LAND

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

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

SCHEDULE

Column 1

Land District: Forbes
Local Government Area: Forbes Shire Council
Locality: Forbes
Reserve No. 13189
Public Purpose: Camping
Notified: 20 December 1890
File Reference: OE06 R 7/1

Column 2

The whole being
Lot 7066, DP 1020611, Parish Forbes, County Ashburnham
of an area of 6.79ha

Note: Added to Reserve 750158 for future public requirements, this day.

ADDITION TO RESERVED CROWN LAND

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

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

SCHEDULE
Column 1

Land District: Forbes
Local Government Area: Forbes Shire Council
Locality: Forbes, Ashburnham (Parish, County)

<i>Lot</i>	<i>Sec.</i>	<i>DP</i>	<i>Parish</i>	<i>County</i>
769		750158	Forbes	Ashburnham
770		750158	Forbes	Ashburnham
793		750158	Forbes	Ashburnham
700		750158	Forbes	Ashburnham
701		750158	Forbes	Ashburnham
702		750158	Forbes	Ashburnham
7063		750158 #	Forbes	Ashburnham
7104		750158 #	Forbes	Ashburnham
7105		750158 #	Forbes	Ashburnham
7066		1020611	Forbes	Ashburnham
802		750158	Forbes	Ashburnham
792		750158	Forbes	Ashburnham
703		750158	Forbes	Ashburnham
706		750158	Forbes	Ashburnham
708		750158	Forbes	Ashburnham
710		750158	Forbes	Ashburnham
711		750158	Forbes	Ashburnham
716		750158	Forbes	Ashburnham
718		750158	Forbes	Ashburnham
704		750158	Forbes	Ashburnham
707		750158	Forbes	Ashburnham
709		750158	Forbes	Ashburnham
712		750158	Forbes	Ashburnham
730		750158	Forbes	Ashburnham
705		750158	Forbes	Ashburnham
7067		1020612	Forbes	Ashburnham
7068		1020612	Forbes	Ashburnham

Area: 37.45ha

File Reference: OE06 R 7/1

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

Column 2

Reserve No. 750158
Public Purpose: Future Public Requirements
Notified: 29 June 2007
New Area: num hectares

<i>Lot</i>	<i>Sec.</i>	<i>DP</i>	<i>Parish</i>	<i>County</i>
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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

ASSIGNMENT OF NAME TO A RESERVE TRUST**SCHEDULE**

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

TONY KELLY, MLC.,
Minister for Lands

Column 1
Northbridge War Memorial
(R500279) Reserve Trust

Column 2
Dedication No. 500279 at
Northbridge dedicated
for the purpose of War
Memorial on 20 October
1950.
File No.: MN80 R 332

TAREE OFFICE

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

ERRATUM

THE notice appearing in the *Government Gazette* No. 103 on 24 August 2007, folio 5936, under the heading of 'Notification of Closing of Public Road' referring to land within the Land District of Port Macquarie, is hereby cancelled.

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

WAGGA WAGGA OFFICE

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

NOTIFICATION OF CLOSING OF A ROAD

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

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

Description

Parish – Ournie; County – Selwyn
Land District – Tumbarumba; Shire – Tumbarumba

Road Closed: Lot 1 in DP 1114558 at Ournie.
File No.: WA05 H 332

Note: On closing, the land within Lot 1 in DP 1114558 remains vested in the State of New South Wales as Crown land.

CORRECTION OF DEFECTIVE INSTRUMENT

IN the *Government Gazette* dated 24 August 2007, under the heading "Appointment of Corporation to manage Reserve Trust" relating to the Appointment of Lands Administration Ministerial Corporation to Silvalite Reserve No. 97572 for Environmental Protection Plantation, please delete this notice. – WA99 R 13.

Department of Planning



New South Wales

Bega Valley Local Environmental Plan 2002 (Amendment No 3)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (WOL2000610/S69)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Bega Valley Local Environmental Plan 2002 (Amendment No 3)

Bega Valley Local Environmental Plan 2002 (Amendment No 3)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Bega Valley Local Environmental Plan 2002 (Amendment No 3)*.

2 Aim of plan

The aim of this plan is to allow the use of the existing recycling and waste depots to continue until 14 June 2012.

3 Land to which plan applies

This plan applies to Lot 55, DP 750194, (and adjacent Crown land as shown diagonally hatched on the zoning map), Sapphire Coast Drive, Merimbula, Lot 312, DP 728092, Tathra–Bermagui Road, Bermagui and Lot 1, DP 507706, Princes Highway, Eden.

4 Amendment of Bega Valley Local Environmental Plan 2002

Bega Valley Local Environmental Plan 2002 is amended by omitting “5 years” from the matter under the heading “Additional development allowed” adjacent to the matter beginning “Lot 55, DP 750194” under the heading “Land” in Schedule 4 and by inserting instead “10 years”.



New South Wales

Hawkesbury Local Environmental Plan 1989 (Amendment No 151)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S06/00139/S69)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Hawkesbury Local Environmental Plan 1989 (Amendment No 151)

Hawkesbury Local Environmental Plan 1989 (Amendment No 151)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Hawkesbury Local Environmental Plan 1989 (Amendment No 151)*.

2 Aims of plan

This plan aims to reclassify the land to which this plan applies from community land to operational land within the meaning of the *Local Government Act 1993*.

3 Land to which plan applies

This plan applies to land situated in the City of Hawkesbury, being Lot 22, DP 829589, No 496 Wilberforce Road, Wilberforce.

4 Amendment of Hawkesbury Local Environmental Plan 1989

Hawkesbury Local Environmental Plan 1989 is amended by inserting in alphabetical order of locality in Part 3 of Schedule 5 under the headings "**Locality**" and "**Description**", respectively, the following words:

Wilberforce

No 496 Wilberforce Road

Lot 22, DP 829589



New South Wales

Parkes Local Environmental Plan 1990 (Amendment No 6)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (D06/00006/S69)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Parkes Local Environmental Plan 1990 (Amendment No 6)

Parkes Local Environmental Plan 1990 (Amendment No 6)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Parkes Local Environmental Plan 1990 (Amendment No 6)*.

2 Aims of plan

This plan aims to rezone the land to which this plan applies from Zone No 5 (b) (Special Uses (Railways) Zone) to Zone No 2 (v) (Urban and Village Zone) under *Parkes Local Environmental Plan 1990*.

3 Land to which plan applies

This plan applies to land situated in the local government area of Parkes, being Lot 2, DP 1007651, May Street, Parkes, as shown edged heavy black and lettered "2 (v)" on the map marked "Parkes Local Environmental Plan 1990 (Amendment No 6)" deposited in the office of Parkes Shire Council.

4 Amendment of Parkes Local Environmental Plan 1990

Parkes Local Environmental Plan 1990 is amended by inserting in appropriate order in the definition of *the map* in clause 5 (1) the following words:

Parkes Local Environmental Plan 1990 (Amendment No 6)



New South Wales

Singleton Local Environmental Plan 1996 (Amendment No 57)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (N07/00095-1)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Singleton Local Environmental Plan 1996 (Amendment No 57)

Singleton Local Environmental Plan 1996 (Amendment No 57)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Singleton Local Environmental Plan 1996 (Amendment No 57)*.

2 Aims of plan

This plan aims to amend *Singleton Local Environmental Plan 1996* to correct:

- (a) the property descriptions in respect of the “Huntergreen Urban Release Area” and “Bridgman Ridge Urban Release Area”, and
- (b) an anomaly in the colouring of part of the Legend on the *Lot Size Map*.

3 Land to which plan applies

- (1) With respect to the aim referred to in clause 2 (a), this plan applies to land in Wattle Ponds and Fern Gully, known as the “Huntergreen Urban Release Area”, being Lot 41, DP 592143, Lot 2, DP 622782, Lot 12, DP 733261, Lots 159, 162, 163 and 165, DP 752455 and Lot 1, DP 815280, and the “Bridgman Ridge Urban Release Area”, being Part Lot 196, DP 752455, Lot 3, DP 1091619, Part Lot 336, DP 1092882 and Part Lot 61, DP 1097141, as shown edged heavy black on sheet 3 of the map marked “Singleton Local Environmental Plan 1996 (Amendment No 40)” deposited in the office of Singleton Council.
- (2) With respect to the aim referred to in clause 2 (b), this plan applies to certain land in Gowrie, Wattle Ponds and Fern Gully, as shown distinctively coloured, edged heavy black and lettered on the map marked “Singleton Local Environmental Plan 1996 (Amendment No 57)—Lot Size Map” deposited in the office of Singleton Council.

4 Amendment of Singleton Local Environmental Plan 1996

Singleton Local Environmental Plan 1996 is amended as set out in Schedule 1.

Singleton Local Environmental Plan 1996 (Amendment No 57)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 9 How are terms defined in this plan?

Insert in appropriate order in the definition of *Lot Size Map* in clause 9 (1):

Singleton Local Environmental Plan 1997 (Amendment No 57)—Lot Size Map

[2] Clause 9 (1), definition of “the map”

Insert “—Sheets 2 and 3” after “Singleton Local Environmental Plan 1996 (Amendment No 40)”.

[3] Clause 14A What provisions apply generally to development in the Huntergreen, Bridgman Ridge and Gowrie Links Urban Release Areas?

Omit clause 14A (1) (b). Insert instead:

- (b) the “Huntergreen Urban Release Area”, being Lot 41, DP 592143, Lot 2, DP 622782, Lot 12, DP 733261, Lots 159, 162, 163 and 165, DP 752455 and Lot 1, DP 815280, and the “Bridgman Ridge Urban Release Area”, being Part Lot 196, DP 752455, Lot 3, DP 1091619, Part Lot 336, DP 1092882 and Part Lot 61, DP 1097141, as shown edged heavy black on sheet 3 of that map.

Department of Primary Industries

COAL MINE HEALTH AND SAFETY ACT 2002

Instrument of Appointment

I, ALAN COUTTS, Deputy Director-General Mineral Resources, pursuant to section 148 of the Coal Mine Health and Safety Act 2002 Act ("the Act") and with the delegated authority of the Minister for Mineral Resources and the Director-General of the NSW Department of Primary Industries pursuant to sections 212 and 214 of the Act, hereby appoint Paul Thomas HEALEY, an inspector appointed under the Act, to exercise the functions of the Chief Inspector under the act, from 28 August 2007 to 24 September 2007.

Dated this 22nd day of August 2007.

ALAN COUTTS,
Deputy Director-General Mineral Resources,
NSW Department of Primary Industries

EXOTIC DISEASES OF ANIMALS ACT 1991

Appointment of Inspectors

I, BRUCE MORGAN CHRISTIE, Chief Veterinary Officer, pursuant to section 68 of the Exotic Disease of Animal Act 1991 ("the Act"), hereby:

1. revoke all instruments of Appointment of Inspectors under the Act, dated 25 August 2007 and 28 August 2007; and
2. appoint the persons, and persons included in the classes of persons, described in the schedule below as Inspectors for the purpose of the exercise and performance of the powers and functions of an Inspector under the Act, from date of appointment until 1 October 2007.

SCHEDULE

1. Persons appointed as Authorised Persons by the Centennial Park and Moore Part Trust (known as Centennial Parklands Rangers);
2. Members of the Australian Veterinary Reserve;
3. Fisheries Officers appointed under the *Fisheries Management Act 1994 (NSW)*;
4. Letitia Jayne Nicolle; and
5. Simon John Charles Oliver.

Dated this 29th day of August 2007.

BRUCE MORGAN CHRISTIE,
Chief Veterinary Officer

FISHERIES MANAGEMENT ACT 1994

Section 8 Notification – Fishing Closure Belmore River

I, IAN MACDONALD, Minister for Primary Industries, pursuant to section 8 of the Fisheries Management Act 1994, do by this notification prohibit the taking of all species of fish by the class of persons specified in Column 1 of the Schedule to this notification, by the methods of fishing specified in Column 2 of the Schedule, from the waters described in Column 3 of the Schedule.

SCHEDULE

<i>Column 1</i> Class of Persons	<i>Column 2</i> Methods of fishing	<i>Column 3</i> Waters
All endorsement holders in the Estuary General Fishery.	All methods.	The whole of the waters of that part of the Belmore River and its creeks, tributaries and inlets, upstream from the road bridge at Gladstone to its source (being waters that are part of the estuarine system of the Macleay River).
All recreational fishers.	All methods with the exception of a single rod and line or handline, with not more than two hooks attached to the line.	

In this fishing closure:

"Estuary General Fishery" means the share management fishery of that name, as described in Schedule 1 to the Fisheries Management Act 1994.

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

This fishing closure is effective for a period of five (5) years commencing on 30 August 2007 unless sooner amended or revoked.

Dated this 24th day of August 2007.

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

FORESTRY ACT 1916

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land

THE Minister for Primary Industries declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below exclusive of all mines and deposits of minerals therein contained being part of the land dedicated as Cowarra State Forest No. 59 is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of giving effect to an Agreement entered into pursuant to section 16A of the Forestry Act 1916.

Dated at Sydney this twenty-second day of August 2007.

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

SCHEDULE

All that piece or parcel of land having an area of 19.73 hectares or thereabouts situate in the Port Macquarie-Hastings Council Area, Parish of Burrawan, County of Macquarie, being Lot 102 in Deposited Plan 1091658 and being part of Cowarra State Forest No. 59, No. 7 Extension dedicated 14 April 1989. (4509)

STOCK DISEASES ACT 1923

Notification No. 1805-OJD

Declaration of a Protected Area, a Protected (Control) Area as regards Johne's disease in sheep (known as ovine Johne's disease or OJD)

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

- A. pursuant to section 3 (2) (a) and 11A of the Stock Diseases Act 1923 ('the Act'), revoke Notification No. 1788-OJD published in New South Wales Government Gazette No. 111 of 1 July 2004 at pages 5600-5602; and
- B. pursuant to section 11A of the Act, declare the lands described in the Schedule to be a Protected Area (to be known as the 'OJD Exclusion Area'), and all other lands in New South Wales to be a Protected (Control) Area (to be known as the 'OJD Management Area'), as regards Johne's disease in sheep (known as ovine Johne's disease or OJD); and
- C. pursuant to section 11A of the Act prohibit the bringing into the Protected Area of any sheep from any part of the Protected (Control) Area unless:
 - (a) the sheep are accompanied by a completed Health Statement for Sheep that is given to the person to whom the sheep are delivered; or
 - (b) the sheep are 'exempt sheep'; or
 - (c) the sheep originate from the Protected Area and are transported in a vehicle through the Protected (Control) Area without unloading, and back into the Protected Area; or
 - (d) the sheep are moved in accordance with:
 - a written permit issued by an inspector under section 7 (6) of the Act, or
 - an order given by an inspector under section 8 (1) (b) of the Act.

This Notification commences on the date of gazettal.

In this Notification:

completed Health Statement for Sheep means:

- an original numbered document sourced from a booklet titled 'NSW Animal Health Statement Sheep 1st Edition February 2004' or from a subsequent edition as approved by the Director, Animal and Plant Biosecurity, NSW Department of Primary Industries, and completed according to the instructions on the Statement or source booklet, or
- an original numbered document from a booklet titled 'NSW Sheep Health Statement 2nd Edition March 2006', or from a subsequent edition as approved by the Director, Animal and Plant Biosecurity, NSW Department of Primary Industries, and completed according to the instructions on the Statement or source booklet, or

- a document approved from time to time by the Director, Animal and Plant Biosecurity, NSW Department of Primary Industries, and completed according to the instructions on the Statement or source booklet, completed by the owner and/or person responsible for the husbandry of the sheep.

Director, Animal and Plant Biosecurity, means the Director, Animal and Plant Biosecurity, of NSW Department of Primary Industries.

Executive Director, Biosecurity, Compliance and Mine Safety, means the Executive Director, Biosecurity, Compliance and Mine Safety, of NSW Department of Primary Industries.

exempt sheep means:

- sheep being moved to slaughter, directly or via a slaughter-only sale;
- lambs accompanied by a National Vendor Declaration on which section 7 has been filled in with the words "PRIME LAMBS FOR SLAUGHTER ONLY"; and
- sheep being sent or delivered to a Health Statement for Sheep exempt sale approved by a Senior Regional Animal Health Manager no later than 48 hours before the sale.

'OJD Exclusion Area' means the part of New South Wales declared by Notification from time to time to be a Protected Area as regards Johne's disease in sheep.

'OJD Management Area' means the part of New South Wales declared by Notification from time to time to be a Protected (Control) Area as regards Johne's disease in sheep.

sale includes, sell, offer for sale, assist in selling and attempt to sell.

Senior Regional Animal Health Manager means Senior Regional Animal Health Manager, of NSW Department of Primary Industries.

SCHEDULE

Protected Area

The whole of the lands contained in the Armidale, Balranald, Bourke, Brewarrina, Broken Hill, Cobar, Condobolin, Coonabarabran, Coonamble, Hay, Hillston, Milparinka, Moree, Narrabri, Northern New England, Northern Slopes, Nyngan, Walgett, Wanaaring, Wentworth, and Wilcannia Rural Lands Protection Districts.

Notes

Contravening a provision of this Notification is an offence under section 20H(1)(a) of the Act. The maximum penalty for such an offence is \$11,000.

A map of the 'OJD Exclusion Area' and the 'OJD Management Area' as regards Johne's disease in sheep, is published on the NSW Department of Primary Industries' website at www.ojdinfo.nsw.gov.au

The course of action to be taken by the owner or occupier of the land in the 'OJD Exclusion Area', and in the 'OJD Management Area', and by the owner of the sheep, the owner's agent, or by any other person in charge of the sheep in each of those areas shall be as ordered by an inspector.

NSW Health Statements for Sheep are sourced from booklets published by NSW Department of Primary Industries

1805-OJD is the NSW Department of Primary Industries' reference.

For further information, contact the NSW Department of Primary Industries on (02) 6391 3691.

Dated this 14th day of August 2007.

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

STOCK DISEASES ACT 1923

Proclamation No. 564-OJD

Proclamation to restrict the importation or introduction into New South Wales of sheep on account of Johne's disease

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

I, Professor MARIE BASHIR, A.C., C.V.O., Governor of the State of New South Wales, with the advice of the Executive Council:

- A. pursuant to sections 3 (2) (a) and 11B of the Stock Diseases Act 1923 ('the Act'), revoke Proclamation No. 551-OJD published in *New South Wales Government Gazette* No. 111 of 1 July 2004 at pages 5597-5599, and any Proclamation revived as a result of its revocation; and
- B. pursuant to section 11B of the Act, and being of the opinion that certain sheep might be infected with, or might carry or spread, Johne's disease (in the form commonly known as ovine Johne's disease or OJD), restrict the importation or introduction into the State of sheep as set out in the Schedule.

SCHEDULE

Bringing of sheep into the OJD Exclusion Area of New South Wales

1. A person must not bring or cause or permit sheep to be brought into the part of New South Wales known as the 'OJD Exclusion Area' unless:
 - (a) the sheep are accompanied by a completed Health Statement for Sheep that is given to the person to whom the sheep are delivered; or
 - (b) the sheep are exempt sheep; or
 - (c) the sheep are moved in accordance with:
 - a written permit issued by an inspector under section 7 (6) of the Act, or
 - an order given by an inspector under section 8 (l) (b) of the Act

in circumstances that are of a kind approved from time to time by the Executive Director, Biosecurity, Compliance and Mine Safety or Director, Animal and Plant Biosecurity.

Bringing of sheep for sale or agistment into the OJD Management Area of New South Wales

2. A person must not bring or cause or permit sheep to be brought into the part of New South Wales known

as the 'OJD Management Area' for sale or agistment unless:

- (a) the sheep are accompanied by a completed Health Statement for Sheep that is given to the person to whom the sheep are delivered; or
- (b) the sheep are for sale and are exempt sheep; or
- (c) the sheep are moved in accordance with:
 - a written permit issued by an inspector under section 7 (6) of the Act, or
 - an order given by an inspector under section 8 (l) (b) of the Act

in circumstances that are of a kind approved from time to time by the Executive Director, Biosecurity, Compliance and Mine Safety or Director, Animal and Plant Biosecurity.

Definitions

In this Proclamation:

completed Health Statement for Sheep means:

- an original numbered document sourced from a booklet titled 'NSW Animal Health Statement Sheep 1st Edition February 2004' or from a subsequent edition as approved by the Director, Animal and Plant Biosecurity, NSW Department of Primary Industries, and completed according to the instructions on the Statement or source booklet, or
- an original numbered document from a booklet titled 'NSW Sheep Health Statement 2nd Edition March 2006', or from a subsequent edition as approved by the Director, Animal and Plant Biosecurity, NSW Department of Primary Industries, and completed according to the instructions on the Statement or source booklet, or
- a document approved from time to time by the Director, Animal and Plant Biosecurity, NSW Department of Primary Industries, and completed according to the instructions on the Statement or source booklet, completed by the owner and/or person responsible for the husbandry of the sheep.

Director, Animal and Plant Biosecurity, means the Director, Animal and Plant Bio-security, of NSW Department of Primary Industries.

Executive Director, Biosecurity, Compliance and Mine Safety, means the Executive Director, Biosecurity, Compliance and Mine Safety, of NSW Department of Primary Industries.

exempt sheep means:

- sheep being moved to slaughter, directly or via a slaughter-only sale;
- lambs accompanied by a National Vendor Declaration on which section 7 has been filled in with the words 'PRIME LAMBS FOR SLAUGHTER ONLY'; and
- sheep being sent or delivered to a Health Statement for Sheep exempt sale approved by a Senior Regional Animal Health Manager no later than 48 hours before the sale.

'OJD Exclusion Area' means the part of New South Wales declared by Notification from time to time to be a Protected Area as regards Johne's disease in sheep.

'OJD Management Area' means the part of New South Wales declared by Notification from time to time to be a Protected (Control) Area as regards Johne's disease in sheep.

sale includes, sell, offer for sale, assist in selling and attempt to sell.

Senior Regional Animal Health Manager means Senior Regional Animal Health Manager, of NSW Department of Primary Industries.

Notes

Introducing sheep into New South Wales in contravention of this Proclamation is an offence under section 20 of the Act. The maximum penalty for such an offence is ordinarily \$11,000, but is \$22,000 if the sheep are diseased, and \$110,000 and 6 months imprisonment if the sheep are diseased and other sheep in the State become diseased as a result.

The doing of other things in contravention of this Proclamation is an offence under section 20H (1) (a) of the Act. The maximum penalty for such an offence is \$11,000.

NSW Health Statements for Sheep are sourced from booklets published by NSW Department of Primary Industries.

A map of the 'OJD Exclusion Area' and the 'OJD Management Area' as regards Johne's disease in sheep, is published on the NSW Department of Primary Industries' website at www.ojdinfo.nsw.gov.au.

564-OJD is the NSW Department of Primary Industries' reference.

For further information, contact the NSW Department of Primary Industries on (02) 6391 3691.

Signed and sealed at Sydney this 22nd day of August 2007.

By Her Excellency's Command,

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

GOD SAVE THE QUEEN!

STOCK DISEASES REGULATION 2004

Order pursuant to clause 26

Exemptions from the requirement for cattle to be identified with a permanent identifier or for information to be provided to the authorised administrator of the permanent identification register

I, BARRY DESMOND BUFFIER, Director-General of the NSW Department of Primary Industries, pursuant to clause 26 of the Stock Diseases Regulation 2004 ("the Regulation"):

1. revoke the Order published in the *NSW Government Gazette* No. 166 on 23 December 2005 at pages 11659-11660, and any order revived as a result of that revocation; and
2. order that the person or class of persons specified in the Schedule below are exempt from the provisions specified in that Schedule.

This Order commences on 1 September 2007.

Dated this 27th day of August 2007.

B. D. BUFFIER,
Director-General,
NSW Department of Primary Industries

SCHEDULE

Definitions

"District veterinarian or ranger" means a person employed in either capacity in accordance with section 42 of the Rural Lands Protection Act 1998 and who is currently working for a Rural Lands Protection Board.

1. (*Unsuitable facilities*)

The owner or person in charge of cattle is exempt from clause 22 (3) of the Regulation where the cattle is:

- (i) located on a property where it is not practical to attach a permanent identifier, and
- (ii) moved directly from the property to another place in accordance with the approval of a district veterinarian or ranger, and
- (iii) identified after arrival at the other place with a permanent identifier in accordance with clause 21 before the stock is sold or slaughtered, or within 2 days of arrival, or before the stock leaves that place, whichever is the sooner.

OR

2. The owner or person in charge of cattle is exempt from clauses 22 (3) and 25B of the Regulation where the cattle is:

2.1 (*Short term local movements*)

- (i) moved to a contiguous property and returned to the original property within 2 days;

OR

2.2 (*Animal exhibits*)

- (i) owned by a mobile exhibition or animal display establishment that is licensed under the Exhibited Animals Protection Act 1986, and
- (ii) not moved to a saleyard or abattoir, and
- (iii) not sold, except to another licensed mobile exhibition or animal display establishment;

OR

2.3 (*Emergencies*)

- (i) located on a property that is affected by an emergency that necessitates the urgent movement of stock from the property, and
- (ii) identified after arrival at the other place with a permanent identifier in accordance with clause 21 before the stock is sold or slaughtered, or before the stock leaves that place unless the stock is returned directly to the previous property.

3. (*Knackeries*)

The owner or person in charge of an abattoir is exempt from clause 25A of the Regulation where:

- (i) cattle is sent to an abattoir that is licensed as a knackery in accordance with the Food Act 2003, and

- (ii) the relevant identification particulars of the cattle are provided by the owner or person in charge of the abattoir to the Department of Primary Industries within 14 days of the receipt of the cattle.

4. (*Large or difficult animals*)

A person is exempt from clauses 22 (3), 24 and 25A of the Regulation where the cattle is:

- (i) of such a size or disposition that it is impractical or unsafe to attach a permanent identifier, and
- (ii) identified with a tail tag that is printed with the property identification code of the last property on which the animal was kept, or a special identifier that is a tail tag, and
- (iii) moved in accordance with the approval of a district veterinarian or ranger to an abattoir, either directly or via a saleyard, where the cattle is slaughtered.

5. (*Stock in transit*)

The owner or person in charge of cattle is exempt from clause 25B of the Regulation where the cattle is:

- (i) moved directly between different parts of the same property across or along a travelling stock reserve, public road or stock watering place within 7 days, or
- (ii) moved from a travelling stock reserve or stock watering place to a contiguous travelling stock reserve or stock watering place and back again within 7 days, or
- (iii) moved in accordance with clause 1 of this Schedule and returned to the previous property within 2 days, or
- (iv) offloaded briefly while transferring stock from one vehicle to another vehicle,

AND

- (v) moved in accordance with the provisions of the Rural Lands Protection Act 1998, either
 - (a) in a vehicle and accompanied by a transported stock statement, or
 - (b) by walking in accordance with a stock permit, or
 - (c) as otherwise authorised under that Act.

STOCK DISEASES REGULATION 2004

Order pursuant to Clause 14

Exemptions from the requirement for cattle to be identified for transaction purposes

I, BARRY DESMOND BUFFIER, Director-General of the NSW Department of Primary Industries, pursuant to clause 14 (2) of the Stock Diseases Regulation 2004 ("the Regulation"):

1. revoke the Order published in the *NSW Government Gazette* No. 92 on 14 July 2006 at page 5498, and any order revived as a result of that revocation; and
2. approve that Division 2 of Part 3 of the Regulation does not apply in relation to any cattle.

Dated this 27th day of August 2007.

B. D. BUFFIER,
Director-General,
NSW Department of Primary Industries

STOCK DISEASES REGULATION 2004

Order pursuant to Clause 16

Exemptions from the requirement for stock to be identified for transaction purposes

I, BARRY DESMOND BUFFIER, Director-General of the NSW Department of Primary Industries, pursuant to clause 16 of the Stock Diseases Regulation 2004 ("the Regulation"), revoke the Order published in the *NSW Government Gazette* No. 166 on 23 December 2005 at page 11654, and any order revived as a result of that revocation.

Dated this 27th day of August 2007.

B. D. BUFFIER,
Director-General,
NSW Department of Primary Industries

STOCK DISEASES REGULATION 2004

Order Under Clauses 42 and 42A

Reuse of Approved Identifiers

I, BARRY DESMOND BUFFIER, Director-General of the NSW Department of Primary Industries, pursuant to clause 42 and 42A of the Stock Diseases Regulation 2004 ("the Regulation"), approve the sale, supply and attachment of an approved identifier that has previously been attached to any stock in the circumstances specified in the Schedule below.

Definitions

"Standard" means the permanent identification device standard for cattle as approved from time to time by the Standards Committee.

"Standards Committee" means the Meat and Livestock Australia NLIS Standards Committee.

SCHEDULE

1. A person may sell, supply and attach an approved identifier that has previously been attached to any stock only in accordance with the Standard.

Dated this 23rd day of August 2007.

B. D. BUFFIER,
Director-General,
NSW Department of Primary Industries

Note: For further information regarding this matter please contact – NSW Department of Primary Industries NLIS HELPLINE on 1300 720 405.

STOCK DISEASES REGULATION 2004

Order Under Clause 43

Manner of Dealing with Approved Identifiers
Attached to Slaughtered Stock

I, BARRY DESMOND BUFFIER, Director-General of the NSW Department of Primary Industries, pursuant to clause 43 of the Stock Diseases Regulation 2004 ("the Regulation"):

- a. revoke the order pursuant to clause 43 made by me and published in the *New South Wales Government Gazette* No. 111 of 1 July 2004 on page 5586, and any order revived as a result of this revocation, and

- b. specify that the owner or person in charge of an abattoir must deal with an approved identifier that is attached to any stock that is slaughtered at that abattoir in the manner specified in the Schedule below.

Definitions

“Standard” means the permanent identification device standard for cattle as approved from time to time by the Standards Committee.

“Standards Committee” means the Meat and Livestock Australia NLIS Standards Committee.

“approved organisation” means an organisation which has received approval from the Standards Committee to remanufacture approved identifiers.

SCHEDULE

1. Disposal within 28 days of slaughter:
 - a. by deep burial, or
 - b. by destruction by heat or rendering, or
 - c. at a waste management facility that is authorised under State legislation to take solid waste;

OR

2. Returned within 28 days of slaughter directly to an approved organisation.

Dated this 23rd day of August 2007.

B. D. BUFFIER,
Director-General,
NSW Department of Primary Industries

Note: For further information regarding this matter please contact – NSW Department of Primary Industries NLIS HELPLINE on 1300 720 405.

MINERAL RESOURCES

NOTICE is given that the following applications have been received:

EXPLORATION LICENCE APPLICATIONS

(07-355)

No. 3253, GOLDEN CROSS OPERATIONS PTY. LTD. (ACN 050 212 827), area of 22 units, for Group 1, dated 10 August 2007. (Cobar Mining Division).

(07-356)

No. 3254, GOLDEN CROSS OPERATIONS PTY. LTD. (ACN 050 212 827), area of 61 units, for Group 1, dated 10 August 2007. (Cobar Mining Division).

(07-357)

No. 3255, GOLDEN CROSS OPERATIONS PTY. LTD. (ACN 050 212 827), area of 82 units, for Group 1, dated 10 August 2007. (Cobar Mining Division).

(07-376)

No. 3273, GOLDEN CROSS OPERATIONS PTY. LTD. (ACN 050 212 827), area of 29 units, for Group 1, dated 22 August 2007. (Wagga Wagga Mining Division).

(07-377)

No. 3274, BEMAX RESOURCES LIMITED (ACN 009 247 858), area of 675 units, for Group 10, dated 22 August 2007. (Broken Hill Mining Division).

(07-378)

No. 3275, HILL END GOLD LIMITED (ACN 072 692 365), area of 150 units, for Group 1, dated 23 August 2007. (Orange Mining Division).

(07-379)

No. 3276, HILL END GOLD LIMITED (ACN 072 692 365), area of 106 units, for Group 1, dated 23 August 2007. (Orange Mining Division).

(07-380)

No. 3277, RIDGE EXPLORATION PTY LTD (ACN 127 215 132), area of 29 units, for Group 1, dated 24 August 2007. (Inverell Mining Division).

(07-381)

No. 3278, GOLD AND COPPER RESOURCES PTY LIMITED (ACN 124 534 863), area of 100 units, for Group 1, dated 24 August 2007. (Orange Mining Division).

(07-382)

No. 3279, GOLD AND COPPER RESOURCES PTY LIMITED (ACN 124 534 863), area of 60 units, for Group 1, dated 24 August 2007. (Orange Mining Division).

(07-383)

No. 3280, GOLD AND COPPER RESOURCES PTY LIMITED (ACN 124 534 863), area of 26 units, for Group 1, dated 24 August 2007. (Orange Mining Division).

(07-384)

No. 3281, GOLD AND COPPER RESOURCES PTY LIMITED (ACN 124 534 863), area of 8 units, for Group 1, dated 24 August 2007. (Orange Mining Division).

(07-385)

No. 3282, PANGAEA MINERALS PTY LIMITED (ACN 120 631 316), area of 48 units, for Group 6, dated 27 August 2007. (Orange Mining Division).

(07-386)

No. 3283, GOLD AND COPPER RESOURCES PTY LIMITED (ACN 124 534 863), area of 23 units, for Group 1, dated 24 August 2007. (Orange Mining Division).

(07-387)

No. 3284, GOLD AND COPPER RESOURCES PTY LIMITED (ACN 124 534 863), area of 66 units, for Group 1, dated 24 August 2007. (Orange Mining Division).

(07-388)

No. 3285, EDWIN GEORGE ROOTES AND JOHN T NEMISH, area of 60 units, for Group 1, dated 27 August 2007. (Orange Mining Division).

(07-390)

No. 3287, FOUR POINTS EXPLORATION LIMITED (ACN 101 168 343), area of 80 units, for Group 1, dated 27 August 2007. (Orange Mining Division).

(07-391)

No. 3288, FOUR POINTS EXPLORATION LIMITED (ACN 101 168 343), area of 327 units, for Group 1, dated 27 August 2007. (Cobar Mining Division).

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

NOTICE is given that the following applications have been received:

PETROLEUM EXPLORATION LICENCE APPLICATIONS

(07-425)

No. 83, GUNNEDAH GAS PTY LTD (ACN 115 880 772), area of 14 blocks, dated 21 May 2007. (Clarence-Moreton Basin).

(07-429)

No. 84, TITO TRAPUZZANO, area of 1 block, dated 22 May 2007. (Clarence-Moreton Basin).

(07-430)

No. 85, TITO TRAPUZZANO, area of 4 blocks, dated 22 May 2007. (Clarence-Moreton Basin).

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

NOTICE is given that the following applications have been received:

PETROLEUM SPECIAL PROSPECTING AUTHORITY APPLICATIONS

(07-426)

No. 24, GUNNEDAH GAS PTY LTD (ACN 115 880 772), area of 1 block, dated 21 May 2007. (Clarence-Moreton Basin).

(07-427)

No. 25, GUNNEDAH GAS PTY LTD (ACN 115 880 772), area of 1 block, dated 21 May 2007. (Clarence-Moreton Basin).

(07-428)

No. 26, GUNNEDAH GAS PTY LTD (ACN 115 880 772), area of 12 blocks, dated 21 May 2007. (Clarence-Moreton Basin).

(07-431)

No. 27, TITO TRAPUZZANO, area of 1 block, dated 22 May 2007. (Clarence-Moreton Basin).

(07-436)

No. 28, LEICHHARDT RESOURCES PTY LTD (ACN 125 844 448), area of 24 blocks, dated 24 July 2007. (Sydney Basin).

(07-437)

No. 29, LEICHHARDT RESOURCES PTY LTD (ACN 125 844 448), area of 23 blocks, dated 24 July 2007. (Sydney Basin).

(07-5389)

No. 30, LEICHHARDT RESOURCES PTY LTD (ACN 125 844 448), area of 9 blocks, dated 24 July 2007. (Gunnedah-Surat Basin).

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

NOTICE is given that the following applications have been granted:

EXPLORATION LICENCE APPLICATIONS

(06-7064)

No. 2933, now Exploration Licence No. 6858, MINERAL SANDS LIMITED (ACN 103 006 542), County of Wentworth, Map Sheets (7329, 7330, 7430), area of 235 units, for Group 10, dated 16 August 2007, for a term until 16 August 2009.

(07-174)

No. 3069, now Exploration Licence No. 6860, ELLEMBY RESOURCES PTY LTD (ACN 069 359 011), Counties of Poole and Tongowoko, Map Sheets (7238, 7239), area of 47 units, for Group 1, dated 16 August 2007, for a term until 16 August 2009.

(07-175)

No. 3070, now Exploration Licence No. 6859, ELLEMBY RESOURCES PTY LTD (ACN 069 359 011), Counties of Evelyn and Tongowoko, Map Sheet (7238), area of 93 units, for Group 1, dated 16 August 2007, for a term until 16 August 2009.

(07-240)

No. 3137, now Exploration Licence No. 6857, BULLDOZER PROSPECTING PTY LTD (ACN 125 564 865), County of Yancowinna, Map Sheets (7134, 7234), area of 8 units, for Group 1, dated 8 August 2007, for a term until 8 August 2009.

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

NOTICE is given that the following application has been withdrawn:

EXPLORATION LICENCE APPLICATION

(07-100)

No. 2998, ST JUDE EXPLORATION PTY LTD (ACN 079 398 780), County of Dowling, Map Sheet (8130). Withdrawal took effect on 23 August 2007.

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

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

(07-6420)

Authorisation No. 268, XSTRATA MT OWEN PTY LIMITED (ACN 003 827 361), area of 256 hectares. Application for renewal received 23 August 2007.

(07-6477)

Authorisation No. 374, DENDROBIUM COAL PTY LTD (ACN 098 744 088), area of 59.5 square kilometres. Application for renewal received 28 August 2007.

(T94-0194)

Exploration Licence No. 5336, NSW GOLD NL (ACN 003 307 702), area of 14 units. Application for renewal received 22 August 2007.

(T02-0079)

Exploration Licence No. 6002, BROKEN HILL OPERATIONS PTY LTD (ACN 054 920 893), area of 36 units. Application for renewal received 28 August 2007.

(T03-0035)

Exploration Licence No. 6132, PLATSEARCH NL (ACN 003 254 395), EAGLEHAWK GEOLOGICAL CONSULTING PTY LTD (ACN 061 324 454) AND TRIAKO RESOURCES LIMITED (ACN 008 498 119), area of 74 units. Application for renewal received 23 August 2007.

(06-60)

Exploration Licence No. 6622, HERITAGE GOLD NZ LTD (ACN 009 474 702), area of 22 units. Application for renewal received 27 August 2007.

(T83-1374)

Exploration (Prospecting) Licence No. 1050, CONRAD SILVER MINES PTY LTD (ACN 106 967 506), area of 4 units. Application for renewal received 28 August 2007.

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

RENEWAL OF CERTAIN AUTHORITIES

NOTICE is given that the following authorities have been renewed:

(T00-0406)

Gold Lease No. 5809 (Act 1906), KEVIN MANSON PTY LIMITED (ACN 001 279 161), Parish of Tambaroora, County of Wellington, Map Sheet (8731-1-N), area of 3.42 hectares, for a further term until 27 January 2023. Renewal effective on and from 8 August 2007.

(T03-0636)

Mining Lease No. 1116 (Act 1973), HILL END GOLD LIMITED (ACN 072 692 365), Parish of Tambaroora, County of Wellington, Map Sheet (8731-1-N), area of 15.71 hectares, for a further term until 16 October 2024. Renewal effective on and from 8 August 2007.

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

CANCELLATION OF AUTHORITY AT REQUEST OF HOLDER

NOTICE is given that the following authority has been cancelled:

(05-232)

Exploration Licence No. 6476, TURON GOLD PTY LTD (ACN 108 675 216), County of Georgiana and County of King, Map Sheet (8729), area of 40 units. Cancellation took effect on 16 August 2007.

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

TRANSFER

(T94-0246)

Exploration Licence No. 5242, formerly held by HERALD RESOURCES LIMITED (ACN 008 672 071) has been transferred to JAGUAR MINERALS LIMITED (ACN 107 159 713). The transfer was registered on 28 August 2007.

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

MINING ACT 1992

Order Under Section 224

I, Warren Green, Acting Manager Mineral Titles and Lightning Ridge by delegation from the Minister for Mineral Resources, pursuant to the provisions of section 224 of the Mining Act 1992, do by this Order constitute lands within Opal Prospecting Area No. 4 and depicted on plan catalogued M27048 in the Department of Primary Industries-Minerals Division, Maitland as Opal Prospecting Block Nos 218 to 222 inclusive.

Dated this 28th day of August 2007.

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

Roads and Traffic Authority

ROAD TRANSPORT (GENERAL) ACT 2005

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

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

General Manager,
Armidale Dumaresq Council
(by delegation from the Minister for Roads)
27 August 2007

SCHEDULE

1. Citation

This Notice may be cited as Armidale Dumaresq Council 25 Metre B-Double Vehicle Route Notice No. 1/2007

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

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

4. Application

This Notice applies to those B-Doubles vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 1998.

5. Routes

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25		Madgwick Road, Armidale	Martin Street	Clarks Road	
25		Handel Street, Armidale	Boorolong Road	Old Inverell Road	
25		Boorolong Road, Armidale	Handel Street	Town Limit	
25		Cookes Road, Armidale	Erskine Street	Apple Tree Hill Drive	
25		Apple Tree Hill Drive, Armidale	Rockvale Road	Cookes Road	
25		Long Swamp Road, Armidale	Depot Road	Town Limit	
25		Depot Road, Armidale	Long Swamp Road	To end of road	
25		Seaton Street, Armidale	Myrtle Drive	To end of road	
25		Mann Street, Armidale	Miller Street	Mott Street	
25		Mott Street, Armidale	Mann Street	200m north	

ROAD TRANSPORT (GENERAL) ACT 2005

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

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

Mr DAVID SHERLEY,
General Manager,
Bathurst Regional Council
(by delegation from the Minister for Roads)
July 2007

SCHEDULE

1. Citation

This Notice may be cited as Bathurst Regional Council B-Double Notice No. 1/2007.

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

This Notice remains in force until Wednesday 3 October 2007 only unless it is amended or repealed earlier.

4. Application

This Notice applies to those B-Double vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 1998.

5. Routes

<i>Type</i>	<i>Road No.</i>	<i>Road Names</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25	000	Havannah Street, Bathurst	Rocket Street	Panorama Avenue	
25	000	Panorama Avenue, Bathurst	Havannah Street	Pit Straight	
25	000	Pit Straight, Bathurst	Panorama Avenue	Pit Complex	

ROAD TRANSPORT (GENERAL) ACT 2005

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

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

Mr DAVID SHERLEY,
General Manager,
Bathurst Regional Council
(by delegation from the Minister for Roads)
July 2007

SCHEDULE

1. Citation

This Notice may be cited as Bathurst Regional Council B-Double Notice No. 2/2007.

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

This Notice remains in force from Monday 1 October 2007 to Tuesday 9 October 2007 unless it is amended or repealed earlier.

4. Application

This Notice applies to those B-Double vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 1998.

5. Routes

Type	Road No.	Road Name	Starting Point	Finishing Point	Conditions
25	000	Pit Straight, Bathurst	Pit Complex	Panorama Avenue	
25	000	Panorama Avenue, Bathurst	Pit Straight	Havannah Street	
25	000	Havannah Street, Bathurst	Panorama Avenue	Great Western Highway	
25	000	William Street, Bathurst	Great Western Highway	Panorama Avenue	
25	000	Panorama Avenue, Bathurst	William Street	Pit Straight	

ROAD TRANSPORT (GENERAL) ACT 2005

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

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

General Manager
Clarence Valley Council
(by delegation from the Minister for Roads)
27 August 2007

SCHEDULE**1. Citation**

This Notice may be cited as Clarence Valley Council 25 Metre B-Double Vehicle Route Notice No. 1/2007

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

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

4. Application

This Notice applies to those B-Doubles vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 1998.

5. Routes

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25		Iolanthe Street, South Grafton	Spring Street	500m north of Spring Street	

ROAD TRANSPORT (GENERAL) ACT 2005

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

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

HEIN BASSON,
General Manager
Glen Innes Severn Council
(by delegation from the Minister for Roads)
30 July 2007

SCHEDULE**1. Citation**

This Notice may be cited as Glen Innes Severn Council 25 Metre B-Double Notice No. 1/2007.

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

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

4. Application

This Notice applies to those B-Double vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 1998.

5. Routes

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25m		Young Street, Deepwater	New England Highway	Severn Street	
25m		Severn Street, Deepwater	Young Street	Dundee Street	
25m		Dundee Street, Deepwater	New England Highway	Severn Street	

ROAD TRANSPORT (GENERAL) ACT 2005

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

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

General Manager
Glen Innes Severn Council
(by delegation from the Minister for Roads)
27 August 2007

SCHEDULE**1. Citation**

This Notice may be cited as Glen Innes Severn Council 25 Metre B-Double Vehicle Route Notice No. 2/2007

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

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

4. Application

This Notice applies to those B-Doubles vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 1998.

5. Routes

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25		Wentworth Street, Glen Innes	New England Highway	Grey Street	

ROAD TRANSPORT (GENERAL) ACT 2005

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

GUYRA SHIRE COUNCIL, in pursuance of Division 4 of Part 2 of the Road Transport (Mass, Loading, Access) Regulation 2005, by this Notice, specify the routes and areas on or in which B-Doubles and 4.6m High Vehicles may be used subject to any requirements or conditions set out in the Schedule.

General Manager
Guyra Shire Council
(by delegation from the Minister for Roads)
27 August 2007

SCHEDULE**1. Citation**

This Notice may be cited as Guyra Shire Council 25 Metre B-Double and 4.6m High Vehicle Route Notice No. 1/2007

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

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

4. Application

This Notice applies to those B-Doubles and 4.6m high vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 1998.

5. Routes

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25 and 4.6m	MR135	Guyra-Ebor Road, Guyra	Ollera Street	Eastern Town Limit	
25 and 4.6m		Sandon Street, Guyra	New England Highway	Ryanda Street	

ROAD TRANSPORT (GENERAL) ACT 2005

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

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

General Manager
Inverell Shire Council
(by delegation from the Minister for Roads)
27 August 2007

SCHEDULE**1. Citation**

This Notice may be cited as Inverell Shire Council 25 Metre B-Double Vehicle Route Notice No. 2/2007

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

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

4. Application

This Notice applies to those B-Doubles vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 1998.

5. Routes

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25		Mansfield Street, Inverell	Sweaney Street	Byron Street	
25		Henderson Street, Inverell	Otho Street (HW12)	Campbell Street	

ROAD TRANSPORT (GENERAL) ACT 2005

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

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

General Manager
Liverpool Plains Shire Council
(by delegation from the Minister for Roads)
27 August 2007

SCHEDULE**1. Citation**

This Notice may be cited as Liverpool Plains Shire Council 25 Metre B-Double Vehicle Route Notice No. 1/2007

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

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

4. Application

This Notice applies to those B-Doubles vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 1998.

5. Routes

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25		Borah Creek Road, Quirindi	Allnutt Street	Town limits	

ROAD TRANSPORT (GENERAL) ACT 2005

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

SYDNEY OLYMPIC PARK AUTHORITY, in pursuance of Division 4 of Part 2 of the Road Transport (Mass, Loading, Access) Regulation 2005, by this Notice, specify the routes and areas on or in which 4.6 metre high vehicles may be used subject to any requirements or conditions set out in the Schedule.

STEPHEN KENNETT,
 Manager Traffic and Transport,
 Sydney Olympic Park Authority
 (by delegation from the Minister for Roads)
 27 August 2007.

SCHEDULE
1. Citation

This Notice may be cited as 4.6 metre high vehicles Notice No. 01/2007

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

This Notice remains in force until 31 December 2007 unless it is amended or repealed earlier.

4. Application

This Notice applies to those 4.6m high vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 1998.

5. Routes

<i>Type</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Condition</i>
4.6	Pondage Link, Sydney Olympic Park	Hill Road	Edwin Flack Avenue	
4.6	Edwin Flack Avenue – Kevin Coombs Road	Pondage Link	Australia Avenue	
4.6	Australia Avenue	Kevin Coombs Avenue	Sydney Showground Gate 13	Exit via the same route

ROAD TRANSPORT (GENERAL) ACT 2005

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

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

General Manager
Tamworth Regional Council
(by delegation from the Minister for Roads)
27 August 2007

SCHEDULE

1. Citation

This Notice may be cited as Tamworth Regional Council 25 Metre B-Double Vehicle Route Notice No. 4/2007

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

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

4. Application

This Notice applies to those B-Doubles vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 1998.

5. Routes

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25		Hinkler Street, Tamworth	Gunnedah Road	End of Road	
25		Gunnedah Road, Tamworth	Oxley Highway	Hinkler Street	
25		Bass Street, Tamworth	Oxley Highway	Hume Street	
25		Cook Street, Tamworth	Oxley Highway	Hume Street	
25		Plain Street, Tamworth	Arvo Street	Ebsworth Street	
25		Barnes Street, Tamworth	Belmore	Crown Street	
25		Belmore Street, Tamworth	Oxley Highway	William Street	
25		Belmore Street, Tamworth	Barnes Street	South to end	
25		Marius Street, Tamworth	Manilla Road	O'Connell Street	
25		Hume Street, Tamworth	Cook Street	Dampier Street	

ROAD TRANSPORT (GENERAL) ACT 2005

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

TAMWORTH REGIONAL COUNCIL, in pursuance of Division 4 of Part 2 of the Road Transport (Mass, Loading, Access) Regulation 2005, by this Notice, specify the routes and areas on or in which B-Doubles and 4.6m High Vehicles may be used subject to any requirements or conditions set out in the Schedule.

General Manager
Tamworth Regional Council
(by delegation from the Minister for Roads)
27 August 2007

SCHEDULE

1. Citation

This Notice may be cited as Tamworth Regional Council 25 Metre B-Double and 4.6m High Vehicle Route Notice No. 5/2007

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

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

4. Application

This Notice applies to those B-Doubles and 4.6m high vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 1998.

5. Routes

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25 and 4.6m		Goonoo Goonoo Road, Tamworth	Vera Street/Scotts Road	Church Street	

ROAD TRANSPORT (GENERAL) ACT 2005

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

WALCHA SHIRE COUNCIL, in pursuance of Division 4 of Part 2 of the Road Transport (Mass, Loading, Access) Regulation 2005, by this Notice, specify the routes and areas on or in which B-Doubles and 4.6m high vehicles may be used subject to any requirements or conditions set out in the Schedule.

General Manager
Walcha Shire Council
(by delegation from the Minister for Roads)
27 August 2007

SCHEDULE

1. Citation

This Notice may be cited as Walcha Shire Council 25 Metre B-Double and 4.6 m High Vehicle Route Notice No. 1/2007

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

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

4. Application

This Notice applies to those B-Doubles and 4.6 m high vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 1998.

5. Routes

<i>Type</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25 and 4.6m	Derby Street (Thunderbolts Way), Walcha	Northern Town Limit	Southern Town Limit	
25 and 4.6m	Towers Street, Walcha	Oxley Highway	End of road – 100m north of North Street	
25 and 4.6m	Jamieson Street, Walcha	Derby Street	Emu Creek Road	
25 and 4.6m	Emu Creek Road, Walcha	Jamieson Street	Town Limit	

ROADS AND TRANSPORT (GENERAL) ACT 2005

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

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

TREVOR LOBB,
General Manager,
Weddin Shire Council
24 August 2007

SCHEDULE

1. Citation

This Notice may be cited as Weddin Shire Council B-Double Vehicle Route Notice No. 1/2007.

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

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

4. Applications

This Notice applies to those B-Double vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2005 and Schedule 4 of the Road Transport (Vehicle Registration) Regulation 1998.

5. Routes

<i>Type</i>	<i>Road No.</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25	000	Holy Camp Road, Weddin Shire	MR239, Grenfell-Young Road	Berrys Lane	
25	000	Berrys Lane, Weddin Shire	Holy Camp Road	100 metres north of unnamed lane along southern boundary of Lot 1, DP 569688, Weddin Shire	
25	000	Unnamed lane along southern boundary of Lot 1, DP 569688, Weddin Shire	Berrys Lane	Entrance to Lot 1, DP 569688, approx 200 metres east of Berrys Lane	

ROAD TRANSPORT (VEHICLE REGISTRATION) ACT 1997

Notice Fixing Fees

I, Les Wielinga, Chief Executive of the Roads and Traffic Authority, pursuant to section 8 (1) (k) of the Road Transport (Vehicle Registration) Act 1997 and clause 79 of the Road Transport (Vehicle Registration) Regulation 1998, FIX the fee set out in column 2 of the Schedule to this Notice in respect of the service shown opposite to it in Column 1 of that Schedule.

LES WIELINGA,
Chief Executive Roads and Traffic Authority

SCHEDULE

- 1 This Notice takes effect on 24 September 2007.
- 2 In the case of a vehicle to be inspected by the Authority for the purpose of identification prior to the establishment of registration, the relevant fees are applicable:

<i>Column 1</i>	<i>Column 2</i>
Booking fee for all vehicles	\$55
Inspection of a vehicle on the national written off vehicle register, as maintained by roads authorities in each jurisdiction	\$351
3. Unless otherwise determined by the Authority, if the vehicle is not presented for an inspection in accordance with the booking;
 - a. The booking fee for that inspection is forfeited to the Authority; and
 - b. If the vehicle is subsequently presented for inspection, a further inspection fee must be paid to the Authority before the vehicle is inspected.
4. An agreement referred to in clause 3 above may be varied at the request of the customer so long as the request is made not more than 24 hours before the time currently agreed.

ROAD TRANSPORT (GENERAL) ACT 2005

General Class 3 Concrete Pipe Carrier Notice under Division 5 of Part 2 of the
Road Transport (Mass, Loading and Access) Regulation 2005

I, Les Wielinga, Chief Executive of the Roads and Traffic Authority, in pursuance of Part 2, Division 5 of the Road Transport (Mass, Loading and Access) Regulation 2005, by this Notice, exempt vehicles carrying concrete pipes from the provisions of clause 70 of Schedule 4 to the Road Transport (Vehicle Registration) Regulation 1998, subject to the conditions and requirements set out in this Notice.

LES WIELINGA,
Chief Executive,
Roads and Traffic Authority

Index**Part 1 – Preliminary**

- 1.1 Citation
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Part 2 – Operating and travel requirements

- 2.1 Operating requirements
- 2.2 Travel requirements

Part 3 – Dimension limits

- 3.1 Width of vehicles and loads
- 3.2 Compliance with other dimension limits

Part 4 – Definitions**Part 1 – Preliminary**

- 1.1 Citation
This Notice may be cited as the General Class 3 Concrete Pipe Carrier Notice 2007.
- 1.2 Commencement
This Notice takes effect on 1 September 2007.
- 1.3 Interpretations

1.3.1 Unless stated otherwise, words and expressions used in this Notice that are defined in Part 4 of this Notice or the Dictionary forming part of the Road Transport (Mass, Loading and Access) Regulation 2005 have the same meanings as those set out in that Part or that Dictionary.

1.3.2 Except where a contrary intention is indicated, the index, diagrams and notes in the text of this Notice do not form part of this Notice.

1.4 Effect

This Notice remains in force until 29 February 2008 unless it is amended or repealed earlier.

1.5 Application

1.5.1 This Notice applies provided that the motor vehicles, of the kind described in clause 1.5.2 are operated in accordance with the operation and travel requirements in Part 2 to this Notice.

1.5.2 This Notice applies to a Class 3 vehicle used to carry concrete pipes loaded transversely which does not, apart from its load of concrete pipes, exceed 2.5 metres in width.

Note: The concessional arrangements allowed by this Notice do not apply to B-doubles or road trains

Part 2 – Operating and travel requirements

2.1 Operating requirements

2.1.1 A copy of this Notice must be carried in the driving compartment whenever the vehicle is operating as a Class 3 vehicle carrying concrete pipes and must be produced to a police officer or an authorised officer when requested.

2.2 Travel requirements

2.2.1 A Class 3 vehicle carrying concrete pipes wider than 2.5 m must comply with the relevant provisions of the General Class 1 Oversize (Load-Carrying Vehicle) Notice 2007.

2.2.2 For the purposes of this Notice, the following roads in Emu Plains are deemed to be included in the Sydney Metropolitan Travel Zone of the General Class 1 Oversize (Load-Carrying Vehicle) Notice 2007:

M4 Motorway, Russell Street, Old Bathurst Road, Great Western Highway.

Part 3 – Dimension limits

3.1 The width of any load of concrete pipes carried on a Class 3 vehicle operating under this Notice must not exceed 2.65 metres.

3.2 A Class 3 vehicle and its load must comply with all other dimension limits provided in the Regulations, including those relating to overhangs.

Part 4 – Definitions

“authorised officer” means an officer of a Class referred to in Schedule 2 of the Road Transport (General) Regulation 2005, being a person who satisfies the criteria specified in respect of an officer of that Class.

“Class 3 vehicle” means a restricted access vehicle other than a Class 1 vehicle or a Class 2 vehicle.

ROAD TRANSPORT (GENERAL) ACT 2005

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

I, Les Wielinga, Chief Executive of the Roads and Traffic Authority, in pursuance to the Road Transport (Mass, Loading and Access) Regulation 2005, make the Notice set forth hereunder.

LES WIELINGA,
Chief Executive,
Roads and Traffic Authority

AMENDMENT

The General B-Double Notice 2005 under Division 4 of Part 2 of the Road Transport (Mass, Loading and Access) Regulation 2005, published in *Government Gazette* No. 164 of 23 December 2005 at pages 11267-11418, is amended:

Delete

3.5.2 The distance between the axles closest to each other in an adjacent multi-axle group must not differ from the distance between axles in any other adjacent multi axle group by more than 1 metre.

ROAD TRANSPORT (GENERAL) ACT 2005

General Class 3 Notice made under Division 5 of Part 2 of the
Road Transport (Mass, Loading and Access) Regulation 2005

I, Les Wielinga, Chief Executive of the Roads and Traffic Authority, in pursuance of Division 5 of Part 2 of the Road Transport (Mass, Loading and Access) Regulation 2005, do, by this Notice, exempt the vehicles described in Part 2 of the Schedule to this Notice from the dimensions, as specified in this Notice, set out in Clause 4(2) of Schedule 1 to the Road Transport (Mass, Loading and Access) Regulation 2005, subject to any conditions or requirements set out in the Schedule below.

LES WIELINGA,
Chief Executive,
Roads and Traffic Authority

SCHEDULE**PART 1 – PRELIMINARY****1.1 Citation**

This Notice may be cited as the General B-Double Axle Spacing Exemption Notice 2007.

1.2 Commencement

This Notice takes effect on the date of publication in the NSW Government Gazette.

1.3 Interpretations

Unless stated otherwise, words and expressions used in this Notice have the same meaning as those defined in the Dictionary to the Road Transport (Mass, Loading and Access) Regulation 2005.

1.4 Effect

This Notice remains in force until such time it is amended or repealed.

PART 2 – APPLICATION

- 2.1** This Notice applies to B-Doubles other than those with two tri-axle groups.

PART 3 – DIMENSIONS

- 3.1** B-Doubles referred to in 2.1 are exempt from the application of Clause 4 (2) of Schedule 1 to the Road Transport (Mass, Loading and Access) Regulation 2005.

Note: Clause 4 (2) requires that –

“The distance between the axles closest to each other in any adjacent multi-axle groups in a B Double must not differ from the distance between axles closest to each other in any other adjacent multi axle groups by more than 1 metre.”

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

Notice of Compulsory Acquisition of Land at
Hinchinbrook in the Liverpool City Council area

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

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

SCHEDULE

ALL that piece or parcel of land situated in the Liverpool City Council area, Parish of St Luke and County of Cumberland, shown as Lot 4 Deposited Plan 1110197, being part of the land in Certificate of Title 1/934856.

The land is said to be in the possession of Liverpool City Council.

(RTA Papers: FPP 7M2119; RO F9/259.11033)

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

Notice of Compulsory Acquisition of Land at
Hinchinbrook in the Liverpool City Council area.

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

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

SCHEDULE

All that piece or parcel of land situated in the Liverpool City Council area, Parish of St Luke and County of Cumberland, shown as Lot 5 Deposited Plan 1110197, being part of the land in Certificate of Title Volume 3235 folio 210 and notifications in the Government Gazette of 6 May 1949 and 3 November 1995 and said to be in the possession of the Crown and Liverpool City Council as the corporation appointed to manage the affairs of Hoxton Park Reserve (R73163) Reserve Trust.

(RTA Papers FPP 7M2120; RO F9/259.11032)

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

Notice of Compulsory Acquisition of Land at Kew
in the Port Macquarie Hastings Council area.

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

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

SCHEDULE

ALL that piece or parcel of land situated in the Port Macquarie Hastings Council area, Parish of Camden Haven and County of Macquarie, shown as:

Lot 19 Deposited Plan 1106207, being part of the land in Certificate of Title 1/733145 and said to be in the possession of Karen Denise McDonald (registered proprietor) and Commonwealth Bank of Australia (mortgagee);

excluding any existing easements from the compulsory acquisition of the land listed above.

(RTA Papers: FPP 6M3434)

Department of Water and Energy

WATER ACT 1912

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

Murrumbidgee Valley

Peter Anthony RANKIN and Jennifer May RANKIN for a bore on Lot 1, DP 1023099, Parish of Keewong, County of Murray for a water supply for stock, domestic and irrigation purposes (oak trees/truffle production – 2 hectares). New license. Reference 40BL191591.

Written submissions of support or objections with grounds stating how your interest may be affected must be lodged before 21 September 2007 as prescribed by the Act.

GA2:532393

S. F. WEBB,
Licensing Manager,
Murray/Murrumbidgee Region

Department of Water and Energy
PO Box 156,
Leeton NSW 2705

WATER ACT 1912

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

Sam Alexander MITCHELL for a pump on the Macdonald River on Lot 191, DP 1107240, Parish of Auburn, County of Northumberland for the irrigation of 3.0 hectares (improved pasture) (Part replacement licence – Part replaces 10SL055408) (no increase in authorised area – no increase in annual water entitlement) (Not subject to the 1995 Hawkesbury/Nepean Embargo) (Ref:10SL056770) (GA2 534357)

Any inquiries regarding the above should be directed to the undersigned (Phone: 9895 7194).

Written objections specifying grounds thereof must be lodged with the Department within 28 days of the date of this publication as prescribed by the Act.

WAYNE CONNERS,
Natural Resource Project Officer,
Licensing South,

Department of Water and Energy,
PO Box 3720,
Parramatta NSW 2124

WATER ACT 1912

APPLICATION under Part 2 of the Water Act 1912, being within a proclaimed (declared) local area under section 5 (4) of the Act.

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

Murray River Valley

Catherine Margaret TOBIN for a 150mm pump, an Off Creek Storage and a Block Dam on an unnamed watercourse on Lot 2, DP 224527, Parish of Bowna, County of Goulburn for Irrigation purposes. This is a new licence due to a

permanent transfer of a water entitlement. (GA2:524730) (Ref:50SL75699).

Any enquiries regarding the above should be directed to the undersigned (telephone (02) 6024 8859).

Written objections to the application specifying the grounds thereof, may be made by any statutory authority or local occupier within the proclaimed area whose interests may be affected, and must be lodged with the Department's office at Albury by no later than the 28 September, 2007.

GA2:524730

C. PURTLE
Senior Licensing Officer
Licensing South
Albury
(02) 6024 8859

Department of Water and Energy,
PO Box 829,
Albury NSW 2640

WATER ACT 1912

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

Murrumbidgee Valley

Gregory Joseph McALLISTER for a bore on Lot 2, DP 223057, Parish of Amungula, County of Murray for a water supply for industrial/commercial purposes (water carting). New license. Reference 40BL191596.

Written submissions of support or objections with grounds stating how your interest may be affected must be lodged before 28 September 2007 as prescribed by the Act.

S. F. WEBB,
Licensing Manager,
Murray/Murrumbidgee Region

Department of Water and Energy,
PO Box 156,
Leeton NSW 2705

WATER ACT 1912

APPLICATIONS for new licences under Part 5 of the Water Act 1912, as amended have been received as follows:

RICHARD RONALD McCONOCHIE for a proposed artesian bore, Lot 12, DP 753502, Parish Wullamgambone, County Gregory for water supply for stock and domestic purposes (80BL244482).

MURRAY ASHTON SIMPSON and PATRICIA ANN SIMPSON for a proposed artesian bore, Lot 16, DP 753494, Parish The Mole, County Gregory for water supply for stock purposes (80BL244481).

MURRAY ASHTON SIMPSON for a proposed artesian bore, Lot 51, DP 753459, Parish Grahway, County Gregory for water supply for stock purposes (80BL244106).

BRUCE CAMPBELL NOMINEES PTY LIMITED for a proposed artesian bore, Lot 2, DP 1110061, Parish Northcote, County Gregory for water supply for stock and domestic purposes (80BL244483).

BRUCE CAMPBELL NOMINEES PTY LIMITED for a proposed artesian bore, Lot 27, DP 753482, Parish Northcote, County Gregory for water supply for stock and domestic purposes (80BL244485).

Written objections to the applications specifying grounds thereof must be lodged with the Department of Water and Energy, Locked Bag 10, Grafton NSW 2460 within 28 days of the date of publication.

DENNIS MILLING,
Manager Licensing

WATER ACT 1912

AN application under Part 2, within proclaimed (declared) local areas under section 5 (4) of the Water Act 1912. An application for a licence under section 10 of Part 2 of the Water Act 1912 has been received as follows:

Barwon-Darling River Valley

Henry Lester SHEPHERD for a pump on the Bogan River, Lot 34, DP 755103, Parish Enerweena, County Narromine for water supply for stock and domestic purposes and irrigation of 25 hectares (combining & replacing existing entitlement by way of permanent transfer) (80SL96270).

Peter Gerard SIMMONDS & Tracey May SIMMONDS for a pump on the Darling River, Lots 63, 64, 67 and 69, DP 751867, Parish East Bourke, County Cowper for water supply for stock and domestic purposes and irrigation of 12.5 hectares (pasture & melons) (replacing existing A class entitlement by way of permanent transfer) (85SL105004).

Gwydir Valley

TIPALEA PARTNERS PTY LTD (Gunnee Station) for a bywash dam on an unnamed watercourse, Lot 101, DP 1078963, Parish Burnett, County Burnett for water supply for stock and domestic purposes (90SL100941).

Namoi River Valley

Douglas Clyde WHITE and Lynette Gail WHITE for a pump on the Peel River on Lot 1, DP 95993 Parish Tangaratta, County Parry for irrigation of 11 hectares (lucerne). (Replacement licence; amalgamation of existing entitlement with entitlement obtained by way of permanent transfer) (90SL100933)

Anthony Grahame DONNELLY and Sonia Maree DONNELLY for 2 pumps on the Namoi River and three dams and one pump on an unnamed watercourse on Lots 135 and 136, DP 752201 Parish Veness, County Darling for irrigation of 35 hectares (oats and improved pastures). (New licence, water entitlement obtained by way of permanent transfer) (90SL100934)

PRES DAR PTY LTD for 2 pumps on the Peel River on Lot 3, DP 1047657 County Parry for irrigation of 80 hectares (lucerne) (New licence; amalgamation of existing entitlement with entitlements obtained by way of permanent transfer) (increased pumping capacity) (90SL100945).

North Coast

CHRISTOPHER KEVIN CLEARY and DEIRDRE ANN CLEARY for a pump on Orara River Lot 282, DP 615218 Parish Comlaroi County Fitzroy for irrigation of 1 hectare (5 megalitres) (new license, entitlement by way of permanent transfer) (Ref:9045329-1).

Hunter

John Hudson WALLIS and Shona Aicken WALLIS for a pump on the Gloucester River on Lot 40, DP 828252, Parish Berrico, County Gloucester for irrigation of 1.5 hectares (improved pasture, permanent water transfer) 20SL061732

Rowan Morris BERECRY and Helen Margaret Honor BERECRY for a dam and pump within the catchment area of Ironbark Creek on Lot 168, DP 755253, Parish Popran, County Northumberland for conservation of water and irrigation of 5.0 hectares (stonefruit, split of existing license) 20SL061735

Written objections to the applications specifying the grounds thereof, may be made by any statutory authority or local occupier within the proclaimed local area whose interests may be affected and must be lodged with the Department of Water & Energy, Locked Bag 10, Grafton NSW 2460, within 28 days of the date of publication.

DENNIS MILLING,
Manager Licensing

WATER MANAGEMENT ACT 2000

Order under section 71Z

Access Licence Dealing Principles Order 2007 (Water Tagging Zones)

PURSUANT to section 71Z of the Water Management Act 2000, I Simon Miller as delegate of the Minister for Climate Change, Environment and Water amend the Access Licence Dealing Principles Order 2004 as set out in schedule 1.

Dated at Sydney this 23rd day of August 2007.

SIMON Miller,
Acting Director General,
Department of Water and Energy

SCHEDULE 1

Amendments

- [1] Clause 20 Nomination of water supply works
Insert "unless that nomination is for a water supply work in a NSW water tagging zone or an interstate water tagging zone" after "location of the nominated work" in clause 20 (5).
- [2] Clause 20(10)
Insert after clause 20 (9)
 - (10) Dealings under section 71W which involve the nomination, or the withdrawal of any such nomination, of water supply works in a NSW water tagging zone or an interstate water tagging zone must be assessed in accordance with the rules applying from time to time under Schedule E of the Murray Darling Basin Agreement.
- [3] Insert after clause 20
Clause 21 Interstate and NSW Tagging Zones
 - (1) The interstate water tagging zones which are approved from time to time in the Protocols made under Schedule E of the Murray Darling Basin Agreement are established as interstate water tagging zones for the purposes of section 71W of the Act.

- (2) The NSW water tagging zones specified in Schedule 1 are established as NSW water tagging zones for the purposes of section 71W of the Act.

Schedule 1 – NSW water tagging zones

<i>Name of the Zone</i>	<i>Description of the Zone</i>
Murrumbidgee water tagging zone	The Murrumbidgee Regulated River Water Source as defined in the Water Sharing Plan for the Murrumbidgee Regulated River Water Source.
NSW Murray above the Barmah Choke water tagging zone	Those parts of the New South Wales Murray Regulated River Water Source that are above the Barmah Choke as defined in the Water Sharing Plan for the New South Wales Murray and Lower Darling Regulated Rivers Water Source.
NSW Murray below the Barmah Choke water tagging zone	Those parts of the New South Wales Murray Regulated River Water Source that are below the Barmah Choke as defined in the Water Sharing Plan for the New South Wales Murray and Lower Darling Regulated Rivers Water Source.
Lower Darling water tagging zone	The Lower Darling Regulated River Water Source as defined in the Water Sharing Plan for the New South Wales Murray and Lower Darling Regulated Rivers Water Source.

Note: The Access Licence Dealing Principles Order 2004 incorporating these amendments can be viewed at: <http://www.legislation.nsw.gov.au>.

Other Notices

APPRENTICESHIP AND TRAINEESHIP ACT 2001

Notice Of Making Of A Vocational Training Order

THE following Vocational Training Order is made under section 6 of the Apprenticeship and Traineeship Act 2001 in relation to the recognised traineeship vocation of Drilling Operations.

CITATION

The Order is cited as the Drilling Operations Order.

ORDER

The Order is given below.

(a) Term of Training

(i) Full-time

Training shall be given for a nominal period of:

Certificate II in Drilling – Environmental DRT20103	12 months	Certificate III in Drilling – Geotechnical DRT30303 when the trainee holds the Certificate II in Drilling – Geotechnical DRT20303	12 months
Certificate III in Drilling – Environmental DRT30103 by direct entry	24 months	Certificate IV in Drilling – Geotechnical DRT40303 by direct entry	30 months
Certificate III in Drilling – Environmental DRT30103 when the trainee holds Certificate II in Drilling – Environmental DRT20103	12 months	Certificate IV in Drilling – Geotechnical DRT40303 when the trainee holds the Certificate III in Drilling – Geotechnical DRT30303	12 months
Certificate IV in Drilling – Environmental DRT40103 by direct entry	30 months	Certificate II in Drilling – Trenchless Technology DRT20403	12 months
Certificate IV in Drilling – Environmental DRT40103 when the trainee holds Certificate III in Drilling – Environmental DRT30103	12 months	Certificate III in Drilling – Trenchless Technology DRT30403 by direct entry	24 months
Certificate II in Drilling – Foundation/Construction DRT20203	12 months	Certificate III in Drilling – Trenchless Technology DRT30403 when the trainee holds the Certificate II in Drilling – Trenchless Technology DRT20403	12 months
Certificate III in Drilling – Foundation/Construction DRT30203 by direct entry	24 months	Certificate IV in Drilling – Trenchless Technology DRT40403 by direct entry	30 months
Certificate III in Drilling – Foundation/Construction DRT30203 when the trainee holds the Certificate II in Drilling – Foundation/ Construction DRT20203	12 months	Certificate IV in Drilling – Trenchless Technology DRT40403 when the trainees holds the Certificate III in Drilling – Trenchless Technology DRT30403	12 months
Certificate IV in Drilling – Foundation/Construction DRT40203 by direct entry.	30 months	Certificate II in Drilling – Mineral Exploration DRT20503	12 months
Certificate IV in Drilling – Foundation/Construction DRT40203 where the trainees holds the Certificate III in Drilling – Foundation/ Construction DRT30203	12 months	Certificate III in Drilling – Mineral Exploration DRT30503 by direct entry	24 months
Certificate II in Drilling – Geotechnical DRT20303	12 months	Certificate III in Drilling – Mineral Exploration DRT30503 when the trainee holds the Certificate II in Drilling – Mineral Exploration DRT20503	12 months
Certificate III in Drilling – Geotechnical DRT30303 by direct entry	24 months	Certificate IV in Drilling – Mineral Exploration DRT40503 by direct entry	30 months
		Certificate IV in Drilling – Mineral Exploration DRT40503 when the trainee holds the Certificate III in Drilling – Mineral Exploration DRT30503	12 months
		Certificate II in Drilling – Mineral Production and Development DRT20603	12 months

Certificate III in Drilling – Mineral Production and Development DRT30603 by direct entry	24 months	Certificate III in Drilling – Oil/Gas On shore DRT30903 when the trainee holds the Certificate II in Drilling – Oil/Gas On shore DRT20903	12 months
Certificate III in Drilling – Mineral Production and Development DRT30603 when the trainee holds Certificate II in Drilling – Mineral Production and Development DRT20603	12 months	Certificate IV in Drilling – Oil/Gas On shore DRT40903 by direct entry	30 months
Certificate IV in Drilling – Mineral Production and Development DRT40603 by direct entry	30 months	Certificate IV in Drilling – Oil/Gas On shore DRT40903 when the trainee holds the Certificate III in Drilling – Oil/Gas On shore DRT30903	12 months
Certificate IV in Drilling – Mineral Production and Development DRT40603 when the trainee holds the Certificate III in Drilling – Mineral Production and Development DRT30603	12 months	Certificate II in Drilling – Seismic DRT21003	12 months
Certificate II in Drilling – Blast Hole DRT20703	12 months	Certificate III in Drilling – Seismic DRT31003 by direct entry	24 months
Certificate III in Drilling – Blast Hole DRT30703 by direct entry	24 months	Certificate III in Drilling – Seismic DRT31003 when the trainee hold the Certificate II in Drilling – Seismic DRT21003	12 months
Certificate III in Drilling – Blast Hole DRT30703 when the trainee holds the Certificate II in Drilling – Blast Hole DRT20703	12 months	Certificate IV in Drilling – Seismic DRT41003 by direct entry	30 months
Certificate IV in Drilling – Blast Hole DRT40703 by direct entry	30 months	Certificate IV in Drilling – Seismic DRT41003 when the trainee holds the Certificate III in Drilling – Seismic DRT31003	12 months
Certificate IV in Drilling – Blast Hole DRT40703 when the trainee holds the Certificate III in Drilling – Blast Hole DRT30703	12 months	Certificate II in Drilling – Water Well DRT21103	12 months
Certificate II in Drilling – Oil/Gas Off shore DRT20803	12 months	Certificate III in Drilling – Water Well DRT31103 by direct entry	24 months
Certificate III in Drilling – Oil/Gas Off shore DRT30803 by direct entry	24 months	Certificate III in Drilling – Water Well DRT31103 when the trainee holds the Certificate II in Drilling – Water Well DRT21103	12 months
Certificate III in Drilling – Oil/Gas Off shore DRT30803 when the trainee holds the Certificate II in Drilling – Oil/Gas Off shore DRT20803	12 months	Certificate IV in Drilling – Water Well DRT41103 by direct entry	30 months
Certificate IV in Drilling – Oil/Gas Off shore DRT40803 by direct entry	30 months	Certificate IV in Drilling – Water Well DRT41103 when the trainee holds the Certificate III in Drilling – Water Well DRT31103	12 months
Certificate IV in Drilling – Oil/Gas Off shore DRT40803 when the trainee holds the Certificate III in Drilling – Oil/Gas Off shore DRT30803	12 months		
Certificate II in Drilling – Oil/Gas On shore DRT20903	12 months		
Certificate III in Drilling – Oil/Gas On shore DRT30903 by direct entry	24 months		

or until achievement of the relevant competencies to this Vocational Training Order is demonstrated.

(ii) Part-time

School based traineeships

In the case of school based part-time traineeships, trainees will undertake a minimum of 100 days on-the-job training across a twenty-four (24) month period within which trainees shall be required to demonstrate competencies relevant to the Vocational Training Order.

While at school, training may extend to sixty (60) months where the Higher School Certificate is being delivered over a five (5) year period.

Students may work full-time during school vacations and/or weekends. They are not required to attend on-the-job and/or off-the-job training for more than one (1) day per week during examination periods or exam preparation periods.

Non school based traineeships

The nominal term for a part-time traineeship is determined by the average weekly hours worked in the traineeship (including structured training) and the nominal full-time term for that traineeship.

The table below identifies the allowable hours which may be undertaken and the nominal terms for part-time traineeships.

Full-time Traineeship Term	6 mths	12 mths	18 mths	24 mths	30 mths	36 mths	48 mths
Weekly Hours	Nominal Term Required (Months)						
15	15	30	45	Not Allowable			
16	15	29	44	Not Allowable			
17	14	28	42	Not Allowable			
18	14	27	41	Not Allowable			
19	13	26	39	Not Allowable			
20	13	25	38	Not Allowable			
21	12	24	36	48	Not Allowable		
22	12	23	35	46	Not Allowable		
23	11	22	33	44	55	Not Allowable	
24	11	21	32	42	53	Not Allowable	
25	10	20	30	40	50	60	Not Allowable
26	10	19	29	38	48	57	Not Allowable
27	9	18	27	36	45	54	72
28	9	17	26	34	43	51	68
29	8	16	24	32	40	48	64
30	8	15	23	30	38	45	60
31	Not Allowable		22	28	35	42	56
32	Not Allowable		20	26	33	39	52

(b) Competency Outcomes

Trainees will be trained in and achieve competence in the units of competence specified in the Drilling Industry Training Package DRT03.

(c) Courses of Study to be undertaken

Trainees will undertake the following courses of study:

- Certificate II in Drilling – Environmental DRT20103
- Certificate III in Drilling – Environmental DRT30103
- Certificate IV in Drilling – Environmental DRT40103

- Certificate II in Drilling – Foundation/Construction DRT20203
- Certificate III in Drilling – Foundation/Construction DRT30203
- Certificate IV in Drilling – Foundation/Construction DRT40203
- Certificate II in Drilling – Geotechnical DRT20303
- Certificate III in Drilling – Geotechnical DRT30303
- Certificate IV in Drilling – Geotechnical DRT40303
- Certificate II in Drilling – Trenchless Technology DRT20403
- Certificate III in Drilling – Trenchless Technology DRT30403
- Certificate IV in Drilling – Trenchless Technology DRT40403
- Certificate II in Drilling – Mineral Exploration DRT20503
- Certificate III in Drilling – Mineral Exploration DRT30503
- Certificate IV in Drilling – Mineral Exploration DRT40503
- Certificate II in Drilling – Mineral Production and Development DRT20603
- Certificate III in Drilling – Mineral Production and Development DRT30603
- Certificate IV in Drilling – Mineral Production and Development DRT40603
- Certificate II in Drilling – Blast Hole DRT20703
- Certificate III in Drilling – Blast Hole DRT30703
- Certificate IV in Drilling – Blast Hole DRT40703
- Certificate II in Drilling – Oil/Gas Off shore DRT20803
- Certificate III in Drilling – Oil/Gas Off shore DRT30803
- Certificate IV in Drilling – Oil/Gas Off shore DRT40803
- Certificate II in Drilling – Oil/Gas On shore DRT20903
- Certificate III in Drilling – Oil/Gas On shore DRT30903
- Certificate IV in Drilling – Oil/Gas On shore DRT40903
- Certificate II in Drilling – Seismic DRT21003
- Certificate III in Drilling – Seismic DRT31003
- Certificate IV in Drilling – Seismic DRT41003
- Certificate II in Drilling – Water Well DRT21103
- Certificate III in Drilling – Water Well DRT31103
- Certificate IV in Drilling – Water Well DRT41103

AVAILABILITY FOR INSPECTION

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

CHARITABLE TRUSTS ACT 1993

Settlement of a Cy-Pres Scheme for the Application of Trust Property at the Graythwaite Hospital Site.

TAKE notice that the Supreme Court of New South Wales has made a declaration pursuant to section 9 Charitable Trusts Act 1993 (NSW) that the original purposes of the charitable trust of the property known as "Graythwaite", presently the site of the Graythwaite Hospital, between Edward Street and Union Street, North Sydney, have ceased to provide a suitable and effective method of using the trust property having regard to the spirit of the trust.

Having made that declaration the Supreme Court has also ordered that the Trust property be applied cy près and that a scheme be settled for that purpose.

The Graythwaite property was given to the State of New South Wales in perpetuity by its then owner, Thomas Allwright Dibbs, in 1915 for use as a convalescent home for injured soldiers and sailors and, failing that, as a convalescent home for distressed subjects of the British Empire. In that latter role Graythwaite has operated as an aged care facility since 1980. That use has been held to be inconsistent with the terms of the trust.

Any person or entity wishing to bring forward a scheme should appear at the next listing of the proceedings before the Supreme Court for Directions at 12 noon on Monday 12 November 2007 in Court 9C, Law Courts Building, Queen's Square, Sydney. Schemes formulated on the basis that the property be sold should address how the proceeds of the sale should be applied.

Anyone doing so should first file a Notice of Appearance in the Registry of the Supreme Court.

Any person proposing a scheme should also file an affidavit containing or annexing an outline of the proposed scheme in the Registry of the Court in advance of the Directions Hearing listed for 12 November 2007. Copies of that affidavit should also be served on the following parties:

1. The State of New South Wales and Northern Sydney Central Coast Area Health Service c/- Teece Hodgson Ward, Solicitors, 1 Chifley Square, Sydney (DX 562 Sydney)
2. The Attorney-General for the State of New South Wales c/- The Crown Solicitor, GPO Box 2727, Sydney NSW 2000
3. North Sydney Council, c/- Mallesons Solicitors, Level 61 Governor Phillip Tower, 1 Farrer Place, Sydney NSW 2000

The judgment given in these proceedings, Northern Sydney and Central Coast Area Health Service v Attorney-General for New South Wales [2007] NSWSC 881 (14 August 2007) can be found at <http://www.lawlink.nsw.gov.au/scjudgments> or via <http://www.austlii.edu.au>.

RICHARD MATTHEWS,
Deputy Director General,
New South Wales Department of Health

CONTAMINATED LAND MANAGEMENT ACT 1997

Section 21

Declaration of remediation site

Declaration Number 21107 / Area Number 3238

THE Environment Protection Authority (EPA) declares the following land to be a remediation site under the Contaminated Land Management Act 1997 ("the Act").

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

All that land described as Lot 21 in DP 546045 on the corner of Brisbane Street and Cobra Street, Dubbo in the local government area of the City of Dubbo, New South Wales.

2. Nature of contamination affecting the site:

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

- Benzene, Toluene, Ethylbenzene and Xylene (BTEX); and,
- Petroleum Hydrocarbons (TPH).

3. Nature of harm that the contaminants may cause:

The EPA has considered the matters in section 9 of the Act and for the following reasons has determined that the site is contaminated in such a way as to present a significant risk of harm to human health and the environment:

- The groundwater has been degraded by dissolved phase and separate phase hydrocarbon contamination at concentrations significantly exceeding relevant guideline levels;
- The contamination includes benzene, a known human carcinogen, and is potentially toxic to humans and aquatic organisms if there are exposures to human or aquatic receptors;
- The contamination is likely to migrate offsite in groundwater; and,
- There are potential exposure pathways to the contamination through use of groundwater in the region and to human/ecological receptors in the Macquarie River.

4. Further action under the Act

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

5. Submissions invited

The public may make written submissions to the EPA on:

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

Submissions should be made in writing to:

Acting Manager Contaminated Sites
Department of Environment and Conservation
PO Box A290
Sydney South NSW 1232
or faxed to 02 9995 5930

by not later than 20 September 2007.

Date: 22 August 2007.

NIALL JOHNSTON,
A/Manager Contaminated Sites,
Department of Environment and Conservation

NOTE:

Remediation order may follow

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

Variation/Revocation

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

Information recorded by the EPA

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

Information recorded by councils

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

Relationship to other regulatory instrument

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

CO-OPERATIVES ACT 1992

Change of Name

IT is hereby notified that on 20 August 2007, I registered a change of name for Seventh Floor Co-operative Limited to Seven Wentworth Co-operative Limited.

Dated this 20th day of August 2007.

JANINE CROSS,
Delegate of the Registrar of Co-Operatives

CORPORATIONS ACT 2001

Notice Under Section 601AC of the Corporations Act 2001 as applied by Section 177 of the Co-Operative Housing and Starr Bowkett Societies Act 1998

NOTICE is hereby given that the Starr-Bowkett mentioned below will be deregistered when three months have passed since the publication of this notice.

Newtown and Enmore Starr-Bowkett Building Co-operative Society No. 22 Limited

Dated this twenty-eighth day of August 2007.

C. GOWLAND,
Delegate of the Registrar of Co-Operatives

CORPORATIONS ACT 2001

Notice Under Section 601AC of the Corporations Act 2001 as applied by Section 177 of the Co-Operative Housing and Starr Bowkett Societies Act 1998

NOTICE is hereby given that the Starr-Bowkett mentioned below will be deregistered when three months have passed since the publication of this notice.

The Saint George Starr-Bowkett Co-operative Society
No. 22 Section Limited

Dated this twenty-eighth day of August 2007.

C. GOWLAND,
Delegate of the Registrar of Co-Operatives

DISTRICT COURT ACT 1973

District Court Amendment (Criminal Procedure) Rule
2007 under the District Court Act 1973

THE District Court Rule Committee made the following rule of court under the District Court Act 1973 on 23 August 2007.

A. R. GREW,
Secretary to the District Court Rule Committee

Explanatory note

The object of this rule is to amend Part 53 of the District Court Rules 1973 to:

- (a) substitute the word "subpoena" for the word "notice" being the last word in rule 20 (3); and
- (b) add the words "or thing" after the word "document" where appearing in rule 21 (b).

1 Name of Rule

This rule is the District Court Amendment (Criminal Procedure) Rule 2007.

2 Amendment of District Court Rules 1973

The District Court Rules 1973 are amended as set out in Schedule 1.

SCHEDULE 1

Amendment (Clause 2)

Part 53, rule 20

Omit "notice" from rule 20 (3). Insert instead "subpoena".

Part 53, rule 21

Omit "document" wherever occurring in paragraph (b). Insert instead "document or thing".

GAME AND FERAL ANIMAL CONTROL ACT 2002

Notification of suspension of Schedule 1 Conditions of
NSW Game Hunting Licences

IN pursuance of the Game and Feral Animal Control Regulation 2004 the Game Council of NSW gives notice of the suspension of operations of provisions in Clauses 4, 5, 7 and 9 of Schedule 1 of the Game and Feral Animal Control Regulation 2004 on the following specified land for the control of game and feral animals: Red Deer – Cervus Elephus.

For the period 31/08/2007 until 31/08/2012.

Location: Breealong. Lots: 42 and 43, DP 1065403.

Approved by Game Council of NSW this 20th day of December 2006.

BRIAN BOYLE,
Chief Executive Officer,
For and on behalf of the Game Council of NSW

GAME AND FERAL ANIMAL CONTROL ACT 2002

Notification of suspension of Schedule 1 Conditions of
NSW Game Hunting Licences

IN pursuance of the Game and Feral Animal Control Regulation 2004 the Game Council of NSW gives notice of the suspension of operations of provisions in Clauses 5, 7 and 9 of Schedule 1 of the Game and Feral Animal Control Regulation 2004 on the following specified land for the control of game and feral animals: Rusa Deer – *Cervus timorensis*.

For the period 31/08/2007 until 31/08/2012.

Location: Helensburgh. Lots: 01 and 02, DP 216627.

Approved by Game Council of NSW this 20th day of December 2006.

BRIAN BOYLE,
Chief Executive Officer,
For and on behalf of the Game Council of NSW

GEOGRAPHICAL NAMES ACT 1966

Notice of Amendment of Address Locality Boundaries
within the Albury City Local Government Area

PURSUANT to the provisions of section 10 of the Geographical Names Act 1966, the Geographical Names Board hereby notifies that it has this day amended address locality boundaries in the Albury City Local Government Area as shown on map GNB3729-2.

The position and extent of this feature is recorded and shown within the Geographical Names Register of New South Wales. This information can be accessed through the Board's website at www.gnb.nsw.gov.au.

WARWICK WATKINS,
Chairperson

Geographical Names Board,
PO Box 143,
Bathurst NSW 2795

GEOGRAPHICAL NAMES ACT 1966

Notice of Amendment Address Locality Names and
Boundaries within the Maitland City Local Government
Area

PURSUANT to the provisions of section 10 of the Geographical Names Act 1966, the Geographical Names Board has this day amended address locality boundaries in the Maitland City Local Government Area as shown on map GNB3548-1.

The amendments have enabled the creation of a new address locality called Chisholm.

The position and extent of this feature is recorded and shown within the Geographical Names Register of New South Wales. This information can be accessed through the Board's web site at www.gnb.nsw.gov.au.

WARWICK WATKINS,
Chairperson

Geographical Names Board,
PO Box 143,
Bathurst NSW 2795

GEOGRAPHICAL NAMES ACT 1966

Notice to Discontinue a Geographical Name

PURSUANT to the provisions of section 14 of the Geographical Names Act 1966, the Geographical Names Board hereby notifies that it has this day discontinued the name below:

Discontinued Name:	Dark Brothers Cave
Assigned Name:	Dark Brother Cave
Designation:	Cave
L.G.A.:	Palerang Council
Parish:	Corang
County:	St Vincent
L.P.I. Map:	Endrick
1:100,000 Map:	Ulladulla 8927

WARWICK WATKINS,
Chairperson

Geographical Names Board,
PO Box 143,
Bathurst NSW 2795

HEALTH ADMINISTRATION ACT 1982

Order Amending the Name of an
Approved Quality Assurance Committee

PURSUANT to section 20E (1) of the Health Administration Act 1982, I, JOHN HATZISTERGOS, Acting Minister for Health, do by this order hereby amend the name of the "Ryde Hospital's Medical Review Committee" (approval published in the Government Gazette No. 146 of 13 December 1996) so that it is instead known as the "Clinical Review Committee of Ryde Hospital".

This order shall take effect on gazettal of this order.

Signed this sixteenth day of August 2007.

JOHN HATZISTERGOS,
Acting Minister for Health

HUNTER WATER CORPORATION OPERATING LICENCE 2007-2012

Erratum

THE Hunter Water Corporation Operating Licence 2007-2012 published in *Government Gazette* No. 83 of 29 June 2007, folios 4258 to 4340, omitted two paragraphs of the Operating Licence as renewed by the Governor, being:

"3.7.4 Hunter Water must use its best endeavours to reach agreement with persons to whom Other Grades of Water is supplied. The terms of agreement for the supply of Other Grades of Water must include:

(a) the standard of the quality of the water supplied;

- (b) the purpose of the supply;
- (c) the continuity of the water supplied; and
- (d) the costs to be paid by the Customers for the supply of water to them.

3.7.5 Hunter Water must advise persons to whom Other Grades of Water is supplied, of the potential uses for the Other Grades of Water and of the requirement that Other Grades of Water must undergo water treatment if it is to be used as Drinking Water.”

This erratum now rectifies that error and the gazettal date remains 29 June 2007.

LOCAL GOVERNMENT ACT 1993

Registration of a Political Party

IT is hereby notified that pursuant to the provisions of the Local Government Act 1993, the undermentioned political parties are registered:

Albury Citizens and Ratepayers Movement
 The Australian Business Party
 Clover Moore Independent Team
 Manly Independents – Putting Residents First
 Parramatta Better Local Government Party
 The Parramatta Independents
 Roads and Services Action Party
 Wake Up Warringah
 Woodville Independents

Dated: 27 August 2007.

COLIN BARRY,
 Electoral Commissioner,

New South Wales Electoral Commission,
 Level 25, 201 Kent Street,
 Sydney NSW 2000

NATIONAL PARKS AND WILDLIFE ACT 1974

Land Acquisition (Just Terms Compensation) Act 1991
 Notice of Compulsory Acquisition

THE Minister for Climate Change, Environment and Water, with the approval of Her Excellency the Governor, declares that the leasehold estate in the land described in the schedule below is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the National Parks and Wildlife Act 1974.

The leasehold estate is, on publication of this notice, vested in the Minister administering the National Parks and Wildlife Act 1974.

PHIL KOPERBERG, M.P.,
 Minister for Climate Change, Environment and Water

SCHEDULE

All those pieces or parcels of land comprising the leasehold estate in Lot 34, DP 754329 and Lot 4, DP 1112933 situated in the Parish of Tuckland, County of Lincoln, Local Government Area of Warrumbungle and the leasehold estate in Lot 148, DP 750780 situated in the Parish of Yarrobil, County of Bligh, Local Government Area of Mid-Western Regional, containing a total area of 524.2 hectares. NPWS: 07/1432

NATIONAL PARKS AND WILDLIFE ACT 1974

Land Acquisition (Just Terms Compensation) Act 1991
 Notice of Compulsory Acquisition

THE Minister for Climate Change, Environment and Water, with the approval of Her Excellency the Governor, declares that the leasehold estate in the land described in the schedule below is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the National Parks and Wildlife Act 1974.

The leasehold estate is, on publication of this notice, vested in the Minister administering the National Parks and Wildlife Act 1974.

PHIL KOPERBERG, M.P.,
 Minister for Climate Change, Environment and Water

SCHEDULE

All that piece or parcel of land comprising the leasehold estate in Lot 1, DP 1111194 situated in the Parish of Moan, County of Bligh, Local Government Area of Upper Hunter, containing an area of 258.5 hectares. NPWS: 07/1478

POISONS AND THERAPEUTIC GOODS ACT 1966

Order Under Clause 171 (1),
 Poisons and Therapeutic Goods Regulation 2002

Withdrawal of Drug Authority

IN accordance with the provisions of clause 171 (1) of the Poisons and Therapeutic Goods Regulation 2002 an order has been made on Dr Brent HUCKSTEPP of 80 Denison Street, Bondi Junction 2022, prohibiting him until further notice, as a medical practitioner from supplying or having possession of drugs of addiction as authorised by clause 101 of the Regulation and issuing a prescription for a drug of addiction as authorised by clause 76 of the Regulation.

This order is to take effect on and from 24 August 2007.

DR RICHARD MATTHEWS,
 Acting Director-General

Department of Health, New South Wales,
 Sydney, 20 August 2007.

PORTS AND MARITIME ADMINISTRATION ACT 1995 (NSW)

Land Acquisition (Just Terms Compensation) Act 1991
 Notice of Compulsory Acquisition of Land for the Purposes of the Ports and Maritime Administration Act 1995 (NSW)

THE Minister for Ports and Waterways by his delegate declares, with the approval of Her Excellency the Governor, that the land described in the schedule below is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Ports and Maritime Administration Act 1995 (NSW).

Dated at Sydney, this 17th day of August 2007.

CHRIS OXENBOULD, A.O.,
Chief Executive, Maritime Authority of NSW
a duly authorised delegate
of the Minister for Ports and Waterways

SCHEDULE

1. All that piece or parcel of Crown land situated in the Bega Valley Shire Local Government Area, Parish of Kiah, County of Auckland being Lots 6 and 8 in Deposited Plan 1066187.
2. All that piece or parcel of land situated in the Bega Valley Shire Local Government Area, Parish of Kiah, County of Auckland being Lots 3, 4, 5, 7, 9 and 10 in Deposited Plan 1066187 (which is said to be in the possession of South East Fibre Exports Pty Limited).

But excluding the interests in land created by the following registered dealings:

- 7965442
- 9031133
- 9903911
- T410735
- J874075

**PORTS AND MARITIME ADMINISTRATION
ACT 1995 (NSW)**

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land for the
Purposes of the Ports and Maritime Administration
Act 1995 (NSW)

THE Minister for Ports and Waterways by his delegate declares, with the approval of Her Excellency the Governor, that the land described in the schedule below is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Ports and Maritime Administration Act 1995 (NSW).

Dated at Sydney, this 17th day of August 2007.

CHRIS OXENBOULD, A.O.,
Chief Executive, Maritime Authority of NSW
a duly authorised delegate
of the Minister for Ports and Waterways

SCHEDULE

All that piece or parcel of Crown land situated in the Bega Valley Shire Local Government Area, Parish of Kiah, County of Auckland being Lot 101 in Deposited Plan 1095252 having an area of 16.84 square hectares or thereabouts excluding interests in land created by dealings registered on title numbered 7965442, 9031131 and 9903911.

RURAL FIRES ACT 1997

Local Bush Fire Danger Period Variation

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

Area of Variation:

Muswellbrook Shire Council
Singleton Shire Council

The Local Bush Fire Danger period has been extended for the period 17 September until 30 September 2007.

During this period permits pursuant to section 87 of the Rural Fires Act 1997, as amended, will be required for the lighting of fire for the purposes of land clearance or firebreaks.

DOMINIC LANE, A.F.S.M.,
Acting Assistant Commissioner,
Acting Executive Director,
Operations and Regional Management

**SYDNEY HARBOUR FORESHORE AUTHORITY
ACT 1998**

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Land for the
Purposes of the Act

THE Sydney Harbour Foreshore Authority declares, with the approval of Her Excellency the Governor, that the land described in the schedule below is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Sydney Harbour Foreshore Authority Act 1998.

Dated at Sydney, this 28th day of August 2007.

R. D. LANG,
Sydney Harbour Foreshore Authority

SCHEDULE

All that piece of land situated at the Parish of St. Andrew, County of Cumberland, being Lot 1 in Deposited Plan 439245 and Lots 1 and 2 in Deposited Plan 1089643 and described in Auto Consol 15060-206.

AUSTRALIAN MUSEUM TRUST ACT 1975

Deaccessioning of items from the collection of the Australian Museum

HER Excellency the Governor, with the advice of the Executive council has approved, pursuant to section 9 of the Australian Museum Trust Act 1975, the deaccessioning of the items listed in Schedule 1

FRANK SARTOR, M.P.,
Minister for the Arts

<i>AM Reg No.</i>	<i>Description of Item Including Condition</i>	<i>Licence Requirement</i>	<i>Provenance / Historical Significance / Value</i>
E.69884	Leather holster for gun	No licence required	Australian Historic [ref register]
E.74029	Long large bore percussion sporting gun barrel London proof marks rusted all over, poor condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. L-64 UNKNOWN MAKER single shot percussion gun barrel in .75 bore, 38" barrel converted from flintlock to percussion by drum and nipple method [ref Firearms Technology Museum, 6/2002]	No licence required/antique	English manufacture. Remains of the long barrel percussion duck gun circa. 1855. Popular from the 1830s to the 1900s. Value \$A 25.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74030	German GE.W 98 bayonet dated 1917. In good condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. E-09	No licence required	German manufacture. Standard German 1st War issue infantry bayonet. Value \$A 150.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74031	British pattern 1853 socket bayonet. Heavy rust and pitting to blade and socket. Very poor condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. E-10	No licence required	English manufacture. Saw extensive issue to all Australian colonies from 1853 to 1880. Value \$A 15.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74032	English Brown Bess Bayonet in overcleaned condition. [ref G.R. Casselden, Valuer, 6/2000]	No licence required/antique	English manufacture. The standard issue bayonet for the Brown Mess musket would have seen extensive use in Australia from 1788 to 1845. This example dating circa 1810. Value \$A 65.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74033	Model 08/15 G.W.F Spandau machine gun in good condition. Museum permit required in NSW. Calibre 7.92mm. [ref G.R. Casselden, Valuer, 6/2000]	NSW Firearms Registry License REQUIRED	German manufacture. Standard 1st War German machine gun captured by the 30th Batt. A.I.F. at Morlancourt April 1918 as inscribed on coolant jacket. Value \$A 3,200.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74035	French model 1822T flintlock musket with shortened barrel to finish 200mm above lower barrel band. Calibre .69. Otherwise in good condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. L-42 FRENCH Model 1777 flintlock musket in .69 bore, single shot, 20.5" barrel. Converted to a coach gun during its working life, see markings index [ref Firearms Technology Museum, 6/2002]	No licence required/antique	French manufacture. This model was the standard issue musket to French infantry from 1825 to 1840. No associated Australian history. Value \$A 300.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74036	North Indian matchlock long barrel jesail with bone inlays to stock. Stock broken through at wrist. In poor condition. Calibre .60. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. L-43 INDIAN? single shot matchlock gun in .625 bore, 45" barrel [ref Firearms Technology Museum, 6/2002]	No licence required/antique	Indian manufacture. These types of weapons were extensively used in northern India during the 19th century. This example would date circa. 1850. Value \$A 125.00 [ref G.R. Casselden, Valuer, 6/2000]

<i>AM Reg No.</i>	<i>Description of Item Including Condition</i>	<i>Licence Requirement</i>	<i>Provenance / Historical Significance / Value</i>
E.74037	North Indian percussion long barrel jesail with bone and silver inlays some missing and British East India Co. lock fitted. Calibre .60. In poor condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. L-44 INDIAN GESAIL single shot percussion gun in .625 bore, 36.5" barrel [ref Firearms Technology Museum, 6/2002]	No licence required/antique	Indian manufacture. Melbourne Ward purchased from Ormsby. Used by Northern Indian tribesmen during the 19th century. This example dating circa. 1870. Value \$A 250.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74038	Shortened pattern 1853 rifle musket for cadets. Lock marked Enfield 1859. Top barrel band missing. Metal work rusted and dry rot in stock. Calibre .577. In poor condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. L-45 ENFIELD model 1859 single shot percussion rifle in .577, 28" barrel. Marked on trigger guard NSW, marked on butt GS (gov stores), marked on butt cap tang A959 (A may be an arrow) [ref Firearms Technology Museum, 6/2002]	No licence required/antique	English manufacture. This arm is one of a number shortened for use of NSW school cadets in the late 1870s. Butt tang No. A.959. Value \$A 300.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74039	English half stocked octagonal barrel percussion sporting rifle. No visible maker's name. Stock broken through around lock area. Calibre .57. In poor condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. L-46 ENGLISH single shot percussion rifle in .625 bore, 30" barrel Manufactured circa 1830, colonial style repair using brass plate [ref Firearms Technology Museum, 6/2002]	No licence required/antique	English manufacture. This type of rifle was popular in most Australian colonies as a hunting rifle and saw use from the late 1830s to the 1870s. This example dating circa. 1858. Value \$A 180.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74040	English single barrel percussion shotgun in 14 gauge missing hammer, ramrod thimbles, rammer and cracked stock. In poor condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. L-47 Single shot percussion shotgun in 12 gauge, 30.5" barrel. No retailer [ref Firearms Technology Museum, 6/2002]	No licence required/antique	English manufacture. This standard muzzle loading farm gun from the 1830s to the 1900s in all Australian colonies. This example would date circa. 1870s. Value \$A 50.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74041	British India pattern flintlock musket converted to sporting half stock percussion shotgun. Missing hammer and rammer. Calibre .75. In fair condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. L-48 ENGLISH (TOWER) single shot percussion gun, 39" barrel. No retailer. Converted from flintlock, brass furniture [ref Firearms Technology Museum, 6/2002]	No licence required/antique	English manufacture. A good example of a colonial gunsmith's conversion of a flintlock musket into a percussion sporting gun. Conversion date circa. 1830. Value \$A 250.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74042	English single barrel percussion shotgun by "J O'Mayne" in 14 gauge. Missing butt plate, ramrod, hammer and stock borer riddled. In poor condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. L-49 J.O. MAYNE single shotgun in 10 gauge, 28.5" barrel. No retailer [ref Firearms Technology Museum, 6/2002]	No licence required/antique	English manufacture. The standard farm shotgun from the 1830s to 1900 in all Australian colonies. This example would date circa 1870. Value \$A 50.00 [ref G.R. Casselden, Valuer, 6/2000]

<i>AM Reg No.</i>	<i>Description of Item Including Condition</i>	<i>Licence Requirement</i>	<i>Provenance / Historical Significance / Value</i>
E.74043	United States made Winchester model 1892 rifle with octagonal barrel, half magazine, calibre 32/20. Missing some screws. Serial No.112943. In fair condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. L-50 WINCHESTER Model 92 lever action sporting rifle in .32W CF, serial No. 112943, 6 round magazine, 24" barrel. Manufactured in 1896, Half magazine [ref Firearms Technology Museum, 6/2002]	NSW Firearms Registry License REQUIRED	American manufacture. The standard Australian centre fire farm rifle from 1892 to the 1940s. This example made in 1896. Value \$A 225.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74044	English Martini small action sporting rifle in .420 rook calibre. Retailed by "C Cowles Sydney". In good condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. L-51 TRANTER single shot hinged breech rook rifle in .450 CF, serial No.20459, 26" barrel. Retailed by C. Cowles Sydney NSW. Round barrel with top flat, Braendlin marked [ref Firearms Technology Museum, 6/2002]	NSW Firearms Registry License REQUIRED	English manufacture. This type of rifle was popular on farms and stations in Australia before the 1890s as a hunting rifle. This example dating circa 1885. Value \$A 350.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74045	Flintlock India pattern musket barrel converted to percussion ignition by "The London Gunmakers Co". Calibre .75. In poor condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. L-52 ENGLISH flintlock ground fixed musket, Barrel only, London proofed [ref Firearms Technology Museum, 6/2002]	No licence required/antique	English manufacture. Remains of flint musket converted to percussion between 1850 and the 1860s. Value \$A 20.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74046	United States made Winchester model 1873 octagonal barrel full magazine repeating rifle in 44/40 calibre. Serial No.295645.13. Missing dust cover and butt plate, metal rusty and stock with dry rot. In fair condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. L-53 WINCHESTER Model 73 lever action sporting rifle in 44.40 CF, serial No.295645B, 12 round magazine, 24" barrel. Manufactured in 1889, Full magazine [ref Firearms Technology Museum, 6/2002]	Licence required	American manufacture. This model was a popular repeating rifle in Australia from 1879 to 1900. This example was made in 1889. Value \$A 300.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74047	German Model 98A carbine calibre 7.92mm. Receiver ring marked Erfurt 1917. In very good condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. L-54 MAUSER model Kar 98a carbine in 7.92 MM CF, serial No.2113, 5 round magazine, 23.62" barrel, turned down bolt handle, stock cut to provide clearance for grasping handle, hook on lower side of fore-end is for stacking, lug on front sight is for muzzle cover and also for a 6.5" long flash hider, there is no provision for a cleaning rod [ref Firearms Technology Museum, 6/2002]	NSW Firearms Registry License REQUIRED	German manufacture. The standard German issue carbine to artillery during World War I. Value \$A 375.00 [ref G.R. Casselden, Valuer, 6/2000]; Made at Erfurt arsenal in 1917, adopted in 1908 as Kar 98 carbine and officially designated carbine 98a later after other model 98 carbines were introduced, the "a" does not appear on the weapon, issued to German artillery units. [ref Firearms Technology Museum, 6/2002]

<i>AM Reg No.</i>	<i>Description of Item Including Condition</i>	<i>Licence Requirement</i>	<i>Provenance / Historical Significance / Value</i>
E.74048	Italian "Carcano" bolt action carbine in 6.5mm carcano calibre. In very good condition with folding bayonet. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. L-55 MANNLICHER CACARNO Model 1891 in 6.5 MM CF, serial No.D6955, 18" barrel, Permanently attached folding bayonet, Developed at the Italian government arsenal at Turin by M. Carcano. Is actually a modified mauser with a mauser type bolt. The magazine is fixed mannlicher type fed with a six round clip which stays in the magazine until the last round is chambered. Made at Terni arsenal and marked "AT35 XIV". Tangent rear sight sighted to 1500 metres fitted with auxiliary battle sight [ref Firearms Technology Museum, 6/2002]	NSW Firearms Registry License REQUIRED	Italian manufacture. Standard issue to Italian troops requiring a carbine E.G artillery and transport during WWII. This example circa. 1940. Value \$A 120.00 [ref G.R. Casselden, Valuer, 6/2000]; Developed at the Italian government arsenal at Turin by M. Carcano. Is actually a modified mauser with a mauser type bolt. The magazine is fixed mannlicher type fed with a six round clip which stays in the magazine until the last round is chambered. Made at Terni arsenal and marked "AT35 XIV".[ref Firearms Technology Museum, 6/2002]
E.74049	United States made Winchester model 1866 repeating musket in .44 rim fire calibre. Serial No. 32570. In very good condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. L-56 WINCHESTER Model 1866 lever action musket in .44 RF, serial No.32570, 17 round magazine, 27" barrel, manufactured in 1870 [ref Firearms Technology Museum, 6/2002]	No licence required/antique	American manufacture. This rifle was purchased in the early 1870s by the Turkish Government as a military rifle. Most examples encountered in Australia were brought back as war trophies after WW1. Value \$A 3,500.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74050	British Martini Enfield MK1 rifle converted from Martini Henry rifle MKIII in 1895 to .303 calibre. In good condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. L-57 MARTINI ENFIELD Model 1895 ME 303 in .303 CF, single shot, 30" barrel. Butt disc marked NSW/99/16, marked Enfield 1881 on frame [ref Firearms Technology Museum, 6/2002]	NSW Firearms Registry License REQUIRED	English manufacture. This rifle was purchased by the N.S.W. Government in October 1899 and issued to the N.S.W. volunteers. These rifles saw extensive service in Australia. Value \$A 300.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74051	United States made Spencer repeating carbine. Barrel and action frame. Calibre .56 rim fire. In poor condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. L-58 SPENCER Carbine, 20" barrel, barrel and action only [ref Firearms Technology Museum, 6/2002]	No licence required/antique	American manufacture. Melbourne Ward purchased from Jas. R. Scott, Cessnock, NSW. Spencer carbines were issued to Victorian police and N.S.W. police in 1867 through to the late 1870s in very limited numbers. Value \$A 50.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74052	English double barrel percussion shotgun I. Hollis and sons 13 gauge. Missing hammers, ramrod, metal rusted, stock borer holed. In poor condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. L-78 HOLLIS double barrel percussion shotgun in 12 gauge, 30" barrels, No retailer [ref Firearms Technology Museum, 6/2002]	No licence required/antique	English manufacture. Melbourne Ward purchased from Jas. R. Scott, Cessnock, NSW. A popular brand of percussion double barrel gun in the Australian colonies from the 1860s to 1900. This example would date circa 1880. Value \$A 120.00 [ref G.R. Casselden, Valuer, 6/2000]

<i>AM Reg No.</i>	<i>Description of Item Including Condition</i>	<i>Licence Requirement</i>	<i>Provenance / Historical Significance / Value</i>
E.74054	English air gun missing components, butt, air tank covering, sight and various screws. Calibre .54 approx. In poor condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. L-60 EUROPEAN? single shot air rifle in .450, 27" barrel. Manufactured circa 1820. No retailer. Pump up reservoir in butt. Made to look like a flintlock gun [ref Firearms Technology Museum, 6/2002]	No licence required/antique	English manufacture. These early air guns were popular for indoor shooting gallery and target use specimen collecting and poaching in Britain and the colonies. This example dating circa 1825. Value \$A 350.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74055	U.S. made colt percussion revolving carbine. Calibre .56 No. 10052. Comprising of barrel, action frame, cylinder and mechanism cylinder loading lever. All other parts missing. In poor condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. L-61 COLT percussion carbine, 5 shot, 20.5" barrel, barrel and action only [ref Firearms Technology Museum, 6/2002]	No licence required/antique	American manufacture. Melbourne Ward purchased from Jas. R. Scott, Cessnock, NSW. These Colt revolving carbines saw limited issue and use in N.S.W. and Victoria from the 1860s to the 1880s. Ned Kelly carried one. This example dating circa 1859. Value \$A 500.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74056	North African miquelet lock long barrel gun with ivory butt plate and stock inlays. Calibre .60. In good condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. L-66 NORTH AFRICAN single shot flintlock gun 47" barrel. No retailer [ref Firearms Technology Museum, 6/2002]	No licence required/antique	North African manufacture. A type used by North African tribal nomads up until 1900. This example dating circa 1870. Value \$A 750.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74058	Confederate States made rifle musket. Locked marked 1863 across the tail C.S. Richmond Virginia ahead of the hammer. Calibre .58. In very good condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. L-62 AMERICAN CONFEDERATE STATES percussion rifle, single shot, 39" barrel. Manufactured circa 1863, Marked C.S. RICHMOND VA [ref Firearms Technology Museum, 6/2002]	No licence required/antique	American manufacture. This arm was manufactured by the Confederate states and used during the American civil war 1861-1865. Value \$A 4,000.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74059	English sea service pattern 1842 rifled musket lock marked Enfield 1854. Calibre .75. In very good condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. L-63 ENFIELD pattern 1842 single shot sea service rifled musket in .758, 29.4" barrel. Sighted to 1000 yards, No.30 stamped on woodwork and buttcap, brass furniture [ref Firearms Technology Museum, 6/2002]	No licence required/antique	English manufacture. Issued to Royal Navy ships for arming boarding and shore parties. On issue from 1853 to 1865. Saw limited use in N.S.W. and Victoria. Value \$A 1,600.00 [ref G.R. Casselden, Valuer, 6/2000]; Introduced for naval issue in 1852
E.74060	English "Padgets" flintlock cavalry carbine with captive rammer calibre .67. In good condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. L-77 PAGET flintlock cavalry carbine in .66 bore, single shot, 15.5" barrel, equipped with a swivel mounted ramrod, side bar and ring fitting [ref Firearms Technology Museum, 6/2002]	No licence required/antique	English manufacture. Issued to the British Light Dragoons and Cavalry from 1810 to the late 1830s. Saw limited use in the Australian colonies. Value \$A 2,400.00 [ref G.R. Casselden, Valuer, 6/2000]; Manufactured circa 1810. named after General Sir Henry Paget, introduced for cavalry service about 1808 and was the primary arm for mounted troops for 30 years [ref Firearms Technology Museum, 6/2002]

<i>AM Reg No.</i>	<i>Description of Item Including Condition</i>	<i>Licence Requirement</i>	<i>Provenance / Historical Significance / Value</i>
E.74061	Japanese matchlock musket calibre .60 approx in excellent condition. [ref G.R. Casselden, Valuer, 6/2000]	NSW Firearms Registry License REQUIRED	Japanese manufacture. These ornate matchlocks were more for ceremonial use most being manufactured during the 19th century and most examples were brought to Australia as war trophies. Value \$A 1,800.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74063	Indo-Persian style long barrel matchlock jessail with fishtail butt calibre .60. [ref G.R. Casselden, Valuer, 6/2000]	NSW Firearms Registry License REQUIRED	Indo-Persian manufacture. This type of arm was used extensively by tribesmen in northern India and Afghanistan up until the 1900s. This example would date circa 1860. Value \$A 600.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74064	British flintlock iron barrel naval blunderbuss with provision for fold out bayonet (missing). Lock marked with George III cypher and tower. In very good condition. [ref G.R. Casselden, Valuer, 6/2000]	NSW Firearms Registry License REQUIRED	English manufacture. This is one of the four known naval blunderbusses believed to be issued to Port Arthur Penal Settlement. Butt tang marked with Rack No. 5. Circa 1815. Value \$A 3,500.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74065	European (most likely French) flintlock rifle calibre .65 gold inlays to barrel silver wire inlays to stock. A high quality firearm in very good condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. L-65 EUROPEAN high quality single shot flintlock hunting rifle in .75 bore, 38" barrel. Gold inlaid damascus barrel, silver inlaid stock, circa 1765 [ref Firearms Technology Museum, 6/2002]	No licence required/antique	European (probably French) manufacture. A very ornate and finely made flintlock hunting rifle for use in Europe circa 1750. Unlikely to have any Australian association in the flintlock era. Value \$A 4,000.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74066	Large Belgian revolver rusted beyond further identification. Relic condition. [ref G.R. Casselden, Valuer, 6/2000]	Licence required	Belgian manufacture. Value \$A Nil [ref G.R. Casselden, Valuer, 6/2000]
E.74067	Small Belgian nickel plated open framed pin fire folding trigger revolver calibre 7mm. Very good condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. H-45 BELGIUN open frame pinfire revolver in 7 MM, 6 chamber, 3.25" barrel. ELG proof stamped, "DF->" stamped on frame, manufactured between 1877 and 1893, nickel plated, folding trigger, simple sliding extractor, parts marked "C 1", marked "AC" inside grips [ref Firearms Technology Museum, 6/2002]	No licence required/antique	Belgian manufacture. Used as a house and pocket pistol for protection. Common during the last 30 years of the 19th century. This example dating circa 1870. Value \$A 225.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74068	American XL No.5 revolver nickel plated calibre .38. In good condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. H-46 XL No.5 revolver in 380 RF, 5 chamber, 2.825" barrel, manufactured in America in 1890 [ref FTM 6/2002]	NSW Firearms Registry License REQUIRED	American manufacture. Used as a house and pocket pistol. Saw use from 1880 to the 1940s this example dating circa 1890. Value \$A 150.00 [ref G.R. Casselden, Valuer, 6/2000]; Manufactured in America in 1890 [ref Firearms Technology Museum, 6/2002]

<i>AM Reg No.</i>	<i>Description of Item Including Condition</i>	<i>Licence Requirement</i>	<i>Provenance / Historical Significance / Value</i>
E.74069	Belgian made percussion centre hammer box lock pistol calibre .50. In good condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. H-47 BELGIUM single shot percussion pistol in 10 MM, 3.125" barrel, Boxlock action, Turn off barrel, Marked internally with batch No. 11 [ref Firearms Technology Museum, 6/2002]	No licence required/antique	Belgian manufacture. Melbourne Ward purchased from Jas. R. Scott, Cessnock, NSW. Popular during the gold rush period 1851-1865 as a cheap pocket pistol. This example dating circa 1865. Value \$A 195.00 [ref G.R. Casselden, Valuer, 6/2000]; manufactured 1840, Owned by an officer in the Australian Agricultural Company. Purch: Jas. R. Scott collection (A3897) [ref Firearms Technology Museum, 6/2002]
E.74070	English double trigger tranter percussion revolver in 54 bore calibre. Missing safety spring and various screws. Metal rusted. In fair condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. H-48 TRANTER 3rd model percussion revolver in 54 bore, 5 chamber, 6" barrel, Serial No ground off [ref Firearms Technology Museum, 6/2002]	No licence required/antique	English manufacture. These revolvers were popular with settlers and bushrangers from the 1880s. This example dating circa 1863. Value \$A 500.00 [ref G.R. Casselden, Valuer, 6/2000]; Tranter manufacture [ref Firearms Technology Museum, 6/2002]
E.74071	English double barrel percussion pistol by "Westley Richards" with captive rammer, chequered butt with silver escutcheon plate in .60 calibre. Very good condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. H-76 WESTLEY RICHARDS double barrel percussion pistol in .66 bore, 7.5" barrels, manufactured circa 1830, side by side round twist steel barrels, platinum vent plugs, half cock safety bolts and swivel ramrod, walnut stock with chequered grip and silver monogram [ref Firearms Technology Museum, 6/2002]	No licence required/antique	English manufacture. A large high quality pistol used by wealthier settlers from the 1840s to 1870. This example dating circa 1858. Value \$A 1,700.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74072	Belgian Flobert patent break barrel saloon pistol in 6mm rim fire calibre. In good condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. H-49 BELGIUM single shot saloon pistol in 7 MM RF, 8.25" barrel, manufactured 1870 [ref Firearms Technology Museum, 6/2002]	NSW Firearms Registry License REQUIRED	Belgian manufacture. Melbourne Ward purchased from Jas. R. Scott, Cessnock, NSW. This type of pistol was used for indoor target and shooting gallery work. Popular from the mid 1850s to 1900. This example dating circa 1870. Value \$A 375.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74073	Belgian percussion centre hammer boxlock cannon barrel miners pistol calibre .60. In very good condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. H-78 BELGIUM single shot percussion pistol, 4.25" barrel, box lock action, cannon barrel 20 MM at mouth [ref FTM 6/2002]	No licence required/antique	Belgian manufacture. Known as a miner's pistol due to their popularity during the gold rush era and in common usage until 1900. This example dating circa 1865. Value \$A 225.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74074	Belgian percussion centre hammer boxlock cannon barrel miners pistol calibre .60. In very good condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. H-50 BELGIUM single shot percussion pistol, 4.25" barrel, box lock action, cannon barrel 20 MM at mouth, see markings index [ref Firearms Technology Museum, 6/2002]	No licence required/antique	Belgian manufacture. Known as miner's pistol due to their popularity during the gold rush era and in common usage until 1900. This example dating circa 1865. Value \$A 225.00 [ref G.R. Casselden, Valuer, 6/2000]

<i>AM Reg No.</i>	<i>Description of Item Including Condition</i>	<i>Licence Requirement</i>	<i>Provenance / Historical Significance / Value</i>
E.74075	Belgian made medium size pinfire revolver by Me.Anton calibre 11mm pinfire. Missing main spring and lanyard ring. In good condition otherwise. [ref G.R. Casselden, Valuer, 6/2000]	NSW Firearms Registry License REQUIRED	Belgian manufacture. This type of revolver was reasonably popular in Australia from the late 1860s to 1900. This example being circa 1875. Value \$A 300.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74076	Large revolving barrel 5 shot percussion "pepperbox" pistol by "Chas Osborne London" with lions head butt mask. Calibre .54. In very good condition. [ref G.R. Casselden, Valuer, 6/2000]	NSW Firearms Registry License REQUIRED	English manufacture. This is a high quality pistol and would have been used by the wealthier settlers in the Australian colonies from the 1840s to the mid 1860s. This example dating circa 1855. Value \$A 1,200.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74077	English percussion transitional type revolver with bar hammer of the T.K. Baker type. Calibre .42. In good condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. H-74 BAKER transitional percussion revolver in 54 bore, 6 chamber, 5" barrel, manufactured circa 1840 [ref Firearms Technology Museum, 6/2002]	No licence required/antique	English manufacture. Melbourne Ward purchased from Jas. R. Scott, Cessnock, NSW. This style of revolver was widely used in Australia from 1850 to 1870. This example dating circa 1855. Value \$A 375.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74078	English percussion travelling pistol by "W. Jones". Side hammer box lock with belt hook missing. Captive rammer calibre .60 in fair condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. H-51 W. JONES (ENGLISH) single shot percussion belt pistol in .75 bore, 4.5" barrel. , Belt clip fitted, converted from flintlock? [ref FTM 6/2002]	No licence required/antique	English manufacture. A pistol used from 1840 to 1870s in Australia. This example dating circa 1850. Value \$A 200.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74079	Large English percussion travelling pistol. Back action lock, no maker's name, calibre .60. Missing ramrod and thimble. Fair condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. H-52 ENGLISH single shot percussion dueling pistol in .625 bore, 8.75" barrel, manufactured circa 1830, Birmingham proofed. Back action lock [ref FTM 6/2002]	No licence required/antique	English manufacture. A pistol popular in Australia from 1840 until the 1870s. This example dating circa 1860. Value \$A 275.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74080	English percussion centre hammer box lock pocket pistol, calibre .50. Missing various screws. Fair condition only. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. H-53 DANISH single shot boxlock percussion pistol in .75 bore, 3" barrel, manufactured circa 1850, Turn off barrel [ref Firearms Technology Museum, 6/2002]	No licence required/antique	English manufacture. A cheap quality box lock pistol popular during the gold rush era 1851 to 1865. This example dating circa 1855. Value \$A 120.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74081	English percussion double barrel pocket pistol by "Field", calibre .50. Missing captive rammer. In fair condition only. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. H-54 FIELD (ENGLAND) double barrel percussion pistol in .4375 bore, 3.5" barrel, Marked Field London, manufactured circa 1855, captive rammer [ref Firearms Technology Museum, 6/2002]	No licence required/antique	English manufacture. Melbourne Ward received by donation from an old lady in Medlowbath, NSW. A pistol that saw wide spread use in Australia during the gold rush era 1851 to 1865. This example dating circa 1860. Value \$A 225.00 [ref G.R. Casselden, Valuer, 6/2000]; Marked Field London, manufactured circa 1855 [ref Firearms Technology Museum, 6/2002]

<i>AM Reg No.</i>	<i>Description of Item Including Condition</i>	<i>Licence Requirement</i>	<i>Provenance / Historical Significance / Value</i>
E.74082	English percussion back action lock travelling pistol, calibre .60 with captive rammer and modern made and fitted crude belt hook. In good condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. H-77 ENGLISH single shot percussion pistol in .75 bore, 7" barrel. Back action lock, retailers mark too worn to read [ref Firearms Technology Museum, 6/2002]	No licence required/antique	English manufacture. Melbourne Ward purchased from Jas. R. Scott, Cessnock, NSW. This style of pistol saw use in Australia from 1840 to 1870, this example dating circa 1860. Value \$A 500.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74083	English percussion four barrel "pepper box" pistol on "Pennels Patent" calibre .45. Metal has medium pitting. Fair condition only. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. H-55 PENNEL (ENGLAND) percussion revolver in 54 bore, 6 chamber, 7.25" barrel, manufactured 1853 [ref Firearms Technology Museum, 6/2002]	No licence required/antique	English manufacture. These types of pistols were popular in Australia from 1840 to 1860 as cheaper multi shoot arm. This example dating circa 1855. Value \$A 350.00 [ref G.R. Casselden, Valuer, 6/2000]; manufactured 1853 [ref Firearms Technology Museum, 6/2002]
E.74084	English percussion Beaumont Adams revolver in 54 bore manufactured by the London Armoury Co. Missing trigger guard and hammer. In poor condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. H-56 BEAUMONT ADAMS percussion revolver in 54 bore, 5 chamber, 5.75" barrel. Retailled by London Armoury [ref Firearms Technology Museum, 6/2002]	No licence required/antique	English manufacture. A very popular revolver in Australia during the bushranger period 1862 to 1880. This example dating circa 1863. Value \$A 375.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74085	Russian flintlock horse pistol calibre .65 with no provision for ramrod. Missing top jaw and screw to cock. Some light rusting otherwise in good condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. H-57 RUSSIAN single shot flintlock service pistol in .5625 bore, 9.5" barrel, manufactured circa 1815 [ref Firearms Technology Museum, 6/2002]	No licence required/antique	Russian manufacture. This pistol is of late flintlock period issued to Imperial Russian Cavalry and used up until the Crimea. This example dating circa 1830. Value \$A 750.00 [ref G.R. Casselden, Valuer, 6/2000]; manufactured circa 1815 [ref Firearms Technology Museum, 6/2002]
E.74086	English flintlock belt pistol brass barrel and furniture. Engraving to lock. No visible maker's name. Calibre .58. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. H-58 HENSHAW single shot flintlock pistol in .5625 bore, 8" barrel. Marked William Henshaw gunmaker Strand London, brass barrel, manufactured circa 1770 [ref Firearms Technology Museum, 6/2002]	No licence required/antique	English manufacture. Melbourne Ward acquired from the collection of the late H. J. Ward. A flintlock pistol in common use as a belt or holster pistol with early settlers to NSW and Tasmania. From 1800 to 1830. This example dating circa 1820. Value \$A 1,100.00 [ref G.R. Casselden, Valuer, 6/2000]; manufactured circa 1770 [ref Firearms Technology Museum, 6/2002]
E.74087	Turkish/Middle Eastern flintlock short blunderbuss, wire inlay to stock, brass inlay to barrel. Calibre 1½ inch flare at muzzle. In good condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. H-59 TURKISH? single shot blunderbuss in .59 bore, 10" barrel, Lock appears to be cast, may have been made for tourists. Silver inlaid stock brass inlaid barrel [ref Firearms Technology Museum, 6/2002]	No licence required/antique	Turkish (?) manufacture. A cheap Middle East 19th century tourist blunderbuss. Most came to Australia as souvenirs from Palestine after World War I. This example dating circa 1890. Value \$A 375.00 [ref G.R. Casselden, Valuer, 6/2000]; may have been made for tourists, as it is physically un-shootable [ref Firearms Technology Museum, 6/2002]

<i>AM Reg No.</i>	<i>Description of Item Including Condition</i>	<i>Licence Requirement</i>	<i>Provenance / Historical Significance / Value</i>
E.74088	English flintlock brass barrel travelling pistol. Brass lock and furniture, calibre .58. Damaged stock to fore end. Missing rammer. Fair condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. H-60 ENGLISH single shot flintlock pistol in .5625 bore, 9.5" barrel [ref Firearms Technology Museum, 6/2002]	No licence required/antique	English manufacture. This type of pistol saw use in early colonial Australia from 1788 to 1830 this example dating circa 1795. Value \$A 250.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74089	English percussion revolver "Dean Adams & Dean" in 54 bore calibre. Barrel shortened and missing butt cap and screws. Rusting to metal. In poor condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. H-61 ADAMS model 1851 percussion revolver in 54 bore, 5 chamber, 4.5" barrel. Retailled by Deane Adams & Deane Eng [ref Firearms Technology Museum, 6/2002]	No licence required/antique	English manufacture. These early English percussion revolvers saw use in Australia from 1851 to 1870. This example dating circa 1853. Value \$A 200.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74090	English flintlock brass barrelled holster pistol by "W.M. Perry London" with silver mountings missing frizzen spring, calibre .56. In very good condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. H-75 PERRY single shot flintlock belt pistol in .56 bore, 7" barrel. Marked William Perry Eng, manufactured circa 1778, Brass barrel, silver furniture [ref Firearms Technology Museum, 6/2002]	No licence required/antique	English manufacture. A good quality pistol used by the more wealthy settlers in NSW and Tasmania from 1788 to 1830. This example dating circa 1780. Value \$A 1,600.00 [ref G.R. Casselden, Valuer, 6/2000]; Marked William Perry Eng, manufactured circa 1778. Perry gunmaker of Birmingham circa 1776, appears to have marked all his guns London [ref Firearms Technology Museum, 6/2002]
E.74091	Prussian large percussion horse pistol iron mounted calibre .70 in very good condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. H-62 ENGLISH? single shot percussion in .75 bore, 9" barrel, marked "M" in a circle on strap opposite lock [ref Firearms Technology Museum, 6/2002]	No licence required/antique	Prussian manufacture. Prussian horse pistol for issue to Cavalry from 1840 to 1860. No Australian associations. This example dating circa 1852. Value \$A 500.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74092	Austrian large percussion horse pistol iron mounted calibre .65. Missing nose cap and rammer. In fair condition only. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. H-63 EUROPEAN single shot percussion pistol in .75 bore, 9" barrel [ref Firearms Technology Museum, 6/2002]	No licence required /antique	Austrian manufacture. Austrian horse pistol for issue to Cavalry from 1845 to 1868. No Australian associations. This example dating circa 1848. Value \$A 350.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74093	English flintlock light Dragoon pattern pistol lock marked edge 1759 calibre .65. Missing top jaw and screw stock broken under lock. In fair condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. H-64 EDGE (ENGLISH) single shot, tower pattern flintlock pistol in .6875 bore, 9" barrel, marked 1759 [ref Firearms Technology Museum, 6/2002]	No licence required/antique	English manufacture. This pistol was the standard British Light Dragoon issue from 1770 to 1820 and would have seen use in the Australian colonies. This example dating 1759. Value \$A 400.00 [ref G.R. Casselden, Valuer, 6/2000]

<i>AM Reg No.</i>	<i>Description of Item Including Condition</i>	<i>Licence Requirement</i>	<i>Provenance / Historical Significance / Value</i>
E.74094	Belgian open frame pin fire revolver with folding trigger in 7mm pinfire calibre. Good condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. H-65 BELGIUM open frame pinfire revolver in 7 MM, 6 chamber, 3.5" barrel. ELG proof stamped, manufactured before 1877, folding trigger, marked on the frame with a crown over PE, serial No.3099AV marked inside grips [ref FTM 6/2002]	No licence required/antique	Belgian manufacture. This type of pocket revolver was popular in Australia from the 1790s to 1910. This example dating circa 1880. Value \$A 200.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74095	German flare pistol with 9 inch barrel, calibre 1 inch approx In fair condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. H-66 GERMAN single shot flare pistol in 28 MM bore, serial No. 22337, 9" barrel [ref Firearms Technology Museum, 6/2002]	Licence required	German manufacture. Melbourne Ward purchased from Jas. R. Scott, Cessnock, NSW. Standard 1st War German signal/flare pistol dating circa 1915. Value \$A 200.00 [ref G.R. Casselden, Valuer, 6/2000]
E.74098	English percussion "Coopers Patent" revolving barrel pepperbox pistol calibre .45. Missing hammer, trigger and barrel rotation mechanism. Poor condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. H-69 ENGLISH? pepperbox percussion revolver in .5 bore, 4 chamber, 5" barrel. , Coopers or Minuette patent? [ref Firearms Technology Museum, 6/2002]	No licence required/antique	English manufacture. Melbourne Ward purchased from Jas. R. Scott, Cessnock, NSW. Popular type of pepper box from 1845 to 1870 in Australia. This example dating circa 1855. Value \$A 70.00 [ref G.R. Casselden, Valuer, 6/2000]; From Eureka Stockade [ref register]
E.74099	Belgian revolving pin fire pistol/carbine model 54 with detachable metal frame shoulder stock calibre 11mm, barrel length 16 inches. Very good condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. H-70 LEAFAUHEX model 1854 pinfire revolver in 12 MM, 6 chamber, 16" barrel, marked "Systeme Leafauhex" on top of barrel, one of 250 revolvers made for the Egyptian cavalry. Fitted with leaf rear sight, shoulder stock and attachment chain, marked "LF1053" on side of frame and "113" on other side of frame, this being either an issue number or armory rack number, internal parts marked "74P" and "31E", see markings index [ref Firearms Technology Museum, 6/2002]	No licence required/antique	Belgian manufacture. An unusual type of firearm which saw very limited use in Australia between 1868 and 1880. This example dating circa 1868. Value \$A 1,600.00 [ref G.R. Casselden, Valuer, 6/2000]; One of 250 revolvers made for the Egyptian cavalry. [ref Firearms Technology Museum, 6/2002]
E.90200	English percussion box lock pocket pistol Birmingham make calibre .45. Replacement hammer. Fair condition. [ref G.R. Casselden, Valuer, 6/2000]; FTM NO. H-71 ENGLISH single shot boxlock percussion pistol in 54 bore, 3" barrel, Turn off barrel [ref Firearms Technology Museum, 6/2002]; Police # 0014275	No licence required/antique	English manufacture. A common type of cheap pocket pistol popular during the gold rush era 1851 to 1865. This example dating 1855. Value \$A 350.00 [ref G.R. Casselden, Valuer, 6/2000]

CRIMES (ADMINISTRATION OF SENTENCES) ACT 1999

JAMES JACOB SPIGELMAN, A.C., Lieutenant Governor

I, the Honourable James Jacob Spigelman AC, Lieutenant Governor of the State of New South Wales, with the advice of the Executive Council, and pursuant to section 226 (4) of the Crimes (Administration of Sentences) Act 1999, hereby revoke the proclamation of the Metropolitan Periodic Detention Centre published in the Government Gazette on 1 July 2005, in so far as that proclamation declared the Metropolitan Periodic Detention Centre to be a periodic detention centre.

This proclamation is to take effect on and from 29 August 2007.

Signed and sealed at Sydney, this 29th day of August 2007.

By His Excellency's Command.

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

GOD SAVE THE QUEEN!

The effect of this Proclamation is that the Metropolitan Periodic Detention Centre remains proclaimed as a correctional centre but ceases to be a periodic detention centre on and from 29 August 2007.

CRIMES (ADMINISTRATION OF SENTENCES) ACT 1999

JAMES JACOB SPIGELMAN, A.C., Lieutenant Governor

I, the Honourable James Jacob Spigelman AC, Lieutenant Governor of the State of New South Wales, with the advice of the Executive Council, and pursuant to section 226 of the Crimes (Administration of Sentences) Act 1999, do by this Proclamation declare the area comprised within the boundaries hereunder (together with all buildings or premises which are now or may hereafter be erected thereon), and which was declared to be a correctional centre pursuant to section 225 of the said Act by proclamation published in the Government Gazette on 1 July 2005, to be a periodic detention centre within the meaning of the Crimes (Administration of Sentences) Act 1999, to be known as the Metropolitan Periodic Detention Centre and I further declare that the general manager of Parramatta Correctional Centre is to be responsible for the Metropolitan Periodic Detention Centre, viz:

All that piece or parcel of land situate in the local government area of Parramatta City, Parish of Field of Mars and County of Cumberland, being part of Lot 2, Deposited Plan 734689 shown by dark shading on Plan Catalogue Number 53713 in the Department of Commerce Plan Room and reproduced hereunder, and having an area of 6,739 square metres or thereabouts.

This proclamation is to take effect on and from 4.00 pm on Friday 14 September 2007.

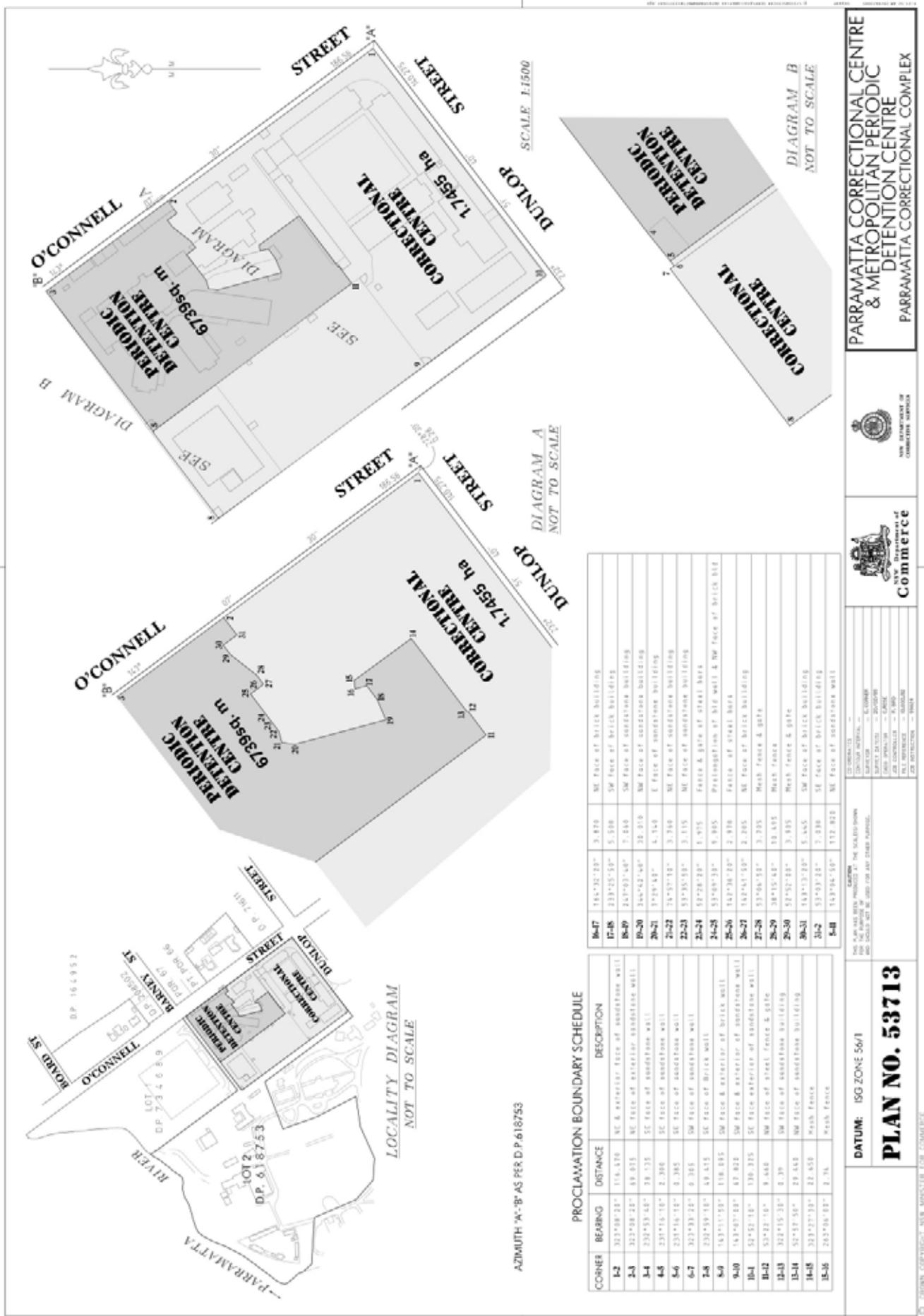
Signed and sealed at Sydney, this 29th day of August 2007.

By His Excellency's Command,

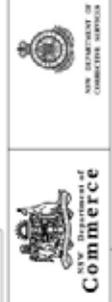
JOHN HATZISTERGOS, M.L.C.,
Minister for Justice

GOD SAVE THE QUEEN!

The effect of this Proclamation is that the Metropolitan Periodic Detention Centre (which ceased to be a periodic detention centre on 29 August 2007) is again proclaimed as a periodic detention centre from 4.00 pm on 14 September 2007. For the intervening period, the Metropolitan Periodic Detention Centre is subject only to the proclamation published in the Gazette on 1 July 2005 that declared it to be a correctional centre.



PARRAMATTA CORRECTIONAL CENTRE
 & METROPOLITAN PERIODIC
 DETENTION CENTRE
 PARRAMATTA CORRECTIONAL COMPLEX



DATE: 15/02/07
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]
 TITLE: [Title]

DATE: 15/02/07
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]
 TITLE: [Title]

TOW TRUCK INDUSTRY ACT 1998Maximum Charges for Towing, Salvage and Storage of Motor Vehicles
Not Having a Gross Vehicle Mass in Excess of 4 Tonnes

Effective from 1 September 2007

This schedule of maximum charges revokes any previous schedule.

UNDER section 54 of the Tow Truck Industry Act 1998 (the Act), the maximum charges for towing, salvage and storage of any accident towing work and the recovery of stolen motor vehicles anywhere in NSW are as follows:

(1) TOWING**(A) Sydney – Newcastle – Wollongong Areas**

On business days during business hours (8am to 5pm Mon to Fri excluding public holidays) in Sydney, Newcastle and Wollongong area as defined by the TTA:

The Maximum Charge

- | | | |
|------|---|-------------|
| i. | For any accident towing work | \$205.00 |
| ii. | For towing work for recovered stolen vehicles | \$187.00 |
| iii. | For each subsequent tow | \$72.00 |
| iv. | For each tow undertaken in excess of 10km via the most direct route | \$4.80 / km |
| v. | A surcharge outside business hours of | 20% |

(B) Other Area

On business days during business hours (8am to 5pm Mon to Fri excluding public holidays) in the other area:

The Maximum Charge

- | | | |
|------|---|-------------|
| i. | For any accident towing work | \$205.00 |
| ii. | For towing work for recovered stolen vehicles | \$187.00 |
| iii. | For each subsequent tow | \$72.00 |
| iv. | For each tow undertaken via the most direct route in excess of 20km | \$2.40 / km |
| v. | A surcharge outside business hours of | 20% |

Toll charges incurred may be charged in addition to the above schedule of fees

NOTE: All the above listed charges exclude any applicable GST.

(2) SALVAGE

For salvage operations involving the recovery of a motor vehicle involved in an accident, which is still within the vicinity proximate to the crash

- i. For the certified driver of the tow truck at the rate of \$49.00 per hour, proportional to the time taken in excess of 30 minutes actually required for salvage operations.
- ii. For an assistant, if required, at the rate of \$49.00 per hour, proportional to all the time involved.
- iii. For an additional tow truck (including the driver) used in the salvage operation, at the rate applicable for the first tow truck.
- iv. A surcharge outside business hours at a rate of 20%

Salvage involves the recovery of a motor vehicle from an area other than a road or road related area as defined under the Road Transport (General) Act 1999.

(3) STORAGE

For storage within an authorised holding yard (as specified on the licensee's schedule) following the towing of a motor vehicle involved in an accident/crash and still within the vicinity of the accident/crash:

- i. For the first 72 hours No charge
- ii. After the first 72 hours \$15.00 maximum per day

Storage commences when the motor vehicle towed is at the holding yard, and at the time details of the motor vehicle are recorded in an "Approved Holding Yard Register".

NOTE: All the above listed charges exclude any applicable GST.

NOTES

The maximum charge for the towing work are all inclusive and include:

1. All activities required to undertake the towing work
2. Waiting time at the crash location
3. Cleaning of all glass / debris from the crash location relating to the motor vehicle towed
4. Cleaning the tow truck including any fluid leaks or spills from the vehicle being towed
5. Disconnection of a battery, if required
6. Reasonable phone calls required to secure the towing work

7. All administration charges including
 - i. Any photographs required,
 - ii. All documents pertaining to the tow, whether faxed or posted (i.e. invoice for payment, towing authorisation and contact details),
 - iii. Notifying the owner of the motor vehicle in writing of applicable storage fees
8. Relocation / removal of the vehicle to an accessible position in the holding yard for release
9. Any other requirement to comply with the Act or Regulations

Any charge for any work or expense deemed by the operator to require a charge above that as listed MUST be itemised on the invoice. These MUST be listed as an incurred expense not on a generic basis and MUST be able to undergo audit probity.

Therefore, a receipt, account or photograph is required by the Tow Truck Authority (TTA), vehicle owner and insurance company to identify and justify any excess charge. If no documentation can be produced to substantiate the work no additional fee can be charged. In all cases the expense charged MUST not exceed the expense incurred (eg. If invoiced for crane to assist with salvage for \$80, you can only bill the customer \$80)

Any time standing at the location of a crash, including awaiting Police / Emergency Services permission to remove a motor vehicle, by towing, is NOT a separate charge but is included in the total charge for the towing work.

If two or more vehicles are carried simultaneously on a subsequent tow, any applicable excess kilometre fee or applicable toll can only be applied to one vehicle. No fees are applicable for towing work which is undertaken in accordance with any direction of a police officer or an authorised officer to move a motor vehicle that is causing an unreasonable obstruction to the nearest place where it no longer causes an obstruction. A towing authorisation is not required for such towing work in accordance with such a direction. A towing authorisation is required for any subsequent towing work.

For tows conducted in the Other Area the tow charge includes kilometres travelled for both the journey to the scene of the accident and then to the destination specified on the towing authority. For tows conducted in the Defined Areas (Sydney, Newcastle, Wollongong) the tow charge includes kilometres travelled from the scene of the accident to the destination specified on the towing authority only.

Operators must comply with the following:

1. Any invoice for towing, salvage and storage work MUST be in accordance with that as stated herein,
2. If any salvage work exceeds 30 minutes, a minimum of 2 photographs of the incident, clearly showing the position of the motor vehicle being salvaged MUST accompany the invoice, and be provided with the claim for salvage fees,
3. The owner, driver or their authorised representative MUST be provided access, free of charge, during business hours, to collect the motor vehicle or to retrieve personal possessions from the motor vehicle. If access is required outside business hours the owner / driver or their authorised representative is to be advised verbally and in writing of any applicable fees prior to such access being provided,
4. All operators MUST display a clearly visible sign in the operator's office and holding yard advising of any ongoing charge for storage after 72 hours,
5. In the event that a police officer or authorised officer is the signatory of the towing authorisation copies of the towing authorisation and tow fee quotation must be provided to the Officer signing for forwarding to the owner/driver of the motor vehicle. The owner, driver MUST be provided an estimate of all charges and advised of the storage fee of \$15 per day
6. No demand will be made to insurance companies for a cash only payment for vehicle collection. All operators are to ensure that vehicles to be collected by an insurer are placed in an easily accessible location upon payment for all towing, salvage, storage charges and any other itemised expense that are deemed to be within the charges as stated herein,
7. Any charge levied outside the Schedule of Maximum Charges MUST be justified. Any additional charges:
 - i. MUST be unique, and relate to the towing/salvage/storage of the said vehicle
 - ii. can only be for what is clearly additional work to meet the requests of the user (whether insurer or vehicle owner)
 - iii. MUST be fully itemised with records (including receipts, invoices, photographs or accounts) to be kept at the operators premises (refer clause 65 – Tow Truck Industry Regulation 1999)
 - iv. cannot be levied on a generic basis (eg a blanket \$25),
 - v. MUST be identified and itemised on an invoice (refer clause 65 – Tow Truck Industry Regulation 1999). These charges are to be explained to the owner / driver prior to the service being provided,
 - vi. Invoices / receipts / accounts MUST be itemised and made available if requested by the TTA, owner / driver or insurance company prior to or at time of settlement of an invoice.
8. Levies such as fuel levies can not be charged.

DEFINITIONS

Accident damaged Motor vehicle means a motor vehicle unable to proceed for reasons other than mechanical and/or electrical break down.

Accident Towing Work means the towing or carrying of a motor vehicle that has been involved in a crash, from the site of the crash or within the vicinity proximate to the crash, by another motor vehicle.

Business Hours means the period commencing 8.00am and concluding 5.00pm on Business Day/s.

Business Day/s means Monday to Friday excluding Public Holidays.

Crash means a collision or impact involving a motor vehicle or motor vehicles where a motor vehicle or motor vehicles are damaged.

Defined Areas means the areas of Sydney, Newcastle and Wollongong as defined by the TTA and as shown on the attached map.

Motor vehicle means a light vehicle, with a mass not exceeding 4 tonnes gross vehicle mass.

Other Area means that area of N.S.W other than the Defined Areas.

Road means an area that is open to or used by the public and is developed for, or has as one of its main uses, the driving or riding of motor vehicles.

Road related area means:

- (a) an area that divides a road, or
- (b) a footpath or nature strip adjacent to a road, or
- (c) an area that is open to the public and is designated for use by cyclists or animals, or
- (d) an area that is not a road and that is open to or used by the public for driving, riding or parking vehicles, or
- (e) a shoulder of a road, or
- (f) any other area that is open to or used by the public and that has been declared by any other Act

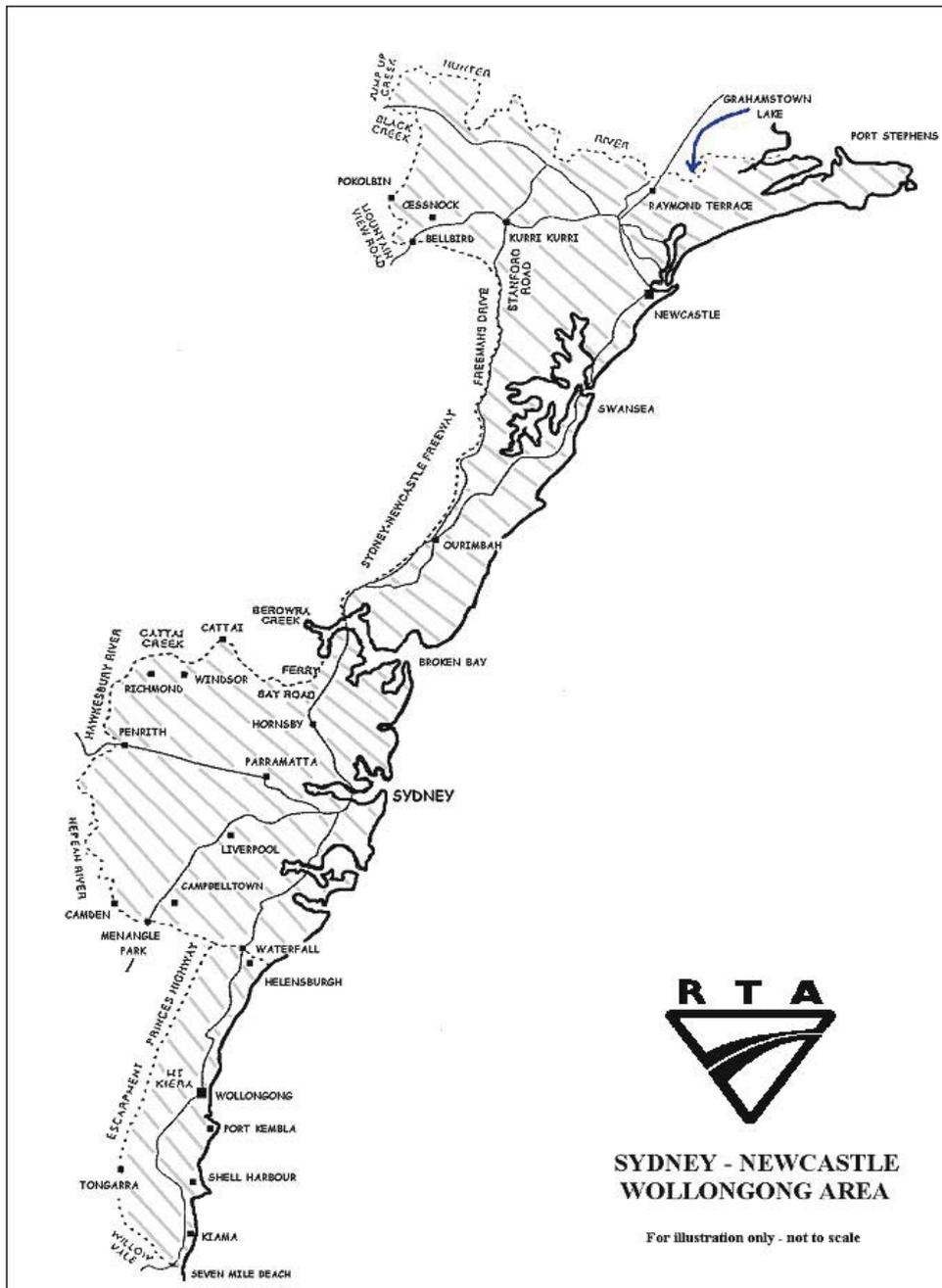
Salvage means the recovery of a motor vehicle from an area other than a road or road related area.

Storage means storage within an authorised holding yard specified on the licensee's schedule and in accordance with the Act.

Subsequent Tow means towing by the operator specified on the original towing authorisation from a place of storage or repair to a further destination.

Towing means all activities involved with the securing, loading and transporting of a motor vehicle with the exception of salvage and storage

NOTE: All motor vehicle accidents from which a motor vehicle is towed must be reported to the NSW Police, please ensure that you inform your customers of this requirement.





**Tow Truck Authority
of New South Wales**

**HEAVY TOW TRUCK AND ASSOCIATED WORK AND EQUIPMENT
CHARGES FOR ACCIDENT TOWING AND THE RECOVERY OF STOLEN
VEHICLES AS FROM: 1 September 2007**

EQUIPMENT/SERVICE	APPLICABLE FEE	REMARKS
1. Class 3 Conventional Tow Truck GCM 18 to 25 tonnes	First Hour Accident: \$194 First Hour Stolen: \$176 Thereafter: \$121 per hour	Inclusive of all travelling costs.
2. Class 4(A) Tow Truck GCM 25 to 45 tonnes	First Hour Accident: \$209 First Hour Stolen: \$191 Thereafter: \$137 per hour	Inclusive of all travelling costs. Tow Truck must have dual rear axle
3. Class 4(B) Tow Truck GCM 45 to 60 tonnes	First Hour Accident: \$220 First Hour Stolen: \$202 Thereafter: \$148 per hour	Inclusive of all travelling costs. Tow Truck must have dual rear axle
4. Class 4(C) Tow Truck GCM 60 + tonnes	First Hour Accident: \$280 First Hour Stolen: \$262 Thereafter: \$208 per hour	Inclusive of all travelling costs. Tow Truck must have dual rear axle
5. 2nd Certified Driver	\$49 per hour - for the period at the accident site.	
6. For the cost of salvage operations after the first 30 minutes at the accident scene.	\$66 per hour - excluding the use of oxy acetylene equipment.	Excludes the use of a tow truck. Includes the use of Air Bags and Air Jacks.
7. Stand by rate.	To be calculated at 50% of the hourly rate applying to the type of tow truck	Includes any additional labour and equipment.
8. Administration/Site Co-ordination rate.	\$49 per hour - for all site administration work.	Payable for one driver per accident/incident in relation to arranging the salvage of the load/freight.
9. Surcharge for service outside business hours.	50% surcharge payable on labour costs only outside business hours	Business hours are 7am-5pm Monday-Friday excluding Public Holidays.
10. All additional equipment required to complete the tow/salvage/site recovery.	As per substantiated invoice plus 10% gross on-cost only	Only applies if arranged and paid for by the tow truck operator.
11. Locked storage following a tow from the scene of an accident, for the first 72 hours	No charge.	Applies upon arrival at the tow truck operators approved holding yard .
12. Storage after 72 hours.	\$74 per day. Payable only where the vehicle is stored awaiting collection.	Not claimable if the vehicle is awaiting repair at a smash repairers business or holding yard.

NOTE: above listed charges exclude any applicable GST

TTLCP2 0907 A

HEAVY TOW TRUCK CATEGORIES

Class 3 Can tow vehicles with a mass not exceeding 12 tonnes. It must have a minimum GCM of 18 tonnes & must have lifting apparatus with a SWL of 5 tonne or more.

Class 4 Can tow vehicles with a mass exceeding 12 tonnes. It must have a minimum GCM of 25 tonnes & must have lifting apparatus with a SWL of 5 tonne or more.

N.B. Class 4 tow trucks must have a tandem rear axle group, a power operated winch & air brakes which can be connected to the brakes of the towed vehicle(s)

To work out what Class is appropriate to a particular vehicle, you need to establish its Load Capacity (i.e. GVM minus tare mass), its SWL and its GCM.

N.B. A tow truck cannot, under any circumstances, exceed its manufacturer's GCM when towing another vehicle.

Tow truck operators will:

- Attach at least two date-encrypted photographs to each invoice for towing/recovery work, which clearly show the accident scene before any recovery work has commenced.
- Invoice the owner/insurer, by providing all information stipulated in, and in accordance with clause 65 and clause 65A of the Tow Truck Industry Regulation 1999.

In the interests of providing quality service insurers should:

- Finalise payment of claims within 35 days of the date of the claim being lodged by the insured and accepted by the insurer.
- In cases where the claim by the insured has not been lodged, the insurer should notify the tow operator within 7 working days of receipt of the towing invoice.
- Upon receipt of an invoice provide written notification to the towing operator of the correct policy and claim number for the accident.
- Provide towing operators with expedient advice with respect to any clarification required or dispute concerning the claim. Ideally this should be within 10 working days of receipt of the claim.

Disputed claims:

- In circumstances where the insurer disputes or requires clarification as to a towing invoice the insurer should in the first instance consult with the towing operator. If the insurers concerns can not be adequately addressed the insurer should document any concerns and forward them to the towing operator.
- Both insurers and towing operators should then meet and attempt to resolve any issues of concern in relation to a claim.
- If any disputed claim for an accident based tow cannot be resolved between the towing operator and the insurer either party may contact the TTA in writing. Full details concerning the accident, the towing work undertaken, the claim for payment and the issues of concern must be provided.



**Tow Truck Authority
of New South Wales**

TTA Environmental Policy

Licensed tow truck operators should:

- Adhere to all federal, state and local environmental agency regulations and codes of practice.
- Encourage a sense of environmental responsibility among all employees through training, education and communication.
- Dispose of waste in environmentally acceptable ways
- Pay particular attention to the storage and transport of Dangerous Goods, containment of run off from damaged vehicles held in holding yards and wash-down areas, and the safety and integrity of any storage containers used to hold liquid waste.
- Be mindful of the effect of heavy vehicles on the environment, and promote a policy of regular maintenance and monitoring of emissions for company vehicles.

Guidelines for responsible action

- Ensure that clean up of fluids from damaged vehicles at accident scenes occurs and is carried out by the appropriate party (vehicle owner, council, RTA etc) and if first to the scene take steps to stop fluid leaks from reaching drainage systems and/or report to the appropriate agency (EPA, Fire Brigade, Police etc)
- The Department of Environment and Climate Change (NSW) has advised that where small amounts of fluid waste are on the tray of a tow truck they can be mopped up with a rag which can then placed in a bin as solid waste provided the rags do not freely liberate the fluid once it has been absorbed.
- For large quantities of fluid the EPA and/or local government guidelines must be followed. The EPA can be contacted on 131555.
- Holding yard – prevent waste fluids from stored vehicles from entering drains.

Effective from: 1 September 2007

The Department of Environment and Climate Change (NSW) has published several fact sheets for small businesses. These can be viewed at: http://www.environment.nsw.gov.au/for_industry.htm

For further information contact the EPA pollution line on 131 555 or your local council.

TTLCP5 0807 B

New Towing Authority Form – Instructions for use

From 1 September 2007 a new towing authorisation form will be introduced. From this date the new form **must** be used for tows conducted from the scene of a motor vehicle accident.

Books will be available with:

1. 20 forms per book, and
2. 5 forms per book.

The cost of the new towing authorisations has been incorporated in the new maximum tow fee to enable tow truck operators to recoup the cost of purchase.

Page 1

Contains rights of the owner/driver and a quotation for towing services.

The quotation must be completed with all fees and charges explained to the motorist. This section is used when towing a motor vehicle not having a gross vehicle mass in excess of 4 tonnes only.

Tow truck drivers must sign and acknowledge that they have advised the owner/driver of their rights in relation to the towing work and provided an estimate of the subsequent charges

Page 2

Found on the reverse of page 1 and contains information for consumers on their rights and responsibilities. Tow truck drivers must explain the contents to the motorist prior to signing the acknowledgement on page 1. Also contains contact details for major insurers

Page 1 & 2 are to be removed from the book and provided to the motorist.

Page 3 to Page 5

The new towing authorisation form in triplicate, tow truck drivers must complete all applicable sections of the form (page 4 & 5 are carbon copies). Please ensure the cardboard insert is placed after the towing authorisation notice to ensure information is not transferred onto the following group of forms, rendering them illegible.

- Page 3 (white copy) is to be detached and provided to the motorist
- Page 4 (blue copy) is to be detached and forwarded to the tow truck operator
- Page 5 (pink copy) is to remain in the book

Page 6

After completing the towing authorisation form tow truck drivers must complete all details on the towing notice (green sticker) and attach it to the motor vehicle to be towed.

PLEASE NOTE:

A towing authorisation **must** be obtained **prior** to completing (in the approved manner), and attaching the towing notice (green sticker) to the motor vehicle to be towed. [see cl.43 of the Regulation] The maximum penalty is \$5500

The towing notice (green sticker) is now numbered the same as the towing authorisation and can only be used in conjunction with that authorisation so only complete and attach to the vehicle after authority to perform the tow has been obtained.

Quotation for Towing Services

TA1-xxxxxxx

Estimate only, invoice listing all charges provided on completion

ITEM	NUMBER	COST
*Base tow fee		
*Second tow fee (If Applicable)		
*Excess kilometres (If Applicable)		
*After hours surcharge <i>Outside of 8am to 5pm Mon to Fri excluding public holidays</i>	20%	
GST	10%	
TOTAL		

Storage Fees** - per day after 72 hours

* *Towing fees must not exceed the schedule of Maximum Tow Fees prescribed*
 ** *Safe storage of your vehicle in an approved holding yard for the first 72 hours are at no cost, Storage fees after 72 hours must not exceed the schedule of Maximum Tow Fees prescribed*

Rights – Owner / Driver of towed vehicle

If you need a tow truck to assist you when you are involved in an accident, **you have the right to:**

- **decide where your vehicle will be towed**
- **decide who will tow your vehicle**
- **contact anyone prior to signing this form** for assistance on the right place to tow the vehicle to (contact numbers provided on the back of this page)
- **refuse to accept a tow for any reason** (eg. if the tow truck is not suitable)
- **Receive a copy of the towing authorisation form.**

I acknowledge that I have advised the owner / driver of their rights in respect to this towing work, and that all charges for towing, storage and salvage have been explained.

SIGNATURE
(Tow Truck Driver)

DATE

TIME

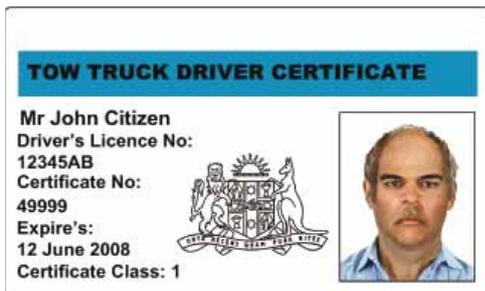
OWNER / DRIVER COPY

Responsibilities - Owner / driver of towed vehicle

1. As the owner / driver your main responsibility is to authorise the tow truck driver to tow your vehicle and report the accident to the Police. This involves the **signing of a Towing Authorisation form**. Make sure that:
 - the place that you want your vehicle towed to is shown on the form and all other details are correct
 - the tow truck driver has filled out and signed the form and provided you with a copy to keep
 - all of the costs involved are explained to you (tow fee, excess km, salvage, storage and the surcharge outside business hours). A summary of the current maximum towing fees is available on the Authority's web site at www.transport.nsw.gov.au/towtrucks:
 - You are advised **in writing** by the tow truck operator of any storage fees that may apply after 72 hours (the first 72 hours are free and included in the initial tow fee)
2. If your vehicle is covered by a comprehensive insurance policy, the towing fee may be covered in your claim. However, we suggest you check with your insurance provider (some contact numbers are provided below).
3. It is your right to choose who will tow the vehicle, where the vehicle will be towed to, and to authorise the tow truck driver to tow your vehicle. In certain circumstances where you are unable to give this authorisation, a Police Officer or other authorised officer will be able to authorise the towing of your vehicle. (An authorised officer will have a photo ID card)
4. If your vehicle needs to be towed you **must contact Police** and advise them of the accident

Check your Driver's Credentials

All accredited tow truck drivers in NSW must have a driver certificate in their possession:



Check the Tow Truck

A NSW based accident towing tow truck should have a "TT" number plate with 4 numbers before the "TT". An interstate tow truck will have a registration plate issued in their home state

1234 - TT

1234 - TT

NOTE: If this is not the case, do not allow the tow truck to tow your vehicle.

Contact numbers for major insurers

AAMI

13 22 44

Allianz 

131 000

NRMA
INSURANCE

131 123



Tow Truck Authority
of New South Wales

Towing Authorisation Number:

TA1-xxxxxxx

Date/Time:

Operator Licence No:

Tow Truck Registration No:

1 TOW TRUCK OPERATOR / DRIVER DETAILS

Licensee Name:		Certificate No:
Address:		
Tow Truck Driver's Name (print):	Tow Truck Driver's Signature:	

2 VEHICLE OWNER/DRIVER DETAILS

Name:		Phone No:
Address:		
Registration No:	Make/Model of Vehicle:	Colour:

3 TOWING DETAILS

Towed From:	
Towed To:	
Second Tow Destination (only applicable if desired destination isn't accessible at time of first tow):	
I _____ (towed vehicle owner / driver) have been provided with a copy of my rights in respect to this towing work, and an estimate of the charges for towing, storage and salvage. I acknowledge that this is the location I want the vehicle towed to and authorise the towing of this vehicle. I also acknowledge that I am required to report this accident to the Police within 24 hours.	
Owner / Driver Signature:	Date / Time:

4 POLICE / AUTHORISED OFFICER AUTHORISATION

This authorisation has been completed and authorised by.		
Police / Authorised Officer Name / Number (print):		LAC:
Capacity:	LAC Phone No:	Signature:

5 POLICE EVIDENTIARY / POLICE CONTRACT TOW AGREEMENT

I certify that the above mentioned vehicle is required to be towed under Police contract.	
Police / Authorised Officer Name / Number (print):	Signature:
POLICE TO PAY	Reason for owner to pay tow;
OWNER TO PAY	

If you have any concerns regarding the way this tow is conducted please contact us as soon as possible

OWNER / DRIVER COPY

Phone: (02) 8836 6200 Fax: (02) 8836 6266
E-mail: e-mail@towtrucks.nsw.gov.au
Mail: Locked bag 5054, Parramatta NSW 2124



Tow Truck Authority
of New South Wales

Towing Authorisation Number:

TA1-xxxxxxx

Date/Time:

Operator Licence No:

Tow Truck Registration No:

1 TOW TRUCK OPERATOR / DRIVER DETAILS

Licensee Name:		Certificate No:
Address:		
Tow Truck Driver's Name (print):	Tow Truck Driver's Signature:	

2 VEHICLE OWNER/DRIVER DETAILS

Name:		Phone No:
Address:		
Registration No:	Make/Model of Vehicle:	Colour:

3 TOWING DETAILS

Towed From:	
Towed To:	
Second Tow Destination (only applicable if desired destination isn't accessible at time of first tow):	
I _____ (towed vehicle owner / driver) have been provided with a copy of my rights in respect to this towing work, and an estimate of the charges for towing, storage and salvage. I acknowledge that this is the location I want the vehicle towed to and authorise the towing of this vehicle. I also acknowledge that I am required to report this accident to the Police within 24 hours.	
Owner / Driver Signature:	Date / Time:

4 POLICE / AUTHORISED OFFICER AUTHORISATION

This authorisation has been completed and authorised by.		
Police / Authorised Officer Name / Number (print):	LAC:	
Capacity:	LAC Phone No:	Signature:

5 POLICE EVIDENTIARY / POLICE CONTRACT TOW AGREEMENT

I certify that the above mentioned vehicle is required to be towed under Police contract.	
Police / Authorised Officer Name / Number (print):	Signature:
POLICE TO PAY	Reason for owner to pay tow;
OWNER TO PAY	

If you have any concerns regarding the way this tow is conducted please contact us as soon as possible

TOW TRUCK OPERATOR COPY

Phone: (02) 8836 6200 Fax: (02) 8836 6266
E-mail: e-mail@towtrucks.nsw.gov.au
Mail: Locked bag 5054, Parramatta NSW 2124



Tow Truck Authority
of New South Wales

Towing Authorisation Number:

TA1-xxxxxxx

Date/Time:

Operator Licence No:

Tow Truck Registration No:

1 TOW TRUCK OPERATOR / DRIVER DETAILS

Licensee Name:		Certificate No:
Address:		
Tow Truck Driver's Name (print):	Tow Truck Driver's Signature:	

2 VEHICLE OWNER/DRIVER DETAILS

Name:		Phone No:
Address:		
Registration No:	Make/Model of Vehicle:	Colour:

3 TOWING DETAILS

Towed From:	
Towed To:	
Second Tow Destination (only applicable if desired destination isn't accessible at time of first tow):	
I _____ (towed vehicle owner / driver) have been provided with a copy of my rights in respect to this towing work, and an estimate of the charges for towing, storage and salvage. I acknowledge that this is the location I want the vehicle towed to and authorise the towing of this vehicle. I also acknowledge that I am required to report this accident to the Police within 24 hours.	
Owner / Driver Signature:	Date / Time:

4 POLICE / AUTHORISED OFFICER AUTHORISATION

This authorisation has been completed and authorised by.		
Police / Authorised Officer Name / Number (print):	LAC:	
Capacity:	LAC Phone No:	Signature:

5 POLICE EVIDENTIARY / POLICE CONTRACT TOW AGREEMENT

I certify that the above mentioned vehicle is required to be towed under Police contract.	
Police / Authorised Officer Name / Number (print):	Signature:
POLICE TO PAY	Reason for owner to pay tow;
OWNER TO PAY	

If you have any concerns regarding the way this tow is conducted please contact us as soon as possible

RETAIN WITH BOOK

Phone: (02) 8836 6200 Fax: (02) 8836 6266
E-mail: e-mail@towtrucks.nsw.gov.au
Mail: Locked bag 5054, Parramatta NSW 2124

TOWING NOTICE		TA1-xxxxxxx	
 Tow Truck Authority of New South Wales	Date of Issue:		Time:
	Tow Truck Operator Name:		
	Tow Truck Operator Licence No:		
Tow Truck Registration No:		Driver Certificate No:	
Registration No. of vehicle being towed:			
Full Address of where vehicle is to be towed:			
Name and signature of tow truck driver who obtained the completed towing authorisation:			
Name:		Signature:	
NOTE: this notice must be completed in full and attached to any motor vehicle towed as a result of an accident. The sticker must not be removed from the vehicle unless removed by:			
<ol style="list-style-type: none"> 1. The insurer of the vehicle 2. If not insured the owner/driver of the vehicle 3. A person acting under written authority of a person referred to in (1) or (2) 			

NOTE: The towing notice must be completed in full and attached to the vehicle to be towed;

- after completing the towing authorisation form, and
- prior to undertaking the towing work

Please ensure the cardboard insert is correctly in place before completing the form and notice.



NSW Government
Department of Water & Energy

*Best-Practice Management of
Water Supply and Sewerage*

Guidelines

August 2007



*Best-Practice Management of
Water Supply and Sewerage*

Guidelines

August 2007

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DISCLAIMER

Whilst the Department of Water and Energy has taken due care in preparation of these guidelines, it accepts no liability for any errors or omissions, nor for any use of the guidelines by any person.

Foreword

These *Guidelines for Best-Practice Management of Water Supply and Sewerage* have been published by the Minister for Water Utilities pursuant to section 409(6) of the *Local Government Act 1993*. The Minister for Local Government has concurred with these guidelines.

The guidelines encourage continuing improvement in performance and identify 6 criteria for best-practice management of water supply and sewerage. They also set out the outcomes local government Local Water Utilities (LWUs) need to achieve in order to be eligible for payment of a dividend from the surplus of their water supply or sewerage businesses.

LWUs which achieve the outcomes required by these guidelines will have effective and sustainable water supply and sewerage businesses and will have demonstrated best-practice management of these businesses as well as their compliance with *National Competition Policy* and the *National Water Initiative*.

Any local government LWU wishing to pay a dividend from the surplus of its water supply and sewerage businesses or seeking financial assistance under the Country Towns Water Supply and Sewerage (CTWS&S) Program must demonstrate its achievement of these outcomes through substantial compliance with these guidelines for each of the 6 criteria.

Best-Practice Management of Water Supply and Sewerage Guidelines



Acknowledgements

These *Guidelines for Best-Practice Management of Water Supply and Sewerage* have been prepared by the Department of Water and Energy. The valuable contributions of the Department of Local Government, the Local Government Association of NSW and Shires Association of NSW (LGA and SA), the NSW Local Government Water Industry Directorate and a number of Local Water Utilities (LWUs) are gratefully acknowledged.

Best-Practice Management of Water Supply and Sewerage Guidelines



Executive Summary

The NSW Government encourages best-practice by all NSW Local Water Utilities (LWUs). The purpose of best-practice management is:

- to encourage the effective and efficient delivery of water supply and sewerage services; and
- to promote sustainable water conservation practices and water demand management throughout NSW.

The NSW Government is required to demonstrate compliance with the Australian Government's *National Competition Policy* and *National Water Initiative*. The approach adopted since 1995 is to progressively encourage best-practice management by LWUs to ensure effective, efficient and sustainable water supply and sewerage businesses.

Demonstrated best-practice management is therefore a pre-requisite for payment of a dividend from the surplus of a local government LWU's water supply and sewerage businesses and for financial assistance under the CTWS&S Program.

There are six (6) criteria, each of which must be complied with to qualify for a dividend payment. These are:

1. Strategic Business Planning
2. Pricing (including Developer Charges, Liquid Trade Waste Policy and Approvals)
3. Water Conservation
4. Drought Management
5. Performance Reporting
6. Integrated Water Cycle Management

To be eligible to make a dividend payment from a surplus, an LWU must:

- Demonstrate best-practice management compliance through an independent compliance audit report; and
- Obtain an unqualified financial audit report for its water supply and/or sewerage business(es).
- Resolve in a council meeting open to the public that it has achieved "substantial compliance" with each criterion in these guidelines (pages 21, 34). The required outcome for each criterion is set out in column (3) of Table 1 on page 22.

LWUs that demonstrate best-practice management by achieving the outcomes required by these guidelines will have effective and sustainable water supply and sewerage businesses.

Pursuant to section 409 (5) of the *Local Government Act (1993)*, a dividend may be paid after the end of each financial year commencing in 2003/04.

Best-Practice Management of Water Supply and Sewerage Guidelines



Best-Practice Management of Water Supply and Sewerage Guidelines



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Best-Practice Management of Water Supply and Sewerage Guidelines



PART A BEST-PRACTICE - PRINCIPLES

1 Introduction

1.1 Background

In June 2007 there are 107 non-metropolitan Local Water Utilities (LWUs) in NSW, providing water supply and sewerage services to 1.8 million people. 99 of these LWUs are general purpose local government councils, 5 are county councils providing water

2007 NSW Non-metropolitan Local Water Utilities (LWUs)

- 107 LWUs in NSW
- Serve 1.8 million people
- Annual turnover \$870M
- Current replacement cost of assets \$11,700M

supply and/or sewerage services and 3 are bulk suppliers. For the 2005/06 financial year, the LWUs had a total turnover of \$870M and an asset base with a current replacement cost of \$11,700M. 60 of these LWUs (56%) were Category 1 businesses under *National Competition Policy*, having an annual turnover of over \$2M for their water supply or sewerage businesses.

The core function of LWUs is the sustainable provision of water supply and sewerage services to the community. Best-practice management is fundamental to the effective and efficient delivery of these services.

The *2005/06 NSW Water Supply and Sewerage Performance Monitoring Report* shows that LWUs are continuing to perform well in comparison with the water utilities in other states of Australia. The Report also shows that LWUs have made good progress in moving to comply with best-practice, eg. for water supply, compliance at June 2006 was 83% for business and financial planning, 70% for pricing, 91% for performance reporting, 57% for water conservation and 64% for drought management. 31% of LWUs have complied with all the required criteria. In addition, 27% of LWUs have at least commenced an Integrated Water Cycle Management (IWCM) strategy.

1.2 Compliance with Best-Practice

The NSW Government encourages best-practice for all LWUs. The purpose of best-practice management is:

- to encourage the effective and efficient delivery of water supply and sewerage services; and
- to promote sustainable water conservation practices and water demand management throughout NSW.

The NSW Government is required to demonstrate compliance with the Australian Government's National Competition Policy and the National Water Initiative. LWUs have been encouraged since 1995 to introduce best-practice management for water supply and sewerage businesses.

Compliance with the six best-practice criteria is mandatory for payment of a dividend from the surplus of an LWU's water supply and sewerage businesses

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(refer to Attachment 1 on page 31). Compliance with these criteria is also mandatory for financial assistance under the *Country Towns Water Supply & Sewerage (CTWS&S) Program*.

In addition, all LWUs are expected to complete preparation of a strategic business plan and long-term financial plan by June 2009. It is also expected that by that time all LWUs will have substantially complied with these guidelines.

1.3 Purpose of these Guidelines

Through the NSW Government's *Country Towns Water Supply and Sewerage Program*, sections 283 to 322 of the *Water Management Act 2000*, and sections 56 to 66 of the *Local Government Act 1993*, the Minister for Water Utilities is responsible for overseeing the performance of Local Water Utilities (LWUs) in:

Providing appropriate, affordable and cost-effective water supply and sewerage services in urban areas of non-metropolitan NSW which meet community needs, protect public health and the environment and make best use of regional resources.

In addition to meeting the requirements of the Australian Government's National Water Initiative, the guidelines reflect the NSW Government's policy in relation to the Application of National Competition Policy to Local Government¹ which states:

"the Government supports the objects of the Local Government (NSW) Act 1993, which devolves to local councils significant responsibility for the conduct of their own affairs. The Government is confident that NSW councils are fully able to appreciate the significant efficiency gains and reduction in service costs that can flow from the adoption of competition reforms, and will be able to responsibly apply the Agreement for the benefit of their constituents and clients."

The Department of Water and Energy has prepared these *Best-Practice Management of Water Supply and Sewerage Guidelines* pursuant to section 409(6) of the *Local Government Act 1993* (see 1.4 below). The Minister for Local Government has concurred with these guidelines.

The guidelines have been prepared to encourage continuing improvement in performance and identify criteria for best-practice management of water supply and sewerage.

These guidelines apply to all NSW LWUs, including the following utilities:

- Country Energy (Broken Hill area)
- State Water (Fish River Water Supply)
- Cobar Water Board
- Hawkesbury Council's sewerage business.

The first 3 utilities above are not local government councils and are not eligible to pay a dividend. Hawkesbury Council is the only metropolitan council responsible for provision of sewerage services.

¹ NSW Government Policy Statement on the Application of National Competition Policy to Local Government, June 1996

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1.4 Local Government Amendment (National Competition Policy Review) Act 2003 No 8

The amendments to section 409 of the *Local Government Act 1993* are shown below. These amendments commenced on 1 November 2003.

- (5) Despite subsections (3) and (4), a council may:
 - (a) deduct, from the money required by subsection (3) to be used only for the specific purpose of water supply or sewerage services, an amount in the nature of a return on capital invested payment (dividend), and
 - (b) apply that amount towards any purpose allowed for the expenditure of money by councils by this Act or any other Act.
- (6) The Minister for Water Utilities, with the concurrence of the Minister administering this Act:
 - (a) is to cause guidelines to be prepared and published in the Gazette relating to the management of the provision of water supply and sewerage services by councils, and
 - (b) may, if of the opinion that a council has not substantially complied with the guidelines, direct the council to comply with any particular aspect of the guidelines before making any further deduction under subsection (5).
- (7) Before making a deduction under subsection (5), a council must:
 - (a) comply with the guidelines published under subsection (6) and any direction given under that subsection, and
 - (b) indicate in an open meeting of the council that the guidelines and any such direction have been complied with in relation to the making of the deduction.
- (8) Subsections (5)-(7) extend to a council that is a water supply authority within the meaning of the [Water Management Act 2000](#).

As at June 2007, the only councils that are water supply authorities under the *Water Management Act 2000* are Gosford and Wyong Councils.

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2 Best-Practice Management

2.1 Introduction

With increasing demands on the limited water resources of NSW, it is vital that these resources are managed in an efficient and sustainable manner.

Best-practice management is essential for efficient and sustainable management of water resources and the environment. It enables a Local Water Utility (LWU) to achieve sustainable water supply and sewerage businesses and comply with the Australian Government's *National Competition Policy* (NCP) and *National Water Initiative* (NWI).

LWUs that achieve the outcomes required by these guidelines will have demonstrated best-practice management of these businesses.

Best-practice management involves a triple bottom line focus that provides a balanced view of the long-term sustainability of NSW water utilities. Triple bottom line accounting (social, environmental and economic) involves consideration of an LWU's business plan together with its social and environmental management practices.

Best-practice management of water supply and sewerage involves the following 6 criteria:

- Strategic Business Planning
- Pricing (including Developer Charges, Liquid Trade Waste Policy and Approvals)
- Water Conservation
- Drought Management
- Performance Reporting
- Integrated Water Cycle Management

2.2 Best-Practice Criteria

2.2.1 Strategic Business Planning

The community and governments are demanding increased accountability, increased levels of service and efficiency from water utilities. In addition, regulatory authorities are imposing more stringent environmental and health regulations. A Strategic Business Plan addresses these issues and provides a framework within which the LWU can provide these services in an efficient manner and can continue to improve its performance. The business plan must include an appropriate financial plan.

A strategic business plan is an LWU's principal planning tool for its water supply and sewerage businesses. The business plan should address key strategic issues facing the LWU including:

The community and governments are demanding increased accountability, increased levels of service and efficiency.

A strategic business plan is an LWU's principal planning tool for its water supply and sewerage businesses. The business plan must include an appropriate financial plan.

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a) Operating environment review

This should be a review of the key external operating environment facing the LWU including:

- Customer demands in terms of current and forecast water and sewer backlog areas, forecast growth requirements and anticipated service standards.
- Shareholder and regulatory requirements (environmental, OH&S, governance arrangements)

b) Asset Management Plan

Operation and Maintenance Plans

These plans should provide details of how the LWU plans to operate and maintain the assets of the business so as to meet the current and expected services that its community demands. The plans should also indicate how the LWU will comply with current and anticipated regulatory requirements.

Capital Works Plan

This plan should provide details of proposed works to renew, replace and augment current systems so as to maintain current services and meet the community's future service levels in terms of growth and anticipated standards and levels of service. The Asset Management Plan is to include expenditure required to mitigate the impact of known externalities, eg. the impact of new water sharing plans on the utility's water supply.

c) Key performance indicators

The strategic business plan should provide details of the key performance indicators that the business will assess its performance against. Primarily this should clearly identify the service standards (eg. water quality and availability, water losses, sewage treatment and discharge and service coverage) which the community can expect from the business.

d) Customer Service Plan

e) Levels of Service

f) Human Resources Plan

An LWU that has completed a sound strategic business plan and long-term financial plan for its water supply and sewerage businesses has demonstrated the long-term financial sustainability of the businesses. **The LWU thus has control of the future development of these businesses, and providing it continues to levy Typical Residential Bills (TRBs) in accordance with its financial plan, the LWU will be able to fund all its future commitments for capital and recurrent expenditure and dividend and tax-equivalent payments.**

Financial Plan

A robust financial plan is a key element of an LWU's water supply or sewerage strategic business plan. The financial plan should clearly indicate how the business will finance the provision of services that meet levels of service negotiated with the community and the long-term commercial viability of the business. The plan should aim to achieve the lowest stable Typical Residential Bills² (TRBs).

² The Typical Residential Bill (TRB) is the annual bill paid by a residential customer using the LWU's average annual residential water consumption and is the **principal indicator of the overall cost** of a water supply or sewerage system. Pensioners pay a lower amount due to the \$87.50 pensioner rebate as do the owners of vacant lots, which pay no water usage charges.

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The financial plan should identify how the following costs and payments will be financed:

- Operation, maintenance and administration costs
- Capital renewals and replacement costs (including an acceptable rate of return)
- Capital augmentation costs (including an acceptable rate of return)
- Dividends and tax-equivalents

The strategic business plan and financial plan should also address the issues in the Check List in **Appendix A**.

2.2.2 Pricing (including Developer Charges, Liquid Trade Waste Policy and Approvals)³

Best-practice water supply, sewerage and liquid trade waste pricing requires transparent tariff structures and price levels that:

- Recover efficient costs of service provision, including an appropriate return on infrastructure capital
- Provide appropriate signals to customers about the cost consequences of their service demands, in order to encourage efficient use of resources (both environmental and financial) associated with service provision
- Are consistent with the principles of the Australian Government's *Strategic Framework for Water Reform, National Competition Policy and National Water Initiative*
- Are simple for customers to understand and easy for the service provider to implement and administer
- Have due regard for the social implications of price/tariff movements in terms of impacts on "vulnerable" customers
- Support, where practical, government policy objectives in relation to regional development, employment, public health and welfare

a) Water Supply Pricing⁴

With water becoming an increasingly scarce resource both locally and globally, it is appropriate that LWUs focus on influencing water demand through increasing emphasis on usage based pricing.

Best-practice **water supply** pricing requires that the usage charge recover those costs that vary with demand in the long-term (ie. long-run marginal cost), through a usage charge. These costs should include licence and extraction fees from

Best-practice pricing includes removal of land value from access charges and removal of significant cross-subsidies.

³ As Gosford and Wyong Councils' pricing and developer charges are regulated by IPART, these councils need only demonstrate compliance with the liquid trade waste policy and approvals component of this criterion.

⁴ It is anticipated that in the future the *Local Government Act 1993* will be amended to allow integrated water pricing for water supply and sewerage services to non-metropolitan NSW. In such a case, integrated water pricing in accordance with Attachment 2 will comply with elements 2 (a), 2 (b) and 2 (c) of Criterion 2 in Table 1 on page 22.

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external regulatory agencies and should reflect the indirect costs (ie. externalities) associated with these demands.

For some LWUs this cost may be such that all costs be recovered through a usage charge. Where an access charge is required, the access charge for larger non-residential customers should reflect their capacity requirements.

Where LWUs are responsible for both supply of potable water and management of the wastewater (sewerage), integrated water cycle management (IWCM) strategies, including recycling, are becoming increasingly important. In this context, integrated water pricing strategies could be considered. Whilst it is recognised that under the *Local Government Act, 1993* this is not possible at present, it is likely that in the near future the Act⁴ will be amended to allow use of integrated water pricing for water supply and sewerage services.

LWUs should adopt the following pricing principles when setting water supply tariffs:

1. Appropriate water usage charge/kL based on the long-run marginal cost of water supply.
2. Residential water usage charges must be set to recover at least 75% of residential revenue^{5,6}.
3. To encourage water conservation, high water consuming residential customers should be subjected to a step price increase of at least 50% for incremental usage above a specified threshold. This threshold should not exceed 450⁷ kL/a per household or 600⁸ kL/a for LWUs outside the DWE Coastal and Tablelands Zone.
4. LWUs must bill at least three times each year (and preferably every quarter) to improve the effectiveness of pricing signals.
5. LWUs should include both water access charges and water usage charges in each bill to customers. In addition, any LWU planning to update its water billing system should move to comply with the National Guidelines on the layout and content of customer bills. The Guidelines have been prepared pursuant to Item 66(iv) of the National Water Initiative⁹.
6. In situations where large cross-subsidies for non-residential customers currently exist, LWUs should develop pricing strategies that target the removal of these cross-subsidies over a 5 year period.

With a higher proportion of water supply revenue obtained from usage charges, LWUs' revenue will be more greatly affected by annual weather variations.

⁵ Except LWUs with under 4,000 connected properties which will need to recover at least 50% of residential revenue from water usage charges.

⁶ It is noted that the limit of 4,000 properties has been determined conservatively and many LWUs with 3,000 to 4,000 connected properties will be able to achieve 75% of residential revenue from usage charges.

⁷ LWUs with quarterly billing may use relevant volumes for the step price increase in each quarter, eg. 150kL in the summer quarter and 100kL in the others 3 quarters. Similarly, LWUs billing 3 times/a may allocate a relevant component of the threshold for each billing period.

⁸ For LWUs outside the DWE Coastal and Tablelands Zone with a high incidence of evaporative air coolers, providing the first step of the water usage charge is set at the long-run marginal cost, the threshold for the step price increase may be up to 600 kL/a. LWUs outside the DWE Coastal and Tablelands Zone include Inverell, Gwydir, Tamworth, Dubbo, Parkes, Forbes, Young, Cootamundra, Gundagai, Tumut and Tumbarumba, and any LWUs further west.

⁹ National Guidelines for Residential Customers' Water Accounts 2006, Natural Resource Management Ministerial Council.

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LWUs may therefore establish a revenue fluctuation reserve of up to 10% of turnover. LWUs can draw on this reserve to assist them to cope with wet years or drought water restrictions where water sales are lower than predicted. Dry years will result in a corresponding increase in demand and revenue.

For guidance in developing and implementing best-practice pricing tariffs refer to Appendix B.

b) Sewerage Pricing

Best-practice **sewerage** pricing involves a uniform annual sewerage bill for residential customers. For non-residential customers an appropriate sewer usage charge is required for the estimated volume discharged to the sewerage system, together with an access charge based on the capacity requirements that their loads place on the system relative to residential customers.

For guidance in developing and implementing best-practice pricing tariffs refer to Appendix B.

c) Liquid Trade Waste Pricing, Policy & Approvals

Best-practice **liquid trade waste** pricing requires appropriate annual trade waste fees and re-inspection fees for all liquid trade waste dischargers. These fees are in addition to the non-residential sewerage bill.

The LWU must also levy an appropriate trade waste usage charge for trade waste dischargers with prescribed pre-treatment¹⁰, and appropriate excess mass charges for large trade waste dischargers (> about 20 kL/d) and for dischargers of industrial waste.

As noted in Appendix B on page 53, any large increases in liquid trade waste fees and charges may be phased-in over a period of up to 3 years.

The *Liquid Trade Waste Management Guidelines*, March 2005 provide guidance for LWUs on developing an appropriate trade waste policy and assessing, approving, monitoring, pricing and enforcing compliance for liquid trade waste dischargers to the sewerage system.

In order to properly manage dischargers of liquid trade waste to the sewerage system and to protect sewerage system assets and the environment, LWUs must adopt a Liquid Trade Waste Policy in accordance with the *Liquid Trade Waste Management Guidelines*. As noted on page 42 of the Guidelines, DWE consent is required for an LWU's trade waste policy. In addition, LWUs must issue a trade waste approval to each trade waste discharger connected to the sewerage system, and must annually inspect the premises of each discharger.

d) Developer Charges

Developer charges are up-front charges levied to recover part of the infrastructure costs incurred in servicing new development or changes to existing development. Developer charges provide a source of funding for infrastructure and provide signals to the community regarding the cost of urban development.

In essence, where the costs of serving new urban development are in excess of the current and expected costs of servicing existing customers, then the additional

¹⁰ Prescribed pre-treatment comprises the equipment shown in Table 7 of '*Liquid Trade Waste Management Guidelines*, March 2005, or any pre-treatment facilities deemed appropriate by the LWU.

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costs should be recovered from new entrants in the form of an up-front contribution.

LWUs need to prepare a Development Servicing Plan (DSP)¹¹ with commercial water supply or sewerage developer charges in accordance with Developer Charges Guidelines for Water Supply, Sewerage and Stormwater, December, 2002. The DSP must disclose any cross-subsidies.

Guidance on water supply and sewerage developer charges is provided in the Check List in Appendix B.

e) *Exceptions*

Some exceptions to the achievement of the required outcomes by an LWU are acceptable if these are outside the LWU's control, for example, where an LWU has in place a binding pre-existing agreement for tariffs with certain customers. These exceptional contracts must be replaced as soon as is legally practicable with best-practice tariffs. In such circumstances the LWU is deemed to have achieved substantial compliance provided it (1) discloses the number of such pre-existing binding agreements in a council meeting open to the public and (2) appends a note to this effect to its Statement of Compliance (page 34).

2.2.3 *Water Conservation*

Appropriate water conservation and demand management are essential for ensuring efficient use of our valuable water resources and to improve environmental outcomes as required by the *Water Management Act 2000* and the National Water Initiative. Cost-effective demand management delivers significant environmental and social benefits and reduces capital and operating costs. Demand management is a key component of the strategic planning process. LWUs should identify and implement appropriate demand management measures to achieve cost and energy savings, protect the environment and reduce wastewater flows.

A key part of managing demand is understanding how and when water is used. A demand management program therefore requires metering of all customers supplied, together with demand analysis.

Demand management measures that should be examined as part of a demand management program include:

- The implementation of permanent water saving measures to minimise wastage, in accordance with Item 91 (iii) of the National Water Initiative¹².
- Active intervention – appropriate retrofit programs, rebates for water efficient appliances, rebates for rainwater tanks, effluent and stormwater re-use programs, building code programs (including the

¹¹ LWUs with growth of under 5 lots/a are exempted from preparing DSPs and need only prepare a brief Exemption Document in accordance with the Developer Charges Guidelines.

An LWU with growth of 5 or more lots/a that resolves not to levy developer charges needs to prepare a Policy Document in accordance with the Developer Charges Guidelines. However, such an LWU would fail to comply with these best-practice guidelines and is therefore ineligible for dividend payment from the surplus of its water supply or sewerage businesses. The LWU needs to tick the relevant "NO" box in Attachment 1 (pages 32 and 33).

¹² Review the effectiveness of temporary water restrictions and associated public education strategies, and assess the scope for extending low level restrictions as standard practice.

Cost-effective water conservation and demand management deliver significant environmental and social benefits and reduces capital and operating costs.

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impact of the BASIX planning tool) and the requirement that large non-residential water users prepare and implement water savings action plans

- Water pricing reform
- Community education
- Water loss and leakage reduction programs.

Each LWU should review its demand management measures every 2 years to ensure that it has an appropriate balance between demand and supply-side investment.

Guidance on water conservation and demand management issues is provided in the Check List in Appendix C.

2.2.4 Drought Management

A fundamental responsibility of the manager of a water supply system is to soundly manage water use during droughts. Guidance on drought management issues is provided in the Check List in Appendix D.

As noted in Appendix D, adoption of a schedule of trigger points for the timely implementation of appropriate water restrictions is a key element of a drought management plan. The LWU's general manager is responsible for ensuring that such timely water restrictions are implemented in accordance with the utility's adopted schedule.

2.2.5 Performance Reporting

Annual performance reporting and monitoring are required under the Australian Government's *National Competition Policy* and *National Water Initiative*, are important for public accountability and have been strongly endorsed by the NSW Government, the Independent Pricing and Regulatory Tribunal, the Local Government Association and the Shires Association.

The NSW Government promotes continuous performance improvement to improve the quality and efficiency of services to the community. Performance monitoring provides valuable data for enabling an LWU to review and improve its performance by examining trends in its performance indicators and to benchmark its performance against that of similar utilities.

Guidance on performance reporting issues is provided in the Check List in Appendix E.

2.2.6 Integrated Water Cycle Management

Integrated water cycle management (IWCM) is the integrated management of the water supply, sewerage and stormwater services within a whole of catchment strategic framework having regard to catchment blueprints and other water management plans. IWCM is a framework to help identify water management problems, to address these problems, to determine the appropriate management responses and to manage the impacts of the problems so that social, environmental and economic objectives are met.

An IWCM Strategy has a long-term planning horizon. The first phase of the strategy (the IWCM Evaluation) defines the catchment, water resource and urban water issues faced by the LWU. Catchment issues such as floodplain management and acid sulphate soils may impact on the location of sewage



Performance monitoring provides valuable data for enabling an LWU to review and improve its performance.

IWCM is a framework to help identify water management problems and to determine appropriate management responses so that social, environmental and economic objectives are met.

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treatment works (STWs), whilst water resource issues would include the changes to water access faced by LWUs under the *Water Management Act 2000* and urban water issues might include existing system deficiencies.

Once the issues are broadly defined, studies are undertaken for the second phase (the IWCM strategy) to better define issues and look at ways of managing them. Studies involve population and water demand projections, bulk supply and distribution analysis and management option development. This process results in the LWU adopting a long-term strategy for the integrated delivery of its water supply, sewerage and stormwater services to customers.

Such a strategy involves integrating planning and management of all components of the LWU's uses of the water cycle so that water is used optimally.

LWUs need to prepare an IWCM Evaluation by June 2007 in accordance with Appendix F and the *Integrated Water Cycle Management Guidelines*, October 2004. Unless the IWCM Evaluation demonstrates that preparation of an IWCM Strategy is not warranted, an IWCM Strategy is to be completed and implemented by June 2008. Guidance on IWCM issues is provided in the Check List in Appendix F.

2.3 Other Considerations

2.3.1 Sewer Backlog Areas

LWUs are reminded that they may spread part of the capital cost for serving sewer backlog areas across their full customer base. Such spreading of a part of the capital cost helps to make water supply and sewerage charges affordable for small towns.

2.3.2 Vulnerable Customers

Whilst best-practice water supply pricing will allow many customers to reduce their water supply bills, a small number of vulnerable customers may face financial hardship due to increased water bills. Such customers are large families on low incomes, who have a high level of non-discretionary water use and home dialysis patients.

It is recommended that LWUs define vulnerable customers as families holding a Health Care Card and who have three or more children and households with a patient on home dialysis.

To mitigate the impact of best-practice pricing on vulnerable customers, LWUs may implement programs for reducing the bills of such customers. Options available for LWUs in this regard include:

- Targeted retrofit programs for the installation of low-flow shower roses, tap aerators, tap timers and dual flush toilets;
- Rebates for the purchase of water-efficient front-loading washing machines; and
- Cash rebates for part or all of the access charge component of the water bill.

Prior to the adoption of such programs, it is recommended the LWU undertake an incidence analysis to identify the likely number of vulnerable customers adversely affected and the likely impacts of each option on the customers and the LWU's revenue.

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It is important for LWUs to develop appropriate measures along the above lines for vulnerable customers to maintain social equity, while providing appropriate pricing signals to encourage all customers to avoid waste and to use water efficiently.

2.3.3 Further Initiatives

The NSW Government encourages LWUs to continue to improve their performance and to efficiently and effectively manage their water supply and sewerage businesses.

In this regard LWUs are strongly encouraged to prepare and implement a Drinking Water Quality Framework, Quality management Plan and an Environmental Management Plan for their water supply and sewerage businesses. LWUs should also have regard to forthcoming national principles and guidelines when setting future fees and charges for recycled water and stormwater reuse. The above initiatives are not at present a requirement for compliance with these guidelines.

- **Framework for Management of Drinking Water Quality**

A risk based drinking water quality management plan is required to be developed by each LWU under the *Australian Drinking Water Guidelines 2004* (refer to page 2-1, Ref 18 and NWI Indicator H6, Ref 16). It is recommended that all LWUs with over 10,000 connected properties obtain an external third party accredited assessment of their drinking water quality management plan (refer to NWI Indicator H5, Ref 16).

- **Quality Management Plan**

The Quality Management Plan (QMP) is aimed at improving the performance of the organisation in terms of customer and stakeholder satisfaction.

Many LWUs have insufficient documentation of their procedures and processes. Consequently, extensive corporate knowledge is lost when experienced staff leave or retire from the organisation. Not only does this create inefficiencies when the knowledge has to be re-learnt, it can lead to reduction in stakeholder satisfaction due to system failure and inadequate responses.

Key principles for improving organisational performance are:

- (1) Customer focus
- (2) Leadership
- (3) Involvement of people
- (4) Process approach
- (5) System approach to management
- (6) Continuous improvement
- (7) Factual approach to decision making
- (8) Mutually beneficial supplier relationships.

LWUs should commence with the preparation of a QMP for their water supply and sewerage operations. A staged implementation is recommended, whereby the first stage would be to document corporate

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knowledge to enable continuing delivery of services and ensure that stakeholder satisfaction is maintained.

This would be followed by management systems aimed at communicating, monitoring and improving the performance of the LWU.

- **Environmental Management Plan**

An Environmental Management Plan (EMP) aims to address and manage environmental issues related to operation of the business. The main benefits of implementing an EMP by an LWU are:

- Contribute in the achievement of managing natural resources and the environment on a sustainable and socially responsible manner.
- Contribute to improve LWU's environmental performance.
- Reduce operation, maintenance and administration (OMA) costs by identifying opportunities to reduce waste and improve the LWU's business processes.
- Assist with compliance with environmental legislation and reduce the risk of fines and penalties.
- Protect LWU against legal prosecution and reduce legal risk.

The following 29 LWUs had an EMP in place in June 2006:

Albury, Bombala, Byron, Cabonne, Carrathool, Clarence Valley, Corowa, Dubbo, Eurobodalla, Fish River, Glen Innes Severn, Gosford, Goulburn Mulwaree, Greater Hume, Griffith, Port Macquarie-Hastings, Kempsey, Lismore, Lockhart, MidCoast, Nambucca, Orange, Riverina, Shoalhaven, Tenterfield, Wagga Wagga, Wakool, Wingecarribee and Wyong.

- **Pricing of Recycled Water and Stormwater Reuse**

National principles and guidelines are being developed under the *National Water Initiative* in regard to the setting of fees and charges for recycled water and stormwater reuse. LWUs should have regard to these principles and guidelines when setting future fees and charges for recycled water or stormwater reuse.

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3 Dividends

3.1 Introduction

A local government LWU is now permitted to pay an annual dividend from its water supply or sewerage businesses. Such a dividend may be paid for each business after the end of each financial year commencing in 2003/04.

However, as a pre-requisite to the payment of a dividend from the surplus in accordance with section 409 (5) of the *Local Government Act 1993*, an LWU must demonstrate achievement of the required outcome for each criterion in column (3) of Table 1 (page 22) on the basis of "substantial compliance".

An LWU must report its achievement of these outcomes in a note to its annual Special Purpose Financial Reports in accordance with Attachment 1 (page 34).

3.2 Criteria for Payment of Dividend

Achievement of the outcomes required by these guidelines will enable an LWU to demonstrate that its water supply and sewerage businesses are healthy and sustainable. This is essential to assure the local community that the LWU is managing the water supply and sewerage businesses responsibly and that the charges for these services will not increase unexpectedly.

It is recommended that each LWU verify that the overhead reallocation charge from its constituent council is calculated accurately and fairly before recommending that a dividend from its surplus be paid. An effective costing methodology, such as activity based costing, should be utilised when calculating the overhead reallocation charge, so as to allow recovery of only the LWU's share of the overhead costs.

Prior to paying a dividend from the surplus of a water supply or sewerage business, the LWU must:

- (1) obtain an independent compliance audit report verifying that the LWU has demonstrated achievement of all the required outcomes set out in column (3) of Table 1 (page 22); and
- (2) obtain an independent financial audit report (conducted in accordance with Australian Accounting Standards and the requirements of the Ministers for Water Utilities and Local Government) that verifies the water supply and/or sewerage Special Purpose Financial Reports are a true and accurate reflection of the business and that the overhead reallocation charge to these businesses is a fair and reasonable cost.

The LWU must also resolve in a council meeting open to the public that it has achieved the required outcome for each of the 6 criteria in Table 1 of these guidelines.

LWUs must complete and forward the following documents to the Department of Water and Energy prior to payment of a dividend from the surplus:

- The Statement of Compliance and the Dividend Payment Form (page 34);
- The Statement of Financial Performance of Business Activities (page 18);
- The independent compliance audit report (page 34); and

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- The unqualified independent financial audit report (page 34).

The Department will advise the LWU whether it may pay the proposed dividend from the surplus within 5 working days.

A county council which achieves the required outcomes may pay a dividend to its constituent councils on a pro-rata basis based on the number of assessments in each constituent council area.

LWUs facing major capital expenditure for new or replacement infrastructure should defer paying a significant dividend from their surplus as such a payment would directly increase the required Typical Residential Bill (TRB). Such capital expenditure in any financial year is defined as that which exceeds 3% of the current replacement cost (CRC) of the LWU's water supply or sewerage assets.

3.3 Amount of Dividend

A dividend is in the nature of a 'return on investment' paid to the 'shareholder' which in this case is the local government council responsible for managing and investing in the LWU's water supply and sewerage functions. The council may apply the dividend for any purpose under the *Local Government Act* or any other Act.

The dividend is in two parts: a dividend calculated for tax-equivalents and a dividend calculated from the surplus.

- All LWUs must pay the dividend for tax-equivalents.
- The dividend from the surplus may only be paid by LWUs which achieve the required outcome for each of the 6 criteria, as set out in Table 1 on page 18. The surplus excludes any government capital grants¹³ for infrastructure (eg. towards the capital cost of backlog sewerage projects).

3.3.1 Dividend for Tax-equivalents

To ensure ongoing commercial viability¹⁴, prices should be set so annual cost recovery by a water supply or sewerage business includes taxes or tax-equivalents (excluding income tax). Accordingly, all NSW LWUs must make a dividend payment for the amount calculated as the annual tax-equivalent payment (excluding income tax) commencing in 2003/04.

The reported tax-equivalent expenses¹⁵ (excluding income tax) for most NSW LWUs are under \$1/assessment. Accordingly, the upper limit for such dividend payments from each of an LWU's water supply or sewerage businesses is set at \$3/assessment. The council may apply the dividend for tax-equivalents for any purpose under the *Local Government Act* or any other act, including local community and charitable purposes.

¹³ Government capital grants include grants under the Country Towns Water Supply and Sewerage Program as well as any National Heritage Trust (NHT) funding. Such grants are "tax-free income" provided for investment in essential backlog infrastructure. Dividends will thus not be subsidised by government capital grants. Capital payments from other LWUs are also to be excluded.

¹⁴ The 2003 National Competition Policy Assessment Framework for Water Reform, National Competition Council, February 2003 (Ref 14 on page 27).

¹⁵ As reported in LWUs' Special Purpose Financial Reports which are provided with the LWUs' Annual Financial Statements.

Best-Practice Management of Water Supply and Sewerage Guidelines



Achievement of substantial compliance against the Best-Practice Guidelines is NOT a prerequisite for the payment of a dividend for tax-equivalents.

3.3.2 Dividend from Surplus

Provided that an LWU has demonstrated achievement of the required outcome for each criterion in column (3) of Table 1 (page 22) for its water supply or sewerage businesses, the LWU may pay an annual dividend from the surplus of that business.

The dividend payment is subject to the following preconditions:

- (1) The "Surplus Before Dividends" must be calculated on the basis shown in the Statement of Financial Performance of Business Activities on page 18; and
- (2) The dividend from surplus must not exceed 50% of this surplus in any one year; and
- (3) The dividend from surplus must not exceed the number of water supply or sewerage assessments¹⁶ at 30 June of the relevant year multiplied by \$30¹⁷, less the dividend for tax-equivalents; and
- (4) The dividend from surplus may only be paid so that the total dividend from surplus paid in each rolling three year period does not exceed the total relevant surplus in the same period.

¹⁶ Refers to the total of occupied assessments and unoccupied assessments.

¹⁷ The amount of \$30 is to be replaced by \$15 for a council which does not provide the full water supply service to its customers. Councils carrying out either a "bulk water supply" function or a "reticulation" function may therefore pay a maximum total dividend of \$15/assessment.

Best-Practice Management of Water Supply and Sewerage Guidelines



Example Statement - Special Purpose Financial Reports

STATEMENT OF FINANCIAL PERFORMANCE OF BUSINESS ACTIVITIES – WATER SUPPLY (4)
 for the year ending 30 June 2007

	Year Ended 30 June 05 (Cat.) \$'000	Year Ended 30 June 06 (Cat.) \$'000	Year Ended 30 June 07 (Cat.) \$'000
<u>INCOME FROM CONTINUING OPERATIONS</u>			
Access Charges			
User charges			
Fees			
Grants for non capital purposes			
Profit on sale of assets			
Other ordinary income			
Total	_____	_____	_____
Less <u>EXPENSES FROM CONTINUING OPERATIONS</u>			
Employee related costs			
Overheads (direct and allocated)			
Water Purchase charges			
Materials & contracts			
Loss on sale of assets			
Other operating expenses			
Total	_____	_____	_____
<u>NET OPERATING SURPLUS</u>	_____	_____	_____
Less Depreciation			
Interest			
Dividend for Tax-Equivalents (not exceeding \$3/assessment)			
<u>NET OPERATING SURPLUS BEFORE CAPITAL MOVEMENTS</u>	_____	_____	_____
Add Developer Charges and Contributions (1)			
<u>SURPLUS BEFORE DIVIDENDS (2)</u>	_____	_____	_____
Less Dividends (3)			
Add Governments capital grants and capital payments			
<u>SURPLUS (NET INCREASE IN ASSETS)</u>	_____	_____	_____
Add Opening Retained Profits			
<u>CLOSING RETAINED PROFITS</u>	_____	_____	_____
<u>NOTATION OF AMOUNTS UNPAID</u>			
❖ Tax Equivalent Payments (amount in excess of \$3/assessment)			
❖ Debt Guarantee Fees			
❖ Corporate Taxation Equivalent (30%) based on the Net Operating Surplus			

- Notes:**
- (1) Exclude Government capital grants and capital payments from other LWUs.
 - (2) Relevant Surplus for purpose of determining dividend eligibility.
 - (3) The dividend payment in (3) above is subject to the following preconditions:
 - (a) The dividend from surplus must not exceed 50% of the surplus in (2) above in any one year; and
 - (b) The dividend from surplus must not exceed the number of water supply or sewerage assessments at 30 June of the relevant year multiplied by \$30, less the dividend for tax-equivalents; the dividend for tax-equivalents must not exceed \$30/assessment; and
 - (c) The dividend from surplus may only be paid so that the total dividend from surplus paid in each rolling three year period does not exceed the total relevant surplus in the same period.
 - (4) A similar Statement of Financial Performance is required for sewerage services.

Best-Practice Management of Water Supply and Sewerage Guidelines



4 Abbreviations and Glossary

a	Annum.
ADWG 2004	<i>Australian Drinking Water Guidelines</i> (National Health and Medical Research Council/Natural Resources Management Ministerial Council), 2004.
ADWF	Average dry weather flow. One of the design parameters for flow in sewers.
Annual Demand	The total water demand over a year. Used to size headworks components.
BOD	Biochemical oxygen demand. Used as a measure of the 'strength' of sewage.
Capital Cost	The present value (MEERA basis) of assets used to service development.
Capital Charge	Capital cost of assets per ET x Return on Investment (ROI) Factor.
COAG	Council of Australian Governments.
CPI	Consumer price index.
CRC	Current replacement cost.
CTWS&S	Country Towns Water Supply and Sewerage.
DEC	Department of Environment and Conservation.
Developer Charge (DC)	A charge levied on developers to recover part of the capital cost incurred in providing infrastructure for new development.
DM	Demand Management.
DEUS	Department of Energy, Utilities and sustainability.
Discount Rate	The rate used to calculate the present value of money arising in the future.
DLWC	Department of Land and Water Conservation.
DIPNR	Department of Infrastructure, Planning and Natural Resources.
DSP	Development Servicing Plan.
DWE	Department of Water and Energy.
EM	Environmental Management.
EP	Equivalent Persons (or equivalent population). Used as a design parameter for loadings of sewage treatment works.
EPA	Environment Protection Authority.
EPA 1979	<i>Environmental Planning and Assessment Act 1979</i> .
ET	Equivalent tenement. A measure of the demand a development will place on the infrastructure in terms of the water consumption or sewage discharge for an average residential dwelling.
FINMOD	The NSW Financial Planning Model.
FP	Financial plan.
GST	Goods and services tax.
IWCM	Integrated Water Cycle Management.

Best-Practice Management of Water Supply and Sewerage Guidelines



IPART	Independent Pricing and Regulatory Tribunal, NSW.
kL	Kilolitre (1000 litres).
LGA 1993	<i>Local Government Act 1993.</i>
LGA and SA	Local Government Association and Shires Association, NSW.
LWU	Local Water Utility.
MEERA	Modern Engineering Equivalent Replacement Asset. An asset value calculated on the basis that the asset is constructed at the time of valuation in accordance with modern engineering practice and the most economically viable technologies, which provides similar utility functions to the existing asset in service.
MEU	Ministry of Energy and Utilities.
ML	Megalitre (1,000,000 litres, or 1000 kilolitres).
NCP	National Competition Policy.
NPV	Net present value. The difference between the Present Value of a revenue stream and the Present Value of a cost stream.
NWI	National Water Initiative
OH&S	Occupational Health and Safety.
OH&S 2000	<i>Occupational Health and Safety Act 2000.</i>
OMA	Operation, maintenance and administration (cost).
Peak Day Demand	The maximum demand in any one day of the year. Used to size water treatment works, service reservoirs trunk mains and pumping stations in the distribution system.
POEO Act	<i>Protection of the Environment Operations Act 1997.</i>
PV	Present value. The value now of money, or ETs, in the future.
PWD	Public Works Department.
PWWF	Peak wet weather flow. One of the design parameters of flow in sewers.
Reduction Amount	The amount by which the capital charge is reduced to arrive at the developer charge. This amount reflects the capital contribution that will be paid by the occupier of a development as part of future annual charges.
ROI	Return on investment. Represents the income that is, or could be, generated by investing money.
SBP	Strategic Business Plan.
SS	Suspended solids, or the concentration of particles in sewage. Used as a measure of the 'strength' of sewage.
STW	Sewage treatment works.
TBL	Triple Bottom Line.
TRB	Typical residential bill.
UFW	Unaccounted-for-water.
WMA 2000	<i>Water Management Act 2000.</i>
WTW	Water treatment works.

Best-Practice Management of Water Supply and Sewerage Guidelines



PART B BEST-PRACTICE - PROCESS

5 Eligibility Criteria

In order to be eligible to pay a dividend from its water supply or sewerage business, an LWU will need to demonstrate achievement of the required outcomes for each of the 6 criteria shown in Figure 1 below and in Table 1 overleaf.

For each business, LWUs will need to demonstrate achievement of each outcome listed in column (3) of Table 1 in order to be eligible to pay a dividend. In addition, the LWU will need to obtain a compliance audit report and an unqualified financial audit report in accordance with section 3.2 (page 15).

Where an LWU has not achieved substantial compliance with best practice pricing principles (criterion 2(b) in column (3) of Table 1), the Minister for Water Utilities may agree to waive the requirement to achieve these outcomes in a particular financial year where:

- (1) there are exceptional circumstances that justify such a waiver; and
- (2) the LWU has made substantial progress in achieving substantial compliance; and
- (3) the LWU has made a demonstrated commitment to achieve substantial compliance within a period not exceeding 12 months.



Figure 1 Eligibility Criteria

An LWU must report its achievement of these outcomes in a note to its annual Special Purpose Financial Report in accordance with Attachment 1 (page 34).



Best-Practice Management of Water Supply and Sewerage Guidelines

Table 1 – Required Outcomes for Best-Practice Criteria			
Criterion (1)	Required Outcome (2)	Indicators to Demonstrate Achievement of Outcome (3)	Tools & Resources (4)
1 Strategic Business Planning	A current, sound Strategic Business Plan (SBP) and financial plan.	<ul style="list-style-type: none"> • Current SBP that includes: <ul style="list-style-type: none"> ▪ Operating environment review ▪ Asset management plan (operation, maintenance, capital works) ▪ Key performance indicators ▪ Customer service plan ▪ Levels of service ▪ Human resources plan • Address issues in Ref 1 and the Check List* in Appendix A. A current SBP and financial plan is one which has been prepared or updated within the last 3 years. 	Appendix A Demonstrate long term financial sustainability of the business to comply with NCP and NWI. Page 12 of Ref 14.
Financial Planning	A robust financial plan which includes a capital works plan.	<ul style="list-style-type: none"> • A robust minimum 20 year financial plan which identifies the lowest required stable typical residential bill (TRB). • Address the issues in Ref 2 and the Check List* in Appendix A. <ul style="list-style-type: none"> * Each check list is essentially a road map to assist LWUs to quickly address the issues covered by the relevant guidelines as well as any developments since publication of the guidelines. 	Appendix A See above.
2 Pricing ¹⁸ and Developer Charges	Full cost-recovery for each of water supply and sewerage businesses.	<ul style="list-style-type: none"> • Appropriate tariffs without significant cross-subsidies. • Total annual income and projected TRB should be consistent with above financial plan. This generally results in a positive economic real rate of return (ERRR). 	Ref 4 Appendix B Full cost-recovery with consumption based water supply pricing, trade waste charging and removal of cross-subsidies to comply with COAG Strategic Framework for Water Reform, NCP and NWI. Pages 12, 17, 18, 22 of Ref 14.

¹⁸ Agreement has been reached with the Local Government Association and the Shires Association of NSW to amendment of the Local Government Act 1993 in order to provide NSW LWUs with the option of using integrated water pricing for their water supply and sewerage services. An LWU implementing integrated water pricing in accordance with Attachment 2 on Page 35 will comply with elements 2 (a), 2 (b) and 2 (c) of Criterion 2 above.



Best-Practice Management of Water Supply and Sewerage Guidelines

Table 1 – Required Outcomes for Best-Practice Criteria			
Criterion	Required Outcome	Indicators to Demonstrate Achievement of Outcome	Tools & Resources
(1)	(2)	(3)	(4)
(b)	Complying water supply tariff.	<ul style="list-style-type: none"> Appropriate water usage charge/kL based on long-run marginal cost. Access charge relative to a customer's capacity requirements. No land value based charges (ie. rates) and no "free" or "pre-paid" water allowance. Any large increases in non-residential customer bills phased in over 5 years. To encourage water conservation, high water consuming residential customers should be subjected to a step price increase of at least 50% for incremental usage above a specified threshold. This threshold should not exceed 450 kL/a per household, except for LWUs outside the DWE Coastal and Tablelands Zone with a high incidence of evaporative air coolers, where a threshold of up to 600kL/a per household may be used. LWUs with 4,000 or more connected properties to have at least 75% of residential revenue* generated through usage charges by June 2008 (at least 50% required by June 2006 and at least 60% required by June 2007). LWUs with under 4,000 connected properties to have at least 50% of residential water revenue* generated through usage charges. <p>* LWUs may demonstrate compliance with this requirement on the basis of either (i) or (ii) below:</p> <ul style="list-style-type: none"> (i) their projected total residential revenue for the next financial year, or (ii) their projected typical residential bill (on the basis of their average annual residential consumption per connected property) for the next financial year. 	<p>Page 9 Ref 4</p> <p>Page 10 Ref 4</p> <p>Appendix B</p>
(c)	Complying sewerage tariff.	<ul style="list-style-type: none"> Appropriate residential tariff. No land value based charges (ie. rates). Non-residential <ul style="list-style-type: none"> Two-part tariff. 	<p>Page 28 Ref 4</p> <p>Page 29 Ref 4</p> <p>Page 29 Ref 4</p>



Best-Practice Management of Water Supply and Sewerage Guidelines

Table 1 – Required Outcomes for Best-Practice Criteria				
Criterion	Required Outcome (2)	Indicators to Demonstrate Achievement of Outcome (3)	Tools & Resources	COAG/NCP/NWI/Statutory Requirements (4)
(d)	Complying liquid trade waste fees and charges for all liquid trade waste dischargers.	<ul style="list-style-type: none"> ▪ Appropriate sewer usage charge/kL. ▪ Access charge that is reflective of the cost of providing these sewerage services. ▪ Any large increases in non-residential customer bills phased in over 5 years. 	Page 31 Ref 4	
(e)	Commercial Developer Charges.	<ul style="list-style-type: none"> • Annual trade waste fee for all liquid trade waste dischargers. • Trade waste usage charge for dischargers with prescribed pre-treatment. • Excess mass charges for large dischargers and industrial waste. 	Page 208 Ref 5 Page 209 Ref 5 Pages 209 to 212 Ref 5	Sections 305 to 307 of Water Management Act 2000. Section 64 of Local Government Act 1993.
(f)	Liquid trade waste approval issued to each trade waste discharger.	<ul style="list-style-type: none"> • Development Servicing Plan[#] in accordance with Ref 6, with commercial developer charges. # LWUs with growth of under 5 lots/a exempted. 	Page iv Ref 6 Appendix B	COAG, NCP and NWI – page 18 of Ref 14 Section 68 of Local Government Act 1993, Local Government (General) Regulation 2005.



Best-Practice Management of Water Supply and Sewerage Guidelines

Table 1 – Required Outcomes for Best-Practice Criteria			
Criterion (1)	Required Outcome (2)	Indicators to Demonstrate Achievement of Outcome (3)	Tools & Resources
			COAG/NCP/NWI/Statutory Requirements (4)
Dual Water Supplies (9)	Complying tariffs for dual water supplies.	<ul style="list-style-type: none"> • The potable water supply tariff in dual water supplies to comply with 2(b) above, except that step pricing is not a requirement. • For the non-potable component of dual water supplies: <ul style="list-style-type: none"> ▪ LWUs are encouraged to install a non-potable water meter for each customer served where practical. ▪ Appropriate non-potable water usage charge/kL based on long-run marginal cost. ▪ Access charge relative to a customer's capacity requirements. ▪ No land value based charges (ie. rates) and no "free" or "pre-paid" non-potable water allowance. ▪ At least 50% of residential revenue[†] generated through usage charges. <p>+ Refer to the footnote to element 2 (b) above.</p>	Page 9 Ref 4 Appendix B
3 Water Conservation	Sound water conservation and demand management in place.	<ul style="list-style-type: none"> • Sound water conservation and demand management implemented. • Identification of most cost-effective demand management initiatives. • Subsidisation and promotion of at least two of the identified demand management initiatives. • Include demand monitoring, leakage measurement and reduction and community education. 	Appendix C COAG, NCP and NWI Page 52 of Ref 14 <i>Water Management Act 2000.</i>
4 Drought Management	Sound drought management in place.	<ul style="list-style-type: none"> • Compile data on existing system, your LWU's drought management planning, including adoption of a schedule of trigger points for timely implementation of appropriate water restrictions. • Sound drought management implemented in accordance with the LWU's adopted schedule. 	Appendix D Ref 19 <i>Water Management Act 2000.</i> <i>Local Government Act 1993.</i>



Best-Practice Management of Water Supply and Sewerage Guidelines

Table 1 – Required Outcomes for Best-Practice Criteria			
Criterion (1)	Required Outcome (2)	Indicators to Demonstrate Achievement of Outcome (3)	Tools & Resources (4)
5 Performance Reporting	Completed performance reporting forms to DWE Review 2-page LWU Performance Report, prepare Action Plan.	<ul style="list-style-type: none"> Reporting forms provided to DWE by 15 September each year. Draft of Special Schedules 3 to 6 and Notes 2 and 3 of the LWU's Special Purpose Financial Reports provided to DWE by 15 September each year. LWUs with over 10,000 connected properties to arrange auditing of their core performance indicators in accordance with the auditing requirements of the <i>National Performance Framework</i>. Action Plan provided to Council following review of your LWU's 2-page Performance Report (water, sewerage). Statement of Compliance to be submitted to DWE prior to payment of dividend from surplus (including Dividend Payment Form, Statement of Financial Performance of Business Activities, a Compliance Audit Report and an unqualified independent Financial Audit Report). 	COAG, NCP and NWI Page 31 of Ref 14, page 15 of Ref 15 and page 1 of Ref 16.
6 Integrated Water Cycle Management (IWCM)	Sound IWCM implemented.	<ul style="list-style-type: none"> Completion of Integrated Water Cycle Management Evaluation by June 2007. Completion of Integrated Water Cycle Management Strategy by June 2008. Implementation of Integrated Water Cycle Management in accordance with the Strategy by June 2008. 	COAG, NCP and NWI Page 43 of Ref 14. WMA 2000.

Best-Practice Management of Water Supply and Sewerage Guidelines



References for Table 1

1. *Strategic Business Plans for Water Supply and Sewerage: Guidelines for Preparation*, Public Works, NSW, 1993.
2. *NSW Financial Planning Model (FINMOD) – Overview of Financial Planning, How FINMOD Works, User Manual*, Department of Land and Water Conservation, NSW, 2000.
3. *2005/06 NSW Water Supply and Sewerage Performance Monitoring Report*, Department of Water and Energy/Local Government Association and Shires Association, NSW.
4. *Water Supply, Sewerage and Trade Waste Pricing Guidelines*, Department of Land and Water Conservation, NSW, 2002
5. *Liquid Trade Waste Management Guidelines*, Department of Energy, Utilities and Sustainability, NSW, March 2005.
6. *Developer Charges Guidelines for Water Supply, Sewerage and Stormwater*, Department of Land and Water Conservation, NSW, 2002.
7. *Environmental Management Systems – Specification with guidelines for use*, International Standard ISO 14001.
8. *Integrated Water Cycle Management Guidelines for NSW Local Water Utilities*, Department of Energy, Utilities and sustainability, NSW, October 2004.
9. *Wise Water Management – A Demand Management Manual for Local Water Utilities*, Water Services Association of Australia, 1998.
10. *Planning Community Involvement in Water and Sewerage Projects*, Public Works, NSW, 1995.
11. *Occupational Health and Safety Act 2000 and Occupational Health and Safety Regulation 2001*.
12. *Asset Management Guidelines for Water Supply and Sewerage*, Public Works, NSW, 1991.
13. *Protection of the Environment Operations Act*, 1997.
14. *The 2003 National Competition Policy Assessment Framework for Water Reform*, National Competition Council, February 2003.
15. *Intergovernmental Agreement on a National Water Initiative*, Council of Australian Governments, June 2004.
16. *National Performance Framework – 2006-07 Urban Performance Reporting Indicators and Definitions*, National Water Commission/Water Services Association of Australia, May 2007.
17. *NSW Reference Rates Manual for Valuation of Water Supply, Sewerage and Stormwater Assets*, Ministry of Energy and Utilities, NSW, June 2003.
18. *Australian Drinking Water Guidelines*, National Health and Medical Research Council/National Resource Management Ministerial Council, 2004.
19. *Drought Management Guidelines*, NSW Local Government Water Directorate, December 2003

Best-Practice Management of Water Supply and Sewerage Guidelines



Best-Practice Management of Water Supply and Sewerage Guidelines



6 Payment of Dividend

6.1 Eligibility for Payment

Check lists have been prepared to provide guidance for LWUs in addressing best-practice management (refer to Appendices A to F). It is NOT necessary to address the issues in Appendices B to F to be eligible for payment of a dividend. LWUs are required to demonstrate achievement of the required outcome for each criterion in column (3) of Table 1 (page 22) in order to be eligible for payment of a dividend from the surplus.

LWUs must also complete all the boxes in Item 1 of Attachment 1 (pages 32 and 33).

6.2 Statement of Compliance

To be eligible for payment of a dividend from the surplus, LWUs must complete the Statement of Compliance shown in Attachment 1 (page 34), and append a compliance audit report and an unqualified independent financial audit report.

6.3 Amount of Dividend

If your LWU is eligible to pay a dividend from the surplus, determine the maximum dividend payable from the surplus (Item 3 in pages 32 and 33 of Attachment 1).

6.4 Public Disclosure

For each of water supply and sewerage, prior to paying a dividend from the surplus, an LWU must resolve in a council meeting open to the public that it has achieved the required outcome for each criterion set out in Table 1 of these guidelines.

6.5 Reporting to Minister

LWUs that are eligible to pay a dividend from the surplus and elect to do so, must complete the Dividend Payment form shown in Attachment 1 (page 34) and forward the Statement of Compliance, the Dividend Payment form and the Statement of Financial Performance of Business Activities (page 18), together with a compliance audit report (page 15) and an unqualified independent financial audit report (page 15) to the Department of Water and Energy prior to payment of the dividend. The Department will advise the LWU whether it may pay the proposed dividend from the surplus within 5 working days. The Department will also audit LWU compliance with these guidelines and will report to the Minister for Water Utilities.

Best-Practice Management of Water Supply and Sewerage Guidelines





ATTACHMENT 1 – PAYMENT OF A DIVIDEND

As all LWUs must pay a dividend for tax-equivalents (Item 2 overleaf), the total dividend paid for each of water supply and sewerage must be not less than the dividend for tax equivalents.

You can check your LWU's eligibility for payment of a dividend from the surplus by completing boxes (1) to (6) in Item 1 overleaf for water supply and boxes (1) to (4) on page 33 for sewerage. If your LWU is eligible to pay a dividend from the surplus, determine the maximum dividend payable from the surplus (Item 3 overleaf).

Prior to the payment of a dividend from the surplus, the LWU must obtain an independent compliance audit report (page 15) and an unqualified independent financial audit report (page 15).

If your LWU has elected to pay a dividend from the surplus, complete the Statement of Compliance (page 34), the Dividend Payment Form (page 34) and the Statement of Financial Performance of Business Activities (page 18). Forward these, together with the independent compliance audit report and the unqualified independent financial audit report to the Department of Water and Energy prior to payment of the dividend.

The Department will advise the LWU whether it may pay the proposed dividend from the surplus within 5 working days. The Department will also audit LWU compliance with these guidelines and will report to the Minister for Water Utilities.

Best-Practice Management of Water Supply and Sewerage Guidelines
Attachment 1



Note to Special Purpose Financial Report

Water Supply – Payment of Dividend for 2006/07

1. Required Outcomes for 6 Criteria^a	Yes	No
(1) Complete Strategic Business Plan (including Financial Plan)	<input type="checkbox"/>	<input type="checkbox"/>
(2) Pricing with full cost-recovery, without significant cross subsidies (Item 2(a) in Table1)	<input type="checkbox"/>	<input type="checkbox"/>
Complying charges		
(a) Residential (Item 2(b) in Table1)	<input type="checkbox"/>	<input type="checkbox"/>
(b) Residential Revenue* from Usage Charges at least 50% in 2006/07 (LWUs with under 4,000 connected properties don't need to recover more than 50% from usage charges) 60% in 2007/08 75% in 2008/09	<input type="checkbox"/>	<input type="checkbox"/>
(c) Non-residential (Item 2(b) in Table1)	<input type="checkbox"/>	<input type="checkbox"/>
DSP with Commercial Developer Charges (Item 2(e) in Table1)	<input type="checkbox"/>	<input type="checkbox"/>
(3) Complete Performance Reporting Form by 15 September each year	<input type="checkbox"/>	<input type="checkbox"/>
(4) Sound Water Conservation implemented	<input type="checkbox"/>	<input type="checkbox"/>
(5) Sound Drought Management implemented	<input type="checkbox"/>	<input type="checkbox"/>
(6) Integrated Water Cycle Management Strategy (by June 2008)	<input type="checkbox"/>	<input type="checkbox"/>
2. Dividend for Tax-Equivalents^b		
(1) Calculated Tax-Equivalents (TE)	<input type="text"/>	
(2) No. of assessments multiplied by \$3/assessment	<input type="text"/>	
Dividend for TE^c (lesser of (1) and (2))	<input type="text"/>	
3. Dividend from Surplus^c		
(1) 50% of 'Surplus before Dividends' (from <i>Special Purpose Financial Report</i> – Statement of Financial Performance of Water Supply Business Activities).	<input type="text"/>	
(2) No. of assessments multiplied by \$30/assessment, less Dividend for TE	<input type="text"/>	
(3) Cumulative 'Surplus before Dividends' for the 3 years to 30 June 2006, less the cumulative Dividends Paid for the 2 years to 30 June 2005 (from above Statement of Financial Performance of Water Supply Business Activities).	<input type="text"/>	
Maximum Dividend from Surplus (least of (1), (2) and (3))	<input type="text"/>	

^a For a Local Water Utility (LWU) to be eligible for payment of a dividend from the surplus of its water supply business, it must be able to answer "yes" for each of items (1) to (5) above. Achievement of (6) is required by 30 June 2008.

^b All local government LWUs must pay this dividend for tax-equivalents.

^c The maximum dividend from surplus is the maximum dividend payable by an LWU which has demonstrated its achievement of the outcomes required in Table 1 of the *Guidelines for Best-Practice Management of Water Supply and Sewerage*. LWUs should also address the considerations in section 3.2 of the Guidelines.

* As an alternative to consideration of the council's total projected residential revenue, council has the option of basing this calculation on its typical residential bill (ie. for a customer using the council's average annual residential consumption per connected property).

Best-Practice Management of Water Supply and Sewerage Guidelines
Attachment 1



Note to Special Purpose Financial Report

COUNCIL OF/COUNCIL OF THE CITY OF

STATEMENT OF COMPLIANCE^a
for the year ended 30th June 2007

	YES	NO
WATER SUPPLY		
Council's Water Supply Business has demonstrated achievement of each of the outcomes in column (3) of Table1 of the <i>Best-Practice Management of Water Supply and Sewerage Guidelines^b</i> .	<input type="checkbox"/>	<input type="checkbox"/>
Council has resolved in a council meeting open to the public that it has complied with the <i>Best-Practice Management Guidelines^b</i> for its Water Supply business.	<input type="checkbox"/>	<input type="checkbox"/>
SEWERAGE		
Council's Sewerage Business has demonstrated achievement of each of the outcomes in column (3) of Table1 of the <i>Best-Practice Management of Water Supply and Sewerage Guidelines^b</i> .	<input type="checkbox"/>	<input type="checkbox"/>
Council has resolved in a council meeting open to the public that it has complied with the <i>Best-Practice Management Guidelines^b</i> for its Sewerage business.	<input type="checkbox"/>	<input type="checkbox"/>
AUDIT REPORTS		
Council has received and attached an independent compliance audit report verifying that the LWU has demonstrated achievement of the required outcomes in Table1 of the <i>Best-Practice Management Guidelines^b</i> .	<input type="checkbox"/>	<input type="checkbox"/>
Council has received and attached an unqualified independent financial audit report of its water supply/sewerage Special Purpose Financial Reports.	<input type="checkbox"/>	<input type="checkbox"/>

COUNCIL OF/COUNCIL OF THE CITY OF

STATEMENT OF DIVIDEND PAYMENT
for the year ended 30th June 2007

	2007
WATER SUPPLY	
Dividend paid for tax-equivalents	<input type="text"/>
Dividend paid from surplus	<input type="text"/>
Total Dividend Paid for Water Supply Business	<input type="text"/>
SEWERAGE	
Dividend paid for tax-equivalents	<input type="text"/>
Dividend paid from surplus	<input type="text"/>
Total Dividend Paid for Sewerage Business	<input type="text"/>

^a The Statement of Compliance and the Dividend Payment Form should only be forwarded to the Department of Water and Energy if Council has resolved to pay a dividend from the surplus.

^b *Guidelines for Best-Practice Management of Water Supply and Sewerage*, Department of Water and Energy, NSW, June 2007.



ATTACHMENT 2 – INTEGRATED WATER PRICING

1 Introduction

As appropriate pricing is fundamental to the effective and sustainable management of water utility businesses, the NSW Government will be working to remove the present impediment to use of integrated water pricing for water supply and sewerage services in the *Local Government Act, 1993*. Such an amendment will provide Local Water Utilities (LWUs) with the option of using integrated water pricing for their water supply and sewerage services.

There is no requirement for LWUs to implement integrated water pricing. However, an LWU which implements integrated water pricing in accordance with this attachment will meet the water supply and sewerage pricing requirements in elements 2(a), 2(b) and 2(c) in Table 1 of the *Best-Practice Management Guidelines*.

Integrated water pricing is a valuable tool for LWUs as it provides better pricing signals for residential customers to encourage demand management, water efficiency and better use of our valuable water resources.

2 The Integrated Water Pricing Concept

Integrated water pricing has the two components of best-practice pricing. That is, an appropriate usage charge/kL and an appropriate access charge as discussed below.

2.1 Usage Charge

The usage charge is the key element of pay-for-use pricing and should be broadly based on the long-run marginal cost of the water supply and sewerage systems. The usage charge would be calculated using equation (1) below:

$$UC = [1.4 \times W_{OMA}] + [1.5 \times S_{OMA} \times SDF] \quad \text{Equation (1)}$$

Where:

UC	Usage charge (\$/kL)
1.4 and 1.5	Indicative estimate of the long-run marginal cost of the LWU's water supply (140%) and sewerage (150%)
W_{OMA}	Water supply operation, maintenance and administration (OMA) cost (\$/kL) LWUs should estimate their future OMA cost per kilolitre for each of water supply and sewerage, taking into account new assets proposed in the LWU's strategic business plan and capital works program.
S_{OMA}	Sewerage operation, maintenance and administration (OMA) cost (\$/kL)
SDF	Residential sewer discharge factor. That is, the ratio of residential indoor water consumption to the total residential water consumption. A typical value for NSW is $SDF = 0.6$. LWUs with sound recent studies of SDF for their residential customers should use their local SDF in equation (1) above.

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2.2 Access Charge

The remainder of the revenue required for the financial sustainability of the water supply and sewerage businesses is obtained through an annual access charge which is independent of the level of consumption. The access charge is determined relative to the customer's capacity requirements, eg. proportional to the square of the size of the customer's water supply service connection as shown in equations (2) and (3) below.

$$AC_{\phi 20} = AC (W) + AC (S) \times SDF \quad \text{Equation (2)}$$

$$AC = AC_{\phi 20} \times [D^2 / 400] \quad \text{Equation (3)}$$

Where:

AC (W)	Water component of access charge (\$)
AC (S)	Sewerage component of access charge (\$)
AC _{φ20}	Annual access charge for a 20mm water supply service connection (\$)
AC	Annual access charge for a service connection larger than 20mm (\$)
D	Nominal diameter of customer's water supply service connection (mm)

LWUs may elect to adopt a nil access charge, in which case, the annual income would be generated from the usage charge, except for very low water users¹.

3 Total Annual Bill

The total annual bill will be the sum of the annual access charge and the usage charge multiplied by the annual water consumption expressed in kilolitres.

$$B = AC + [UC \times C] \quad \text{Equation (4)}$$

Where:

B	Annual bill (\$)
C	Annual water consumption (kL)

Example 1 – Residential

W_{OMA}	= \$1.072/kL
S_{OMA}	= \$1.00/kL
AC (W)	= \$100
AC (S)	= \$200
SDF	= 0.6
Minimum Bill	= \$400

From Equation (1)

$$\begin{aligned} UC &= [1.4 \times 1.072] + [1.5 \times 1.0 \times 0.6] \\ &= 1.5 + 0.9 \\ &= \$2.4/kL \end{aligned}$$

$$\begin{aligned} AC_{\phi 20} &= \$100 + \$200 \times 0.6 \\ &= \$220 \end{aligned}$$

¹ Very low water users would be required to pay the minimum bill, which may be about 50% of the typical residential bill.

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For annual residential water consumptions of 200 kL/a, from Equation (4), the annual residential bill is:

$$\begin{aligned} B &= \$220 + 2.4 \times 200 \\ &= \$700 \end{aligned}$$

Similarly, for residential consumptions of 20 kL/a, 100 kL/a and 300 kL/a, the annual residential bills would be \$400 (minimum bill, calculated value is \$268 (220 + 2.4 x 20)), \$460 (220 + 2.4 x 100) and \$940 (220 + 2.4 x 300) respectively.

4 Non-Residential Customers

The usage charge and access charge for non-residential customers would be determined using equations (1), (2) and (3) and the customer's sewer discharge factor and service connection size.

Example 2 – Non-Residential

Non-residential charges are examined below for the utility in Example 1 above.

(A) $D = 20\text{mm}$
 $SDF = 0.6$
 Water consumption = 200kL

From Equation (1)
 $UC = [1.4 \times 1.072] + [1.5 \times 1.0 \times 0.6]$
 $= 1.5 + 0.9$
 $= \$2.4/\text{kL}$

From Equation (2)
 $AC_{\phi 20} = 100 + 200 \times 0.6$
 $= \$220$

From Equation (4)
 $B = 220 + 2.4 \times 200$
 $= \$700$

(B) As for (A), but water consumption = 20kL

From Equation (4)
 $B = 220 + 2.4 \times 20$
 $= \$268$

As this is less than the minimum bill of \$400, the minimum bill will apply.

(C) As for (A), but $D = 40\text{mm}$

From Equation (3)
 $AC = 220 \times (40^2/400)$
 $= \$880$

From Equation (4)
 $B = 880 + 2.4 \times 200$
 $= \$1,360$

(D) As for (C), but water consumption = 1,000kL

From Equation (4)
 $B = 880 + 2.4 \times 1000$
 $= \$3,280$

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(E) As for (D), but SDF = 0.95

From Equation (1)

$$\begin{aligned} UC &= [1.4 \times 1.072] + [1.5 \times 1.0 \times 0.95] \\ &= \$2.925/\text{kL} \end{aligned}$$

From Equation (2)

$$\begin{aligned} AC_{\phi_{20}} &= \$100 + \$200 \times 0.95 \\ &= \$290 \end{aligned}$$

From Equation (3)

$$\begin{aligned} AC &= 290 \times (40^2/400) \\ &= \$1,160 \end{aligned}$$

From Equation (4)

$$\begin{aligned} B &= \$1,160 + 2.925 \times 1000 \\ &= \$4,085 \end{aligned}$$

LWUs will still be required to have appropriate trade waste fees and charges for all liquid trade waste dischargers, a trade waste usage charge for dischargers with prescribed pre-treatment, excess mass charges for large dischargers and industrial waste and a trade waste policy and approval for each liquid trade waste discharger in accordance with the *Liquid Trade Waste Management Guidelines, March 2005*.

5 Implementation

LWUs which elect to adopt integrated water pricing will also need to comply with the following outcomes for best-practice. These are based on elements 2(a) and 2(b) of Criterion 2 in Table 1 of the *Best-Practice Management Guidelines*, but exclude the requirement for step pricing for residential customers, ie:

- Appropriate tariffs without significant cross subsidies;
- The projected total annual income should be consistent with above financial plan. This generally results in a positive economic real rate of return (ERRR) and generates sufficient income to fund recurrent expenditures and capital investment;
- The total annual income received from access and usage charges is to be shared between the water supply and sewerage businesses in accordance with the percentage determined in the financial plan.
- Appropriate usage charge/kL based on long-run marginal cost;
- Access charge relative to a customer's capacity requirements;
- No land value based charges (ie. rates) and no "free" or "pre-paid" water allowance;
- LWUs with 4,000 or more connected properties to have at least 75% of residential revenue generated through usage charges;
- LWUs with less than 4,000 connected properties to have at least 50% of residential revenue generated through usage charges.

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6 Transfer of Funds between Water Supply and Sewerage Businesses

An LWU which has implemented integrated water pricing will be permitted to transfer funds between its water supply and sewerage businesses subject to demonstrating, to the satisfaction of the Minister for Water Utilities, that both its water supply and sewerage businesses will remain financially sustainable.

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Appendix A - Water Supply and Sewerage: Strategic Business Planning & Financial Planning Check List – August 2007

The strategic business plan is a Local Water Utility's (LWU's) principal planning tool for its water supply and sewerage businesses.

This check list is essentially a road map and has been prepared to assist LWUs to quickly address the issues in a sound business plan as well as a number of more recent developments in strategic business planning.

A current strategic business plan and financial plan is one which has been prepared or updated within the last 3 years. Each LWU should update its financial plans annually.

Strategic Business Plan – Check List

Topic	Outcome Achieved
1. Executive Summary	<ul style="list-style-type: none"> ❖ Covers all major issues, main actions, price path. ❖ Includes a <i>plan</i> of the system.
2. Operating Environment Review	<ul style="list-style-type: none"> ❖ All <i>principal issues</i> identified are <i>addressed</i> in the SBP.
3. Performance Indicators	<ul style="list-style-type: none"> ❖ LWU's latest TBL Performance Report included. ❖ Review of LWU's latest TBL Performance Report included, together with proposed corrective actions (refer to example on page 47 of Ref 3). This review should be consistent with the SBP.
4. Levels of Service (LOS)	<ul style="list-style-type: none"> ❖ Are <i>clear, meaningful and measurable</i>. ❖ A compliance monitoring and reporting system is in place. ❖ Target LOS have been identified.
5. Service delivery	<ul style="list-style-type: none"> ❖ Options examined and conclusions reported.
6. Customer Service Plan	<ul style="list-style-type: none"> ❖ <i>Business objectives</i> developed for each key result area.
6.1 Unserviced areas	<ul style="list-style-type: none"> ❖ <i>All serviced and unserviced towns and villages</i> listed showing the population and whether the present facilities are satisfactory. ❖ Proposals for serving unserviced towns are included and discussed in the business plan and financial plan.

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Strategic Business Plan – Check List

Topic	Outcome Achieved
6.2 Pricing, Developer Charges, Trade Waste	
A. Full Cost Recovery	❖ Full cost recovery for each of the water supply and sewerage businesses (Ref 4, page 7). The total annual income should be consistent with the financial plan in Item 10. This generally results in a positive economic real rate return (ERRR).
B. Water Supply: Residential	❖ Pay-for-use: appropriate water usage charge/kL with no water allowance; independent of land value. Significant increase in the water usage charge/kL (50% to 100%) for discretionary consumption (Item 2b of Table 1 of these guidelines).
C. Sewerage: Residential	❖ Uniform annual sewerage bill per residential property, independent of land value (Ref 4, page 28).
D. Water Supply: Non-Residential	❖ Two-part tariff with appropriate water usage charge/kL and access charge.
E. Sewerage: Non-Residential	❖ Two-part tariff with appropriate sewer usage charge/kL and sewer discharge factor. Access charge reflective of the cost of providing these sewerage services.
F. Liquid Trade Waste Pricing	<ul style="list-style-type: none"> ❖ Appropriate trade waste fees and charges for <u>all</u> liquid trade waste dischargers (Ref 4, page 30). ❖ Trade waste usage charge for dischargers with prescribed pre-treatment (Ref 4, page 34). ❖ Excess mass charges for large dischargers and industrial waste (Ref 4, page 36).
G. Liquid Trade Waste Policy and Approvals	❖ Trade Waste Policy in accordance with Ref 5 adopted. Trade waste approval issued to <u>each</u> liquid trade waste discharger (Ref 5).
H. Developer Charges	<ul style="list-style-type: none"> ❖ Development Servicing Plan⁺ with commercial developer charges; disclosure of any cross-subsidies (Ref 6, page iv). <p style="margin-left: 40px;">+ LWUs with a growth of under 5 lots/a exempted.</p>
I. Dual Water Supplies	❖ LWUs with a dual water supply ie. a potable reticulated water supply for indoor uses and a separate non-potable supply reticulated for outdoor uses to over 50% of their residential customers need to comply with element 2(g) of Criterion 2 in Table 1 on page 25 of these guidelines.
6.3 Environmental Management	❖ Summary of LWU's Environmental Management achievements is included.
6.4 Integrated Water Cycle Management	❖ Summary of integrated water cycle management is included.

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Strategic Business Plan – Check List

Topic	Outcome Achieved
6.5 Demand Management	❖ Summary of LWU's demand management is included.
6.6 Drought Management	❖ Summary of LWU's drought management is included.
6.7 Community Consultation	❖ Summary of community consultation is included.
6.8 Occupational Health & Safety	❖ Summary of LWU's occupational health and safety achievements is included.
7. Asset Management Plan	<ul style="list-style-type: none"> ❖ Summary of changes required to O & M procedures (eg. to operate new facilities) are reported, including impact on OMA expenditures. ❖ Asset register completed (Ref 13). ❖ Summary of best-practice operation plan is included (Ref 13). ❖ Summary of best-practice maintenance plan is included. Also report your LWU's implementation of any DWE section 61 recommendations for corrective action with respect to water and sewage treatment works and dams. ❖ Capital works program included showing a tabulation of proposed annual expenditure for each project, including cost-effective asset renewals. Capital works program is integrated with the strategic business plan to meet the target levels of service. <i>Template is available from DWE.</i> ❖ All major projects in the capital works program are discussed in the SBP and are consistent with the business objectives.
8. Human Resources Plan	❖ Organisation Chart is included.
9. Action Plan	<ul style="list-style-type: none"> ❖ Actions listed and show the person responsible, completion time and estimated cost. ❖ The costs of the actions are included in the capital works program or in OMA expenditures.

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Financial Plan – Check List

Topic	Outcome Achieved
10. Objective	<ul style="list-style-type: none"> ❖ The financial plan includes all foreseeable costs and income and achieves the lowest uniform level of stable typical residential bills (in Year 1\$) to meet the levels of service negotiated with the community. ❖ Long-term financial sustainability is demonstrated to comply with National Competition Policy and the National Water Initiative.
11. Financial Model	<ul style="list-style-type: none"> ❖ LWUs using the FINMOD software for their financial plan have used the latest version (FINMOD 2.1 or FINMOD 4.0).
12. Timeframe	<ul style="list-style-type: none"> ❖ The financial plan covers a period of at least 20 years.
13. Growth and Number of Assessments	<ul style="list-style-type: none"> ❖ Input accurate numbers of existing residential and non-residential assessments. ❖ New assessments for backlog water supply or sewerage projects are included in the growth projections. ❖ Growth projections input into your LWU's financial planning are consistent with the SBP document.
14. Rates	<ul style="list-style-type: none"> ❖ Appropriate values have been used. Such rates in June 2007 were: Inflation 2.5% pa Investment 5.5% pa Borrowing 6.5% pa
15. Grants	<ul style="list-style-type: none"> ❖ No capital works grants are assumed after about 2015/16.



Financial Plan – Check List

Topic	Outcome Achieved
16. Forecast Data	<ul style="list-style-type: none"> ❖ Forecast data, such as future operation, maintenance and administration (OMA) costs and the revenue split (between annual residential income and annual non-residential income), have been carefully considered as part of the LWU's asset management planning. <p>Common errors are</p> <ul style="list-style-type: none"> ● Neglecting to include increases in operation and maintenance costs associated with proposed capital works such as backlog sewerage or new water and sewage treatment works. ● Neglecting to make appropriate provision for dividend and tax-equivalent payments (excluding income tax). ● Neglecting to include future increases in non-residential water supply and sewerage income as a result of removing existing cross-subsidies. ● Neglecting to include future increases in trade waste income from introducing appropriate trade waste fees and charges for <u>all</u> liquid trade waste dischargers. ● Neglecting to include future commercial developer charges. ● Neglecting to include the cost of actions in the SBP. <ul style="list-style-type: none"> ❖ Increases or reductions to OMA costs have been discussed in the SBP document.
17. Residential Bills and Developer Charges	<ul style="list-style-type: none"> ❖ The financial plan has balanced typical residential bills and developer charges.
18. Results	<ul style="list-style-type: none"> ❖ The input data, key output graphs and the full projected results and financial statements (ie. Statement of Financial Performance, Statement of Financial Position and Cash Flow Statement) are included for the preferred case. Results are presented in Year 1\$ (ie. not inflated \$).

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Financial Plan – Check List

Topic	Outcome Achieved
19. Sensitivity Analysis	<ul style="list-style-type: none"> ❖ Sensitivity Analysis has been carried out and results are included. ❖ A description of the cases analysed, and the reasons for their selection have been included in the SBP document.
20. Price Path	<ul style="list-style-type: none"> ❖ Price path adopted for the typical residential bill over the next 5 years in Year 1\$. This provides some price certainty to the LWU's customers.

REFERENCES

1. *Strategic Business Plans for Water Supply and Sewerage: Guidelines for Preparation*, Public Works, NSW, 1993.
2. *NSW Financial Planning Model (FINMOD) – Overview of Financial Planning, How FINMOD Works, User Manual*, Department of Land and Water Conservation, NSW, 2000.
3. *2005/06 NSW Water Supply and Sewerage Performance Monitoring Report*, Department of Water and Energy/Local Government Association and Shires Association, NSW.
4. *Water Supply, Sewerage and Trade Waste Pricing Guidelines*, Department of Land and Water Conservation, NSW, 2002.
5. *Liquid Trade Waste Management Guidelines*, Department of Energy, Utilities and Sustainability, NSW, March 2005.
6. *Developer Charges Guidelines for Water Supply, Sewerage and Stormwater*, Department of Land and Water Conservation, NSW, 2002.
7. *Environmental Management Systems – Specification with guidelines for use*, International Standard ISO 14001.
8. *Integrated Water Cycle Management Guidelines for NSW Local Water Utilities*, Department of Energy, Utilities and Sustainability, NSW, October 2004.
9. *Wise Water Management – A Demand Management Manual for Local Water Utilities*, Water Services Association of Australia, 1998.
10. *Water Supply and Sewerage Management Guidelines*, NSW Government, 1991.
11. *Planning Community Involvement in Water and Sewerage Projects*, Public Works, NSW, 1995.
12. *Occupational Health and Safety Act 2000 and Occupational Health and Safety Regulation 2001*.

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13. *Asset Management Guidelines for Water Supply and Sewerage*, Public Works, NSW, 1991.

NOTES

1. Full achievement of the required outcome for Item 6.2G is required for meeting the liquid trade waste policy and approvals requirements in Table 1 on page 24 of the *Best-Practice Management Guidelines*.
2. LWUs with a dual water supply need to comply with 'I' of Item 6.2 in order to meet the requirements in element 2(g) of Criterion 2 in Table 1 on page 25 of the *Best-Practice Management Guidelines*.
3. For further information, assistance and copies of the reference documents, please contact Sam Samra, Senior Manager Water Utility Performance on 8281 7435 or Sam.Samra@dwe.nsw.gov.au
4. LWUs should continue to forward a copy of their completed strategic business plan and financial plan to DWE:

Senior Manager Water Utility Performance
Department of Water and Energy
Level 18
227 Elizabeth Street
Sydney NSW 2000

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Appendix B – Pricing and Developer Charges

Section 1: Water Supply, Sewerage and Trade Waste Pricing

Check List – August 2007

Best-practice pricing of Local Water Utility (LWU) water supply, sewerage and liquid trade waste services is fundamental to effective management of water supply and sewerage businesses. Appropriate tariffs ensure fair pricing of services, removal of significant cross-subsidies and protection of our valuable water resources and environment.

The main reference for the implementation of best-practice pricing is Ref 1 – *Water Supply, Sewerage and Trade Waste Pricing Guidelines*.

To comply with the *COAG Strategic Framework for Water Reform, National Competition Policy* and the *National Water Initiative*, each LWU needs to achieve:

- Full cost-recovery for its water supply business and for its sewerage business (Ref 1, page 7).
- Appropriate water supply tariff with appropriate water usage/kL, no land value (ie. rates) in charges, no water allowance.
- Appropriate sewerage tariff with a uniform annual sewerage bill per residential property (Ref 1, page 28), two-part tariff with appropriate sewer usage charge/kL for non-residential customers (Ref 1, page 29, 31) and no land value (ie. rates) in sewerage charges (Ref 1, page 31).
- Annual trade waste fee for all liquid trade waste dischargers (Ref 6, page 208), trade waste usage charges for dischargers with prescribed pre-treatment (Ref 6, page 209) and excess mass charges for large dischargers of industrial waste (Ref 6, pages 209 to 212).

The NSW Water Supply Pricing software and the NSW Sewerage and Trade Waste Pricing Software will simplify development and analysis of tariff options. In addition, the Typical Residential Bill (TRB) and the total annual income should be on the basis of a sound financial plan.

This check list is essentially a road map to assist LWUs to quickly address the issues in Ref 1 and Ref 6. It also highlights common deficiencies in tariffs. Each LWU should use the check list to ensure that it has addressed the necessary issues. Each LWU should also annually review its tariffs to ensure they are raising the required income for its water supply and sewerage businesses.

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Water Supply Pricing – Check List

Topic	Outcome Achieved
1. Tariff	<p>A. ❖ Two-part tariff with an appropriate water usage charge/kL based on the long-run marginal cost.</p> <p>B. ❖ To encourage water conservation, high water consuming residential customers should be subjected to a step price increase of at least 50% for incremental usage above a specified threshold. This threshold should not exceed 450 kL/a per household, except for LWUs outside the DWE Coastal and Tablelands Zone with a high incidence of evaporative air coolers, where a threshold of up to 600kL/a per household may be used (refer to page 9 of these Guidelines).</p> <p>C. ❖ Does <u>not</u> involve a water allowance, land value based charges (rates) or a declining block tariff (Ref 1, page 12).</p> <p>D. ❖ Raises required income to ensure full cost-recovery, the long-term financial sustainability of the water supply business and minimising of customer bills (Ref 1, page 7).</p> <p>E. ❖ Except for LWUs with under 4,000 connected properties, residential water use charges should recover at least 75% of residential revenue (refer to page 8 of these Guidelines). LWUs with under 4,000 connected properties will need to recover at least 50% of residential revenue from usage charges.</p>
2. Access charge	<p>❖ Annual access charges reflective of customer's demands on the system.</p>
3. Residential Units	<p>A. ❖ Each strata title unit treated as a single residential assessment with a 20mm service connection (Ref 1, page 14). Pensioners can thus receive the \$87.50 pensioner rebate from their bill (sections 501, 502 and 575 (3) (b) of <i>Local Government Act 1993</i>).</p> <p>B. ❖ Similarly, a block of say 4 Torrens Title residential units are to be treated as 4 single residential assessments, each with a 20mm service connection.</p> <p>C. ❖ Company or community title units treated as a single non-residential customer under a two-part tariff. However, under an inclining block tariff such properties must be disaggregated into the appropriate number of units and treated as described above for strata title units (Ref 1, page 14).</p>

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Water Supply Pricing – Check List

Topic	Outcome Achieved
4. Tariff implementation	<p>A. ❖ Examined impact of new tariff on the bills for representative customers (Ref 1, page 20).</p> <p>B. ❖ Undertaken community consultation.</p> <p>C. ❖ Any phasing-in of charges should be on the basis of the adopted best-practice tariff.</p> <p>D. ❖ Phased-in increases over 5 years for non-residential customers facing large increases (Ref 1, page 21).</p> <p>E. ❖ LWUs should include both water access charges and water usage charges in each bill to customers. In addition, LWUs should move to comply with forthcoming national recommendations on the layout and content of customer bills under Item 66(iv) of the National Water Initiative².</p>
5. Data Management	<p>❖ Appropriate customer data compiled, including customer identifier, metered annual water consumption, service connection size and customer category (Ref 1, page 52).</p>

² National Guidelines for Residential Customers' Water Accounts 2006, Natural Resource Management Ministerial Council.



Sewerage and Trade Waste Pricing – Check List

Topic	Outcomes Achieved
6. Sewerage Tariff	<p>A. ❖ Uniform annual sewerage bill per residential property (Ref 1, page 28).</p> <p>B. ❖ Two-part sewerage tariff for non-residential customers (Ref 1, page 29).</p> <p>C. ❖ Does <u>not</u> involve land value based tariffs (rates), uniform annual charges or declining block tariffs (Ref 1, page 27).</p> <p>D. ❖ Raises required income to ensure full cost-recovery, the long-term financial sustainability of the sewerage business and minimising of customer bills (Ref 1, page 7).</p>
7. Sewer Usage Charge	❖ Sewer usage charge/kL reflects the long-run marginal cost of sewerage business (Ref 1, page 29).
8. Sewerage Access Charge	❖ Annual non-residential sewerage access charge reflective of customer's peak load on the system (Ref 1, page 31).
9. Residential Units	<p>A. ❖ Each strata title residential unit or flat treated as a residential assessment (ie. no distinction between houses and flats)</p> <p>B. ❖ Similarly, a block of say 4 Torrens Title residential units are to be treated as 4 residential assessments.</p> <p>C. ❖ A block of company or community title units or flats treated as a single non-residential assessment.</p>
10. Sewer Discharge Factor	❖ The volume of sewage discharged to the sewerage system may be estimated using a sewer discharge factor times the metered water consumption (Ref 1, pages 29 and 93).
11. Trade Waste Tariffs	<p>A. ❖ All liquid trade waste dischargers requiring nil or minimal pre-treatment pay an annual trade waste fee and a re-inspection fee, where required (Ref 1, page 33).</p> <p>B. ❖ All liquid trade waste dischargers with prescribed pre-treatment pay an annual trade waste fee and a re-inspection fee (where required) together with an appropriate trade waste usage charge/kL for all liquid trade waste discharged to the sewerage system (Ref 1, page 34).</p>



Sewerage and Trade Waste Pricing – Check List

Topic	Outcomes Achieved
	C. ❖ All large liquid trade waste dischargers (over 20kL/d) and dischargers of industrial waste pay an annual trade waste fee and re-inspection fee (where required) together with an excess mass charge/kg of pollutants discharged (Ref 1, page 36, Ref 6, pages 209 to 211).
12. Trade Waste Dischargers with Prescribed Pre-treatment	<p>A. ❖ An appropriate trade waste usage charge levied for such dischargers with appropriately sized and maintained pre-treatment facilities (Ref 1, page 35).</p> <p>B. ❖ A much higher trade waste usage charge levied for such dischargers without appropriately sized and maintained pre-treatment facilities (Ref 1, page 35).</p>
14. Excess Mass Charges for Large Trade Waste Dischargers and Industrial Waste	<p>A. ❖ Appropriate excess mass charges apply for all such dischargers exceeding the concentration of pollutants in domestic sewage (ie. BOD 300mg/L; SS 300mg/L; Oil/Grease 50mg/L; Ammonia (as N) 35mg/L; N (as TKN) 50mg/L; P 10mg/L; TDS 1000mg/L) (Ref 1, pages 37, 97 and 98, Ref 6, pages 209 to 211).</p> <p>B. ❖ Non-compliance excess mass charges to apply for dischargers which fail to meet the LWU's approval conditions (Ref 6, pages 211 and 212).</p>
14. Trade Waste Discharge Factor	❖ The volume of liquid trade waste discharged to the sewerage system may be estimated using a trade waste discharge factor times the metered water consumption (Ref 1, pages 35 and 93).
15. Tariff Implementation	<p>A. ❖ Examined impact of new tariff options on the sewerage and trade waste bills for representative customers (Ref 1, page 40).</p> <p>B. ❖ Undertaken community consultation.</p> <p>C. ❖ Any phasing-in of charges should be on the basis of the sewer usage charge and trade waste fees and charges in the adopted best-practice tariff (Ref 1, page 43).</p> <p>D. ❖ Any large increase in non-residential sewerage customer bills phased-in over 5 years (Ref 1, page 43). Similarly, any large increases in trade waste fees and charges phased-in over a period of up to 3 years (Ref 6, page 206).</p>

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Sewerage and Trade Waste Pricing – Check List

Topic	Outcomes Achieved
16. Data Management	❖ Appropriate customer data compiled including customer identifier, metered annual water consumption, water service connection size, customer category, business type, sewer discharge factor, trade waste customer category and trade waste discharge factor (Ref 1, page 52).

REFERENCES

1. *Water Supply Sewerage and Trade Waste Pricing Guidelines*, Department of Land and Water Conservation, NSW, 2002.
2. *NSW Financial Planning Model (FINMOD) – Overview of Financial Planning, How FINMOD Works, User Manual*, Department of Land and Water Conservation, NSW, 2000.
3. *2004/05 NSW Water Supply and Sewerage Performance Monitoring Report*, Department of Water and Energy/Local Government Association and Shires Association, NSW.
4. *Wise Water Management – A Demand Management Manual for Local Water Utilities*, Water Services Association of Australia, 1998.
5. *Planning Community Involvement in Water and Sewerage Projects*, Public Works, NSW, 1995.
6. *Liquid Trade Waste Management Guidelines*, Department of Energy, Utilities and Sustainability, NSW, March 2005.

NOTES

1. For further information, assistance and copies of the pricing software and reference documents, please contact Scott Chapman, Manager Best Practice on 8281 7335 or Scott.Chapman@dwe.nsw.gov.au



Section 2 - Water Supply and Sewerage Developer Charges

Developer charges have two related functions:

1. they provide a source of funding for infrastructure required for new urban development, and
2. they provide signals regarding the cost of urban development and thus encourage less costly forms and areas of development.

Local Water Utilities (LWUs) should use this check list as a road map to ensure they have addressed the necessary issues.

The main reference for the implementation of Developer Charges is Ref 1 - *Developer Charges Guidelines for Water Supply, Sewerage and Stormwater*.

This check list has been prepared to assist LWUs to quickly address the issues in developer charges for water supply and sewerage and comprises the main elements of Ref 1. It also highlights common errors in developer charges calculations and Development Servicing Plans (DSPs).

Water Supply and Sewerage Developer Charges Check List		Common Errors
Topic	Outcome Achieved	
1. Procedure	<p>LWUs:</p> <ul style="list-style-type: none"> ❖ Establish whether your LWU is to prepare (Ref 1, pages 7, 8): <ol style="list-style-type: none"> (a) DSP (b) Policy document³, or (c) Exemption document⁴. <p>Note: An LWU must prepare either a DSP with commercial developer charges or an exemption document in order to comply with the <i>Best-Practice Management Guidelines</i> (refer to Note 1 on page 59).</p>	<ul style="list-style-type: none"> ▪ An LWU which does not wish to levy Developer Charges for water supply and sewerage is required to prepare a formal policy document³ or an exemption document⁴.
2. Timing	<ul style="list-style-type: none"> ❖ DSP (or other documents) for water supply and sewerage need to be implemented and registered with Department of Water and Energy (Ref 1, page 7). 	<ul style="list-style-type: none"> ▪ Under-estimating the time required to prepare, exhibit and adopt DSPs.

³ For an LWU with growth of 5 or more lots/a. An LWU which prepares a policy document will not comply with the *Best-Practice Management Guidelines*.

⁴ For an LWU with growth of under 5 lots/a.

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Water Supply and Sewerage Developer Charges Check List		Common Errors
Topic	Outcomes Achieved	
3. Service Area	<ul style="list-style-type: none"> ❖ Determine service areas and the capital cost for each service area. A service area typically comprises the area serviced by a separate water supply distribution system, sewage treatment works, small towns/villages or a development area of >500 lots (Ref 1, page 19). 	<ul style="list-style-type: none"> ▪ Too many service areas. ▪ Parts of the town are not covered by a service area.
4. The Capital Charge	<ul style="list-style-type: none"> A. ❖ Calculate the capital cost for each service area (Ref 1, page 19). B. ❖ Include all existing or new assets required, or likely to be required to serve a development area (Ref 1, page 15). C. ❖ Do not reduce capital cost for any government subsidy or similar payment (Ref 1, page 59). D. ❖ Ensure capital works program is comprehensive, with sufficient infrastructure to serve the projected development (Ref 1, page 15). E. ❖ Exclude reticulation and future renewals. Also exclude out-of-sequence development, where the full capital cost of the assets has been met by the developer (Ref 1, page 15). F. ❖ Value existing assets on the basis of MEERA* cost (Ref 1, page 18, Ref 7). G. ❖ Add Return on Investment (ROI) to the Capital cost, using either the ROI factor or spreadsheet approach (Ref 1, page 21). H. ❖ LWUs must carefully estimate their future annual water demand per ET and peak day demand per ET on the basis of appropriate water supply pricing (Ref 2, page 9), demand management and recorded water consumption per connected residential property. I. ❖ Calculate Capital Cost/Capital Charge per ET by dividing the cost of assets by the capacity (Ref 1, pages 20, 21). J. ❖ Agglomerate service areas where the capital charge is within 30% of the highest to minimise the number of DSPs (Ref 1, Page 19). K. ❖ Calculate the weighted average capital charge and the capital charge for each DSP area (Ref 1, pages 19, 94). 	<ul style="list-style-type: none"> ▪ Failure to include all assets eg. future sewage transport systems. ▪ Failure to include assets beyond 5 years, that are clearly serving development (eg. a future water treatment works). ▪ Failure to include pre-1970 water supply headworks. ▪ Failure to use 1996 as the effective year of commissioning for pre-1996 assets. ▪ Over-estimation of demand per ET. ▪ Failure to agglomerate service areas in accordance with Ref 1, page 19.

* MEERA – Modern Engineering Equivalent Replacement Asset

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Water Supply and Sewerage Developer Charges Check List		Common Errors
Topic	Outcomes Achieved	
5. The Reduction Amount	<ul style="list-style-type: none"> ❖ Select method to be used (Ref 1, page 33): <ul style="list-style-type: none"> ▪ NPV of annual charges (to be used where a robust 30-year financial plan is available), or ▪ Direct NPV, or ▪ Under 2000 assessments (small LWU, low growth). ❖ Calculate one reduction amount using one of the methods only (Ref 1, page 34). 	<ul style="list-style-type: none"> ▪ Choosing inappropriate method. ▪ Using more than one method.
6. The Reduction Amount: <i>NPV of Annual Charges</i>	<ul style="list-style-type: none"> A. ❖ Ensure you have at least a 30-year financial plan and capital works program (Ref 1, page 34). B. ❖ Base operating costs on the most efficient and lowest cost means of providing the service (Ref 1, page 35). C. ❖ Following the input of developer charges into your financial model (eg. FINMOD), alter the TRB (to reflect the new reduction amount) and copy the new revenue into the calculator spreadsheet. D. ❖ Typically the calculation should require approximately 3 iterations. Suggested initial estimate of reduction amount: (projected TRB – Operating cost/assessment) x 10 	<ul style="list-style-type: none"> ▪ Financial plan incomplete, or too short ▪ Inconsistent data used in the DSP and financial plan (eg. growth projections, capital works).
7. The Reduction Amount: <i>Direct NPV</i>	<ul style="list-style-type: none"> ❖ This method may be used in the absence of a financial plan (Ref 1, page 33). ❖ Ensure you have a 30-year capital works program with new works divided into works to improve levels of service and works for growth, together with 50-year renewals program (Ref 1, page 40). 	<ul style="list-style-type: none"> ▪ Inconsistent data input.
8. The Reduction Amount: <i>Under 2000 Assessments</i>	<ul style="list-style-type: none"> ❖ Use only for LWUs with under 2000 assessments for water supply or sewerage, with low growth (Ref 1, page 46). ❖ Use for LWUs with a number of tariff areas (each tariff area with under 2000 assessments – Ref 1, page 45). 	<ul style="list-style-type: none"> ▪ Using this method where high growth is expected.

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Water Supply and Sewerage Developer Charges Check List		Common Errors
Topic	Outcome Achieved	
9. The Developer Charge	<p>A. ❖ Subtract the reduction amount from the capital charge for each DSP area to obtain the <u>maximum developer charge for the DSP</u> (Ref 1, page 47). LWUs may <u>not</u> charge higher developer charges than the maximum calculated value for each DSP area (Ref 1, page 47).</p> <p>B. ❖ Adjust for areas with different OMA cost or different tariff (Ref 1, page 45).</p> <p>C. ❖ Adopt a commercial developer charge based on social, financial and environmental considerations (Ref 1, page 47). Disclose any cross-subsidies in DSP, Annual Report and in communication materials for consultation with stakeholders.</p> <p>D. ❖ Where lower developer charges are to be levied, consider conveying locational signals by maintaining relativity between DSPs (Ref 1, page 1).</p>	<ul style="list-style-type: none"> ▪ Adopting developer charge that is the weighted average of two or more DSP areas. This leads to some DSP areas being incorrectly charged higher than the calculated maximum developer charge. ▪ Failure to understand the full financial and social impacts of levying a lower developer charge than the calculated maximum. ▪ Failure to clearly disclose cross-subsidies.
10. Documentation	<p>A. ❖ LWUs may use the Model Development Servicing Plan (Ref 1, pages 111 to 126) as the framework for their DSP. An electronic version of the model plan is available to assist LWUs (see note 2 overleaf).</p> <p>B. ❖ DSP contents in accordance with the guidelines (Ref 1, page 9).</p> <p>C. ❖ Background document(s) identified and referred to in the DSP (Ref 1, page 9).</p> <p>D. ❖ A separate DSP is required for each DSP area, and for each of water supply and sewerage (Ref 1, page 10). LWUs may elect to bind the DSPs as one document.</p>	<ul style="list-style-type: none"> ▪ DSP lacks clarity and has insufficient information. ▪ A single DSP covers more than one DSP area or covers water supply and sewerage. ▪ Cross-subsidies not disclosed.
11. Exhibition	<p>A. ❖ Exhibit for at least 30 working days (Ref 1, page 10).</p> <p>B. ❖ Inform industry bodies and developers (Ref 1, page 10).</p> <p>C. ❖ Consider submissions on the draft DSPs (Ref 1, page 11).</p>	<ul style="list-style-type: none"> ▪ Short exhibition period. ▪ Insufficient consideration of submissions received.

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Water Supply and Sewerage Developer Charges Check List		Common Errors
Topic	Outcome Achieved	
12. Adopt DSP A.	❖ LWU formally adopts DSP (Ref 1, page 10).	▪ No reference in Management Plan.
B.	❖ Foreshadow in Management Plan that Council is preparing new DSPs for water supply, sewerage and/or stormwater and that developer charges will be in accordance with the DSPs.	
C.	❖ Register DSP with Department (Ref 1, page 10).	

REFERENCES

1. *Developer Charges Guidelines for Water Supply, Sewerage and Stormwater*, Department of Land and Water Conservation, NSW, 2002.
2. *Water Supply, Sewerage and Trade Waste Pricing Guidelines*, Department of Land and Water Conservation, NSW, 2002.
3. *Wise Water Management – A Demand Management Manual for Local Water Utilities*, Water Services Association Australia, 1998.
4. *2005/06 NSW Water Supply and Sewerage Performance Monitoring Report*, Department of Water and Energy/Local Government Association and Shires Association, NSW.
5. *NSW Financial Planning Model (FINMOD) – Overview of Financial Planning, How FINMOD Works, User Manual*, Department of Land and Water Conservation, NSW, 2000.
6. *Planning Community Involvement in Water and Sewerage Projects*, Public Works, NSW, 1995.
7. *NSW Reference Rates Manual for Valuation of Water Supply, Sewerage and Stormwater Assets*, Ministry of Energy and Utilities, NSW, 2003.

NOTES

1. Unless the LWU is eligible to prepare an exemption document (Item 1), achievement of Item 9C is essential for meeting the developer charges requirements in Table 1 on Page 24 (criterion 2) of the *Best-Practice Management Guidelines*.
2. For further information, assistance and copies of the reference documents, please contact Scott Chapman, Manager Best Practice on 8281 7335 or Scott.Chapman@dwe.nsw.gov.au

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Appendix C – Water Conservation

Check List – August 2007

Best-practice water conservation and demand management are essential for efficient management of a Local Water Utility's (LWU's) water supply business and for efficient use of water resources. Cost-effective demand management measures deliver significant environmental and social benefits and help minimise customer water supply bills through lower capital and operating costs.

A permanent reduction in demand achieved through demand management serves the same purpose as an increase in supply capacity – such as building new treatment or storage facilities. LWUs have often found many demand management actions to be more cost-effective than increasing supply capacity. When demand is reduced, benefits accrue through deferral and downsizing of the capacity of new capital works and lower treatment and transfer costs.

A key part of managing demand is understanding how and when water is used. A demand management program therefore requires metering of all customers supplied, together with demand analysis.

Demand management measures that should be examined as part of a demand management program include:

- Implementation of permanent water saving measures to minimise wastage, in accordance with Item 91 (iii) of the National Water Initiative⁵
- Active intervention – appropriate retrofit, rebate and building code programs
- Water pricing reform
- Community education
- Effluent and stormwater re-use.

LWUs should also pursue active programs to identify and reduce system water loss through leakage reduction.

This check list is essentially a road map to assist LWUs to quickly implement sound demand management measures. Each LWU should also review its demand management measures every 2 years to ensure that it has an appropriate balance between demand and supply-side investment.

Water Conservation and Demand Management – Check List

Topic	Outcome Achieved
1. Demand Monitoring	<p>A. ❖ Bulk water production metered and recorded on a daily basis.</p> <p>B. ❖ All new free standing and multi-unit residential developments (both strata and non-strata) approved after 1 July 2004 must be separately metered.</p>

⁵ Review the effectiveness of temporary water restrictions and associated public education strategies, and assess the scope for extending low level restrictions as standard practice.



Water Conservation and Demand Management – Check List

Topic	Outcome Achieved
	<p>C. ❖ All free standing residential premises must be separately metered by 1 July 2007.</p> <p>D. ❖ LWUs should encourage separate metering of existing multi-unit residential developments, where cost-effective.</p> <p>E. ❖ Customer water consumption billed <u>at least</u> three times a year (and preferably quarterly).</p> <p>F. ❖ Customers classified in accordance with the categories defined in the latest <i>NSW Water Supply and Sewerage Performance Monitoring Report</i> and consumptions reported annually.</p> <p>G. ❖ If facing augmentation of the peak day capacity of your system, monitor and record service reservoir levels on a daily basis in high demand periods.</p>
2. Demand Forecasting	<p>A. ❖ Historical records corrected for influence of climate.</p> <p>B. ❖ Data records screened for errors.</p> <p>C. ❖ Demand forecasts prepared for each customer category as well as for leakage and unaccounted for water (UFW).</p>
3. Demand Management Planning	<p>A. ❖ Examined a range of long-term demand management measures including:</p> <ul style="list-style-type: none"> - retrofit programs - rebates for water efficient appliances - rebates for rainwater tanks - rebates for garden mulch - effluent and stormwater re-use programs. <p>B. ❖ Completed benefit/cost analysis of demand management measures that includes benefits from reduced capital works and lower operating costs.</p> <p>C. ❖ Completed investment schedule/plan for implementing cost-effective demand management measures.</p>
4. Implementation	<p>A. ❖ Subsidised and promoted at least two of the identified demand management initiatives, referred to in 3. above.</p> <p>B. ❖ Examined the implementation of permanent water saving measures to minimise wastage, in accordance with Item 91 (iii) of the National Water Initiative.</p> <p>C. ❖ Implemented a cost-effective leakage reduction program to reduce system water losses.</p> <p>D. ❖ Ongoing customer education campaign focussing on the importance of conserving our valuable water resources.</p>

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Water Conservation and Demand Management – Check List

Topic	Outcome Achieved
	<p>E. ❖ If average residential water use per property exceeds that for the median NSW utility (290 kL/a in 2002/03) by over 20%, the LWU must show progress towards achieving a reduction in average residential use by 1 July 2007.</p> <p>F. ❖ Monitoring program for reviewing the effectiveness of the implemented demand management measures.</p>

REFERENCES

1. *2005/06 NSW Water Supply and Sewerage Performance Monitoring Report*, Department of Water and Energy/Local Government Association and Shires Association, NSW.
2. *Water Demand Trend Tracking & Climate Correction – User manual*, Department of Land and Water Conservation, NSW, 2002.
3. *Demand Management Decision Support System – User Manual*, Department of Land and Water Conservation, NSW, 2002.

For further information, assistance and copies of the reference documents, please contact George Freeman, Manager Integrated Water Cycle Management on 8281 7341 or George.Freeman@dwe.nsw.gov.au

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Appendix D - Drought Management

Check List – August 2007

A comprehensive drought management plan details the demand and supply issues to be addressed during drought conditions and includes adoption of a schedule of trigger points for the timely implementation of appropriate water restrictions. Appropriate drought management planning will ensure that town water supplies with significant storage do not fail in times of drought.

Drought management planning includes documenting basic data on water demands, rainfall, evaporation, records of past droughts, the existing water supply system, and its water resources, and strategies to achieve the objective of having sufficient water to satisfy the basic needs of the community.

This check list is essentially a road map to assist LWUs to quickly implement sound drought management planning. LWUs should have a sound drought management plan in place and be ready to implement their plan when drought conditions arise.

Drought Management – Check List

Topic	Outcome Achieved
1. Executive Summary	<ul style="list-style-type: none"> ❖ Covers all major issues, objectives, planning, strategies and monitoring for existing essential supplies of water to the service area(s). ❖ Includes a summary of the drought management plan and an adopted schedule of trigger points for timely implementation of appropriate water restrictions.
2. Background	<ul style="list-style-type: none"> A. ❖ Includes the existing water supply system(s) in the service area(s) and a locality map. B. ❖ Includes history of past droughts. C. ❖ Includes information on the impact of past droughts on water services, eg. restrictions, effect of restrictions on demands, any emergency sources identified, etc.
3. Objectives	<ul style="list-style-type: none"> A. ❖ Identifies key objectives required to maintain a basic/restricted supply to all users. There is a need to consider social and environmental impacts. B. ❖ Tailor strategies relevant to the service areas. C. ❖ Endorse and implement a plan that minimises the risk of the community running out of water.

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Drought Management – Check List

Topic	Outcome Achieved
<p>4. Data</p> <p>Note: All data to be specified on a daily basis.</p>	<p>A. ❖ Identification of all communities served by the LWU's reticulated water supply, those with private reticulated water services and those with no reticulated water services within the service area(s).</p> <p>B. ❖ Identification of any properties, businesses, other LWUs etc. that may seek water in times of drought.</p> <p>C. ❖ Identification of all water requirements. Identify the normal and minimum potable and non-potable water requirements.</p> <p>D. ❖ Identify water dependent industry/businesses, any fire fighting requirements and opportunities for recycled water use.</p> <p>E. ❖ Includes a description and plan of all water supply schemes in the service area(s).</p> <p>F. ❖ Includes height/storage volume and height/surface area graphs for all water supply dams and weirs.</p> <p>G. ❖ Historical performance of rivers, dams, weirs and bores in previous droughts.</p> <p>H. ❖ Includes the average rainfall figures and evaporation rates.</p>
<p>5. Plan</p>	<p>A. ❖ Demand management options.</p> <p>B. ❖ Restriction strategies including means and methods for the enforcement of restrictions and the expected results of imposing restrictions.</p> <p>C. ❖ Adopted schedule of trigger points for the timely implementation of appropriate water restrictions in order to minimise the risk of failure in times of drought.</p> <p>D. ❖ Availability of alternative water sources (including estimated costs and times to implement).</p> <p>E. ❖ Water cartage options.</p> <p>F. ❖ Identify legislation, local laws and council policies affecting the contingency arrangements.</p> <p>G. ❖ Links to water sharing plans/committees, water management plans/committees, irrigators, etc.</p>

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Drought Management – Check List

Topic	Outcome Achieved
	<ul style="list-style-type: none"> H. ❖ Impact of extraction on downstream stakeholders. I. ❖ Impact of reduced flows in watercourses. J. ❖ Level of prediction and intervention. K. ❖ Identify human resource requirements.
6. Monitoring During Drought	<ul style="list-style-type: none"> A. ❖ Daily monitoring of demands. B. ❖ Daily monitoring of water supply sources (dams, bores and streams). C. ❖ Monitoring impact of restrictions on consumption D. ❖ Monitoring the electrical conductivity, alkalinity and algae levels in the water sources.
7. Consultation	<ul style="list-style-type: none"> ❖ Comprehensive media strategy and public consultation. ❖ Regular consultation with appropriate government agencies (DWE, DECC, NSW Health etc).
8. Operation of Drought Management Plan (DMP)	<ul style="list-style-type: none"> A. ❖ DMP should discuss, analyse and identify any impact on other regions and localities ie. upstream, downstream or conjunctive water users. B. ❖ DMP should demonstrate a sustainable strategy that considers all other stakeholders. C. ❖ DMP documents an agreed procedure for progressive implementation of water restrictions.

REFERENCE

Drought Management Guidelines, NSW Local Government Water Directorate, December 2003.

For further information and assistance, please contact Stephen Palmer, Manager Planning on 8281 7331 or Stephen.Palmer@dwe.nsw.gov.au

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Appendix E - Water Supply and Sewerage Performance Reporting

Check List – August 2007

Performance reporting and monitoring provide valuable data for enabling each Local Water Utility (LWU) to review and improve its performance. By examining trends in its performance indicators and benchmarking its performance against other similar utilities, an LWU can identify and rectify any areas of under-performance.

To provide a balanced view of the long-term sustainability of NSW water utilities, a Triple Bottom Line (TBL) accounting focus has been adopted, with performance reported on the basis of social, environmental and economic performance indicators.

Annual performance reporting and monitoring are required under National Competition Policy and the National Water Initiative, are important for public accountability and have been strongly endorsed by the NSW Government, the Independent Pricing and Regulatory Tribunal, the Local Government Association and the Shires Association.

This check list is essentially a road map to assist LWUs to quickly address the issues in their annual water supply and sewerage performance reporting and comprises the main elements of Reference 1 on page 72. It also highlights common errors in the preparation of these reports.

To achieve the required outcome for Water Supply and Sewerage reporting, LWUs must provide their completed annual water supply and sewerage performance reports and a draft of Special Schedules 3 to 6 and Notes 2 and 3 of their Special Purpose Financial Reports to the Department of Water and Energy by 15 September each year.

Water Supply and Sewerage Performance Reporting - Check List

Topic	Activity	Common Errors
1. Population (Q1)	❖ Population Served (Q1a)	<ul style="list-style-type: none"> ▪ Population is generally not well reported by LWUs. It is often inconsistent from year to year and does not correlate well with the number of assessments and the number of connected properties.
2. Assessments (Q4)	❖ Assessments (Q4)	<ul style="list-style-type: none"> ▪ Consider this element carefully as it is a key parameter which forms the basis for many performance indicators.
3. Assets Employed (Q8 to Q11)	❖ Length of Mains (Q10)	
4. Sewage Collected (Sewerage Report Q12 to Q13)	❖ Volumes of Sewage Collected (Q12)	<ul style="list-style-type: none"> ▪ LWUs should provide a breakdown of volumes of sewage collected, particularly the residential and non-residential components.



Water Supply and Sewerage Performance Reporting - Check List

Topic	Activity	Common Errors
5. Water Consumption and Water Resources (Water Report Q12 to Q17)	❖ Annual Consumption and Water Losses (Q12)	<ul style="list-style-type: none"> ▪ LWUs should provide a breakdown of potable water consumption for each category of water use. ▪ The sum of Q12a to Q12h should equal Q12i. System water loss (Q12k) is part of Q12h. LWUs should identify the fate of all water produced as shown in Figure 5.1 on page 71.
6. Drinking Water Quality (Water Report Q42)	❖ Compliance with 2004 Australian Drinking Water Guidelines (ADWG)	<ul style="list-style-type: none"> ▪ In addition to reporting the required results, this involves compliance with the NSW Health Drinking Water Monitoring Program, including collecting the required number of samples and investigating and appropriately responding to any non-compliance.
7. Special Schedules Nos 3 and 5 of Annual Financial Statements	❖ Financial Data	<ul style="list-style-type: none"> ▪ LWUs should ensure they report the breakdown of revenue into residential and non-residential (Items 6 and 7 respectively). ▪ LWUs should be careful to exclude administration and engineering costs associated with the development of capital works projects from the LWU's management expenses reported in Item A1 of the Special Schedule Nos 3 and 5.
8. 2-page Performance Reports	<ul style="list-style-type: none"> ❖ Review your LWU's latest 2-page TBL Performance Report and provide an Action Plan to Council. The Action Plan is to address any areas of under performance identified in the 2-page Reports which are provided to Council for each of water supply and sewerage (refer to example in page 47 of Ref 1). ❖ Action Plan to include the key actions in LWU's Strategic Business Plan that are to be completed in the next financial year. 	



Water Supply and Sewerage Performance Reporting - Check List

Topic	Activity	Common Errors
9. Auditing of Indicators	❖ LWUs with over 10,000 connected properties to arrange auditing of their core performance indicators in accordance with the auditing requirements of the National Performance Framework (Ref 2 and Ref 3). Audit of the 2006/07 data is required.	

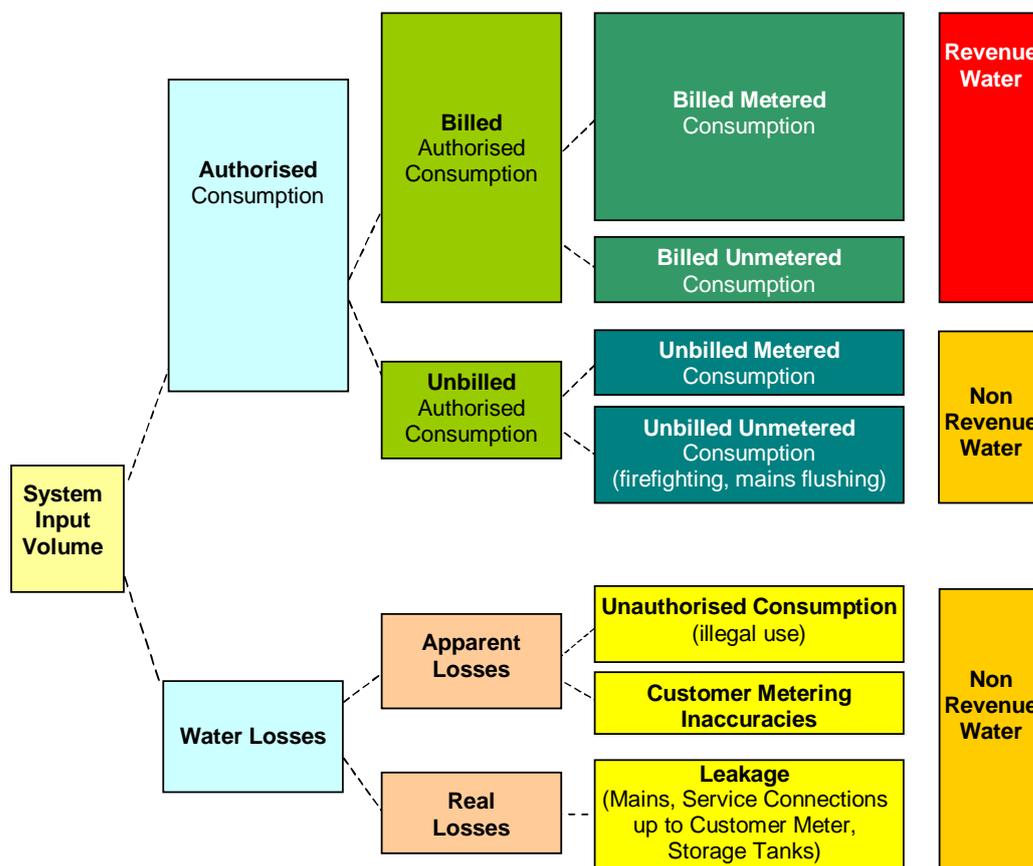


Figure 5.1 – Full Water Balance

Note that the International Water Association now defines unbilled, unmetered consumption (firefighting, mains flushing etc.) as authorised consumption and not as a water loss as previously defined (see Ref 4 overleaf).

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REFERENCES

1. *2005/06 NSW Water Supply and Sewerage Performance Monitoring Report*, Department of Water and Energy and Local Government Association and Shires Association, NSW. An electronic copy of this report is available from the Department's website (www.deus.nsw.gov.au/water)
2. *National Performance Framework – 2006-07 Urban Performance Reporting Indicators and Definitions*, National Water Commission/Water Services Association of Australia, May 2007.
3. *National Performance Framework – Auditing Requirements*, National Water Commission, November 2006.
4. *Losses from Water Supply Systems: Standard Terminology and Recommended Performance Measures*, International Water Association, October 2000.

NOTES

1. Achievement of Items 8 and 9 are essential for meeting the performance reporting requirements in Table 1 on page 26 (criterion 5) of the *Best-Practice Management Guidelines*.
2. For further information, assistance and copies of the reference documents, please contact Graham Whyte, Manager Performance Reporting on 8281 7432 or Graham.Whyte@dwe.nsw.gov.au



Appendix F - Integrated Water Cycle Management

Check List – August 2007

Integrated Water Cycle Management (IWCM) is a means for Local Water Utilities (LWUs) to manage their water systems to maximize benefits. It involves the integration of the LWU's three main services – water supply, sewerage and stormwater – so that water is used optimally. It also involves the integration with other services (eg. roads and drainage and waste collection) and with various external requirements, particularly the NSW Water Reforms.

IWCM Strategies should be prepared in accordance with the guideline document *Integrated Water Cycle Management for NSW Water Utilities*, Department of Energy, Utilities and Sustainability, October 2004, or as updated.

This check list comprises the main activities that need to be included in the IWCM process.

Integrated Water Cycle Management – Check List

Topic	Outcome Achieved
1. Minimum of a 30 year planning period	<ul style="list-style-type: none"> ❖ Includes regional planning strategies for development, water sharing and resource planning. ❖ Adequate consideration of long term aspect of service provision including: funding, population projection, demographics, new development release areas, capital works needs for growth, improved levels of service and renewals.
2. Integrated assessment of all urban water services, ie. water supply, sewerage and stormwater	<ul style="list-style-type: none"> ❖ Effective integration of solutions across the urban water service to optimise benefits. ❖ Integrated planning within Council / LWU areas of operations.
3. Listing of all requirements and obligations for the LWU	<ul style="list-style-type: none"> ❖ Clear description of all requirements for the LWU including: <ul style="list-style-type: none"> ▪ Legislative (health requirements, OH&S) ▪ Licences (extraction and discharge) ▪ Levels of service (agreements with customers) ▪ Legal (contractual) ▪ Best-practice management (ie. the other 5 criteria)

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Integrated Water Cycle Management – Check List

Topic	Outcome Achieved
4. Information collection across catchment, water resources, urban water services and water industry	<ul style="list-style-type: none"> ❖ Comprehensive list of all relevant and available information and data. ❖ Identification of issues and any data gaps. ❖ Comparison of LWU against others (using DWE Best Practice requirements and Performance Reports).
5. Issue description	<ul style="list-style-type: none"> ❖ Accurate and comprehensive listing of all existing and foreseen issues relevant to the LWU. ❖ Definition of issues using data or information which confirms failures to meet requirements and obligations. ❖ Signoff from DWE of draft list of IWCM issues.
6. Stakeholder consultation	<ul style="list-style-type: none"> ❖ Discussion, including issue identification and solution development with: <ul style="list-style-type: none"> ▪ Relevant water users ▪ Customers ▪ Consent authorities (eg. DECC, DWE) ▪ Government agencies (eg. Health, DWE) ▪ Community
7. Integrated solution	<ul style="list-style-type: none"> ❖ Integrated solution of identified issues across all urban water services. ❖ Increased sustainability and cost effectiveness. ❖ Full scenario development only where warranted^{1,2}. ❖ Clear identification of assumptions.
8. Implementation process	<ul style="list-style-type: none"> ❖ Formal adoption by LWU. ❖ Inclusion in Council's planning process, policies and budgets.
9. Monitoring and review at least each 6 years	<ul style="list-style-type: none"> ❖ Clear timeframe for agreed actions and review and updating the IWCM Evaluation or IWCM Strategy within 6 years. ❖ Clear monitoring process.

Best-Practice Management of Water Supply and Sewerage Guidelines
Appendix F



Integrated Water Cycle Management – Check List

Topic	Outcome Achieved
10. DWE signoff	<ul style="list-style-type: none"> ❖ Achievement of Government objectives on water reforms and water industry reforms. ❖ Economies of scale across the state.

NOTES

1. Where an LWU requires little capital works over the next 10 years, full scenario development is not warranted. Such an LWU is required to complete an IWCM Evaluation by June 2007.
2. Where an LWU requires significant capital works over the next 10 years, full scenario development is required. Such an LWU is required to complete an IWCM Strategy by June 2008. The LWU is also required to implement IWCM in accordance with its Strategy by June 2008.
3. For further information, assistance and copies of the reference document, please contact George Freeman, Manager Integrated Water Cycle Management on 8281 7341 or George.Freeman@dwe.nsw.gov.au

TENDERS

Department of Commerce

SUPPLIES AND SERVICES FOR THE PUBLIC SERVICE

Information in relation to the Department of Commerce proposed, current and awarded tenders is available on:

<http://www.tenders.nsw.gov.au>

PRIVATE ADVERTISEMENTS

COUNCIL NOTICES

BLACKTOWN CITY COUNCIL

Local Government Act 1993 and Roads Act 1993
Land Acquisition (Just Terms Compensation) Act 1991
Notice of Rescission of Compulsory Acquisition of Land
IN pursuance of section 31 of the Land Acquisition (Just Terms Compensation) Act 1991, Her Excellency the Governor, with the advice of the Executive Council, does by this notice rescind in whole the acquisition notice published by Blacktown City Council in Government Gazette No. 139 of 17 November 2006 relating to the compulsory acquisition of Lots 1 and 2, DP 1098904.

Signed at Government House on the 4th day of July 2007.

(DLG Ref 06/0815).

PROFESSOR MARIE BASHIR, A.C., C.V.O.,
Governor

By Her Excellency's Command

HON PAUL LYNCH, M.P.,
Minister for Local Government

Roads Act 1993 and Local Government Act 1993
Land Acquisition (Just Terms Compensation) Act 1991
Notice of Compulsory Acquisition of Land

BLACKTOWN CITY COUNCIL declares, with the approval of Her Excellency the Governor, that the land described in Schedule 1 below, excluding mines and minerals in the land and excluding the interests in Schedule 2 to this notice are acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purpose of the Local Government Act 1993 (open space) and for the purpose of the Roads Act 1993 (public road).

Dated at Blacktown this 16th day of August 2007. RON MOORE, General Manager, Blacktown City Council.

SCHEDULE 1

- Lot 1, DP 1098904 (open space)
- Lot 2, DP 1098904 (public road)

SCHEDULE 2

Easement for Transmission Line 30.48 wide (vide G643601)

Easement for Transmission Line (vide 15783-300) Vide Gov. Gaz 11.05.56 Fol. 1327

Easement for Transmission Line 30.48 wide (vide H467381) [3474]

BURWOOD COUNCIL

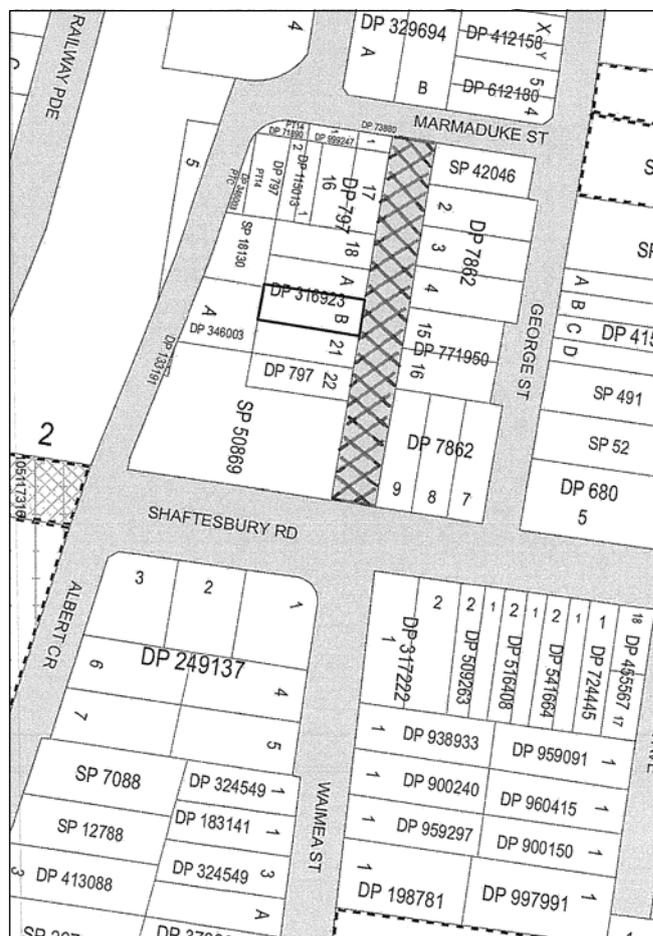
Roads Act 1993, Section 16

Dedication of Land as Public Road

NOTICE is hereby given that Burwood Council in pursuance of section 16 of the Roads Act 1993, dedicates the land described in the Schedule as public road. P. ROMANO, General Manager, Burwood Council, PO Box 240, Burwood NSW 1805.

SCHEDULE

That part of Waimea Street, Burwood, being the land contained in Deed of Conveyance dated 9 April 1856 Number 660 Book 45, Parish of Concord, County of Cumberland and Local Government Area of Burwood, as shown cross-hatched on the accompanying plan.



[3475]

FORBES SHIRE COUNCIL

Roads (General) Regulation 2000

NOTICE is hereby given that the FORBES SHIRE COUNCIL, in pursuance of division 2 of the above mentioned Regulation, proposes to name the road as shown hereunder:

<i>Present Name</i>	<i>Proposed Name</i>
Unnamed road running in a westerly direction from Farnell Street, being Lots 26 and 27, DP 1060198	Watson Close

Authorised by resolution of the Council on 21 June 2007. [3476]

RIVERINA WATER COUNTY COUNCIL

Local Government Act 1993, Section 553

Extension of Watermains

NOTICE is hereby given pursuant to section 553 of the Local Government Act 1993, that Riverina Water County Council's water mains have been extended to service the lands described hereunder:

Wagga Wagga

Bourklands Stage 18A – Kaloona Dr: From hydrant in front of Lot No. 16, southwest for a distance of 321 metres. Burrandulla Rd: From Kaloona Dr, south for a distance of 85 metres.

Drawing No.: 1-2692
May 2007

Estella Stage 3 – Franklin Dr: From hydrant in front of Lot No. 8, south for a distance of 580 metres. Alma Crescent: From Franklin Dr, west for a distance of 54 metres.

Dundale Circuit: from Alma Crescent, southwest for a distance of 299 metres, then south for a distance of 92 metres to Franklin Dr.

Drawing No.: 1-3096
May 2007

Bomen Road – Bomen Rd: From corner of Byrnes Rd, west for a distance of 191 metres to Dorset St.

Drawing No.: 1-2007
May 2007

East Gregadoo – Gregadoo Rd: From Stop Valve at Ashfords Rd, southeast for a distance of 1330 metres. Ivydale Road: from Gregadoo Rd, south for a distance of 150 metres.

Drawing No.: 1-3097
May 2007

Rural

Milbrulong-service – Natal St: from main in lane between Roberts and Cape Streets, south for a distance of 88 metres to Lot 9, section 5 Cape St.

Drawing No.: 3-252
Apr 2007

The owners of all lands within the prescribed distance will be liable for water supply charges as from the expiration of twenty-one (21 days) after the publication of this notice, or the date of connection of the properties to the water main, whichever is the earlier date. G. W. PIEPER, General Manager, Riverina Water County Council, PO Box 456, Wagga Wagga NSW 2650. [3477]

TWEED SHIRE COUNCIL

Roads Act 1993

Naming of Public Bridge

NOTICE is hereby given that the Tweed Shire Council, in pursuance of section 162 of the Roads Act 1993, has named the newly upgraded bridge over the Rous River, Numinbah Road, Crystal Creek as

Korns Bridge

Authorised by resolution of the Council on 21 August 2007, General Manager, Tweed Shire Council, Civic Centre, Tumbulgum Road, Murwillumbah NSW 2484. [3478]

MUSWELLBROOK SHIRE COUNCIL

Sale of Land for Overdue Rates and Charges

Local Government Act 1993

NOTICE is hereby given to the persons named hereunder that the Council of the Shire of Muswellbrook has resolved in pursuance of section 713 of the Local Government Act 1993 to sell the land described hereunder (of which the persons named hereunder appear to be the owners or in which they appear to have an interest) and on which the amount of rates and charges states in each as at 30 June 2007 is due:

<i>Owners or persons having an interest in land</i>	<i>Description of Land (Lot Section and Deposited Plan Nos, Street)</i>	<i>Amount of rates and charges overdue for more than five (5) years</i>	<i>Interest accrued on amount in column (c)</i>	<i>Amount of all other rates and charges due and in arrears</i>	<i>Interest accrued on amount in column (e)</i>	<i>Total</i>
(a)	(b)	(c)	(d)	(e)	(f)	(g)
R Kemp	Lot 190 in DP 661505 in Queen Street, Muswellbrook	\$NIL	\$NIL	\$2,491.54	\$517.47	\$3,009.01

In default of payment to the Council of the amount stated in column (g) above and any other rates (including extra charges) becoming due and payable after publication of this notice, or an arrangement satisfactory to the Council for payment of all such rates being entered into by the rateable person before the time fixed for sale, the said land will be offered for sale by Public Auction by Boyle Estate Agents, Muswellbrook at the Council Administration Centre, Maitland Street, Muswellbrook on Saturday, 8 December 2007 at 10am. S. J. McDONALD, General Manager, PO Box 122, Muswellbrook NSW 2333.

[3479]

ESTATE NOTICES

NOTICE of intended distribution of estate. – Any person having any claim upon the estate of HELENA ALMA STEELE, late of Castlecrag, in the State of New South Wales, who died on 28 April 2007, must send particulars of their claim to the executors, Alan Terry Steele and Chris James Steele c.o. Messrs Barton & Co, Solicitors, PO Box 344, Hornsby NSW 1630, within one (1) calendar month from publication of this notice. After that time the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution they have notice. Probate was granted in New South Wales on 19 June 2007. MESSRS BARTON & CO, Solicitors, 128/121-133 Pacific Highway, Hornsby, NSW 2077 (PO Box 344), tel.: (02) 9476 1744. Reference: DFB/RS. [3480]

COMPANY NOTICES

NOTICE of voluntary liquidation.–In the matter of the Corporations Law and in the matter of SRJ INVESTMENT SERVICES PTY LIMITED, ACN 091 756 731 (in voluntary liquidation).–Notice is hereby given that at a general meeting of members, duly convened and held at the offices of Messrs Pringle Moriarty & Co., Chartered Accountants, Suite 12C, 44 Oxford Road, Ingleburn NSW 2565, on Thursday 24 August 2007 at 10:30 a.m., the following resolution was passed as a special resolution: “That the company be wound up voluntarily and that Stanley Moriarty be appointed liquidator for the purposes of the winding up”. STANLEY MORIARTY, Liquidator, c.o. Pringle Moriarty & Co., Chartered Accountants, Suite 12C, 44 Oxford Road (PO Box 818), Ingleburn NSW 2565, tel.: (02) 9605 1344. [3481]

NOTICE of members voluntary liquidation.–Section 491 (2) of the Corporations Act 2001.–At a meeting of K & V HOWARD PTY LIMITED (In Liquidation), ACN: 001 319 375, held at Suite 15, 838 Old Princes Highway, Sutherland NSW 2232 on 1 August 2007, a special resolution was passed “that the Company be wound up and that Mr Gordon Shrubsole be appointed Liquidator”. Dated 23 August 2007. GORDON SHRUBSOLE, Liquidator, c.o. Shrubsole & Rabbitt Services Pty Limited, Suite 15, 838 Old Princes Highway, Sutherland NSW 2232. [3482]

OTHER NOTICES

Form 4.

CHURCHES OF CHRIST IN NEW SOUTH WALES INCORPORATION ACT 1947

Registration of Trustees. Certificate No. 174

IN accordance with the provisions of Part V of the above Act the Rockdale Community Church of Christ having made application for the registration of the Churches of Christ Property Trust as Church Trustee under section 27 of the said Act and having done all things necessary for such registration it is hereby certified that the Church Trustee of the said Church of Christ as from the date of this certificate is the Churches of Christ Property Trust. Dated at Marrickville this sixteenth day of August 2007. JOHN A. HOPPITT, Registrar [3483]

Form 2.

CHURCHES OF CHRIST IN NEW SOUTH WALES INCORPORATION ACT 1947

Registration Certificate No. 155

IN accordance with the provisions of Part V of the above Act the Rockdale Community Church of Christ having complied with the requirements of the said Act and made application for registration under the said Act and such application having been duly approved by the Churches of Christ Property Trust it is hereby certified that the said Church of Christ has been registered under the above Act as a church entitled to the benefits of the said Act. Dated at Marrickville this sixteenth day of August 2007. JOHN A. HOPPITT, Registrar [3484]



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PUBLIC SECTOR NOTICES

PUBLIC SECTOR EMPLOYMENT AND MANAGEMENT ACT 2002

Chief Executive Service

Appointment Under Section 12

THE Director-General, Department of Premier and Cabinet, under delegation from the Premier and pursuant to the provisions of the Public Sector Employment and Management Act 2002, has appointed the officer listed below to the chief executive service position shown, effective from the date shown within the brackets:

Department of Commerce

John LEE, Director-General [23 August 2007].

THE HON E M ROOZENDAAL, M.L.C.,
Minister for Roads and Minister for Commerce

PUBLIC SECTOR EMPLOYMENT AND MANAGEMENT ACT 2002

Chief Executive Service

Appointment Under Section 12

THE Director-General, Department of Premier and Cabinet, under delegation from the Premier and pursuant to the provisions of the Public Sector Employment and Management Act 2002, has appointed the officer listed below to the chief executive service position shown, effective from the date shown within the brackets:

State Property Authority

Ms M. A. SKEWES, Chief Executive Officer [5 September 2007].

The HON J. A. WATKINS, M.P.,
Deputy Premier, Minister for Transport
and Minister for Finance

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