



Government Gazette

OF THE STATE OF

NEW SOUTH WALES

Week No. 27/2013

Friday, 5 July 2013

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Attention Advertisers . . .

Government Gazette inquiry times are:

Monday to Friday: 8.30 am to 4.30 pm

Phone: (02) 9228 3120 Fax: (02) 9372 7422

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GOVERNMENT GAZETTE DEADLINES

Close of business every Wednesday

Except when a holiday falls on a Friday, deadlines will be altered as per advice given on this page.

Special Supplements

A Special Supplement or Extraordinary Supplement is a document which has a legal requirement to commence on a certain date and time. Release of Publication is required on the same day. The request for a Supplement is received from the department to the *Government Gazette* by telephone. The copy must be accompanied by a letter or email requesting the Supplement and signed by a Minister or Head of a Department.

NOTE: Advance notice of a Special Supplement is essential as early as possible on the day required. On Thursdays early notice is a priority and when possible notice should be given a day prior being the Wednesday.

Please Note:

- *Only electronic lodgement of Gazette contributions will be accepted. If you have not received a reply confirming acceptance of your email by the close of business on that day please phone 9228 3120.*



Government Gazette

OF THE STATE OF
NEW SOUTH WALES

Number 80
Friday, 28 June 2013

Published under authority by the Department of Premier and Cabinet

SPECIAL SUPPLEMENT

ROAD TRANSPORT (GENERAL) ACT 2005

Class 3 Metropolitan High Capacity Bus Mass Limit Exemption (Amendment) Notice 2013

I, PETER DUNCAN, Chief Executive, Roads and Maritime Services, pursuant to Clause 25 of the Road Transport (Mass, Loading and Access) Regulation 2005 ("the Regulation"), hereby amend the Class 3 Metropolitan High Capacity Bus Mass Limit Exemption Notice 2012 that was published on the 13 July 2012, in the *New South Wales Government Gazette* No. 72 at pages 3305 to 3326, as set out in the Schedule to this Notice, effective from the date this Amendment Notice is published in the *New South Wales Government Gazette*.

Dated this 27th day of June 2013.

PETER DUNCAN,
Chief Executive,
Roads and Maritime Services

SCHEDULE

The Class 3 Metropolitan High Capacity Bus Mass Limit Exemption Notice 2012 that was published on the 13 July 2012, in the *New South Wales Government Gazette* No. 72 at pages 3305 to 3326, remains in force subject to the following amendments.

1. Insert new clause after clause 1.5:

1.6 Definitions

In this Notice;

disrupted railway passenger services means the unplanned disruption of railway passenger services operated by a NSW entity which are sufficiently serious to require the provision of rail replacement bus services.

rail replacement bus services means buses operated by an accredited service operator within the meaning of the Passenger Transport Act 1990 for the purpose of carrying passengers, and persons who were proposing to be passengers, of disrupted railway passenger services.

regular bus service means a bus service provided in accordance with a service contract entered into under Part 3 of the Passenger Transport Act 1990.

2. In clause 2.1 omit "This Notice applies to buses operated by Sydney Buses which are either;" and replace with "This Notice applies to the following types of buses when providing regular bus services and rail replacement bus services;"
3. In clause 4.1 omit "Buses to which this Notice applies may only operate the routes set out in Appendix 1 to this Notice", and replace with "Buses to which this Notice applies may use all roads in NSW, except where except where prohibited by a load or dimension limit specified for a road, bridge or causeway by a sign or notice."
4. Omit Appendix 1.

ROAD TRANSPORT (GENERAL) ACT 2005

Ministerial Declaration (Superficially-Damaged Motor Bikes) Order 2013
under the
Road Transport (General) Act 2005

I, DUNCAN GAY, Minister for Roads and Ports, pursuant to section 16 of the Road Transport (General) Act 2005, make the following Order.

Dated, this 28th day of June 2013.

DUNCAN GAY, M.L.C.,
Minister for Roads and Ports

Explanatory note

The object of this Order is to permit superficially-damaged motor bikes, which are assessed as a total loss on or after the date of commencement of the Order and to which clause 83X of the Road Transport (Vehicle Registration) Regulation 2007 (the Regulation) would otherwise apply, to be eligible for registration and exempt from the obligation to be the subject of a certificate of compliance.

1. Name of Order

This Order is the Ministerial Declaration (Superficially-Damaged Motor Bikes) Order 2013.

2. Commencement

This Order commences on the day it is published in the *New South Wales Gazette*.

3. Effect

This Order remains in effect until 30 June 2014, unless earlier revoked.

4. Interpretation

Words and expressions used in this Order have the same meaning as in the Road Transport (Vehicle Registration) Act 1997 (the Act) and the Regulation.

5. Exemption from requirements of Clause 83X(1)(d) of the Regulation

Clause 83X(1)(d) of the Regulation is declared not to apply to a motor bike that was assessed as a total loss on or after the date of commencement of this Order, and notified to the Authority in accordance with section 16L of the Act.

WORKERS COMPENSATION ACT 1987

Workers Compensation (Ambulance Services Fees) Order 2013
under the
Workers Compensation Act 1987

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

Dated this 27th day of June 2013.

JULIE NEWMAN,
Chief Executive Officer,
WorkCover Authority

Explanatory Note

Provision of ambulance services in New South Wales is restricted to the Ambulance Service of NSW and the entities listed under section 67E (3) of the Health Services Act 1997. This Order prescribes the rates applicable for Ambulance services to an injured worker for which an employer is liable being the fees prescribed under section 67D of the Health Services Act 1997 applicable from 1 July 2013.

1. Name of Order

This Order is the Workers Compensation (Ambulance Services Fees) Order 2013.

2. Commencement

This Order commences on 1 July 2013.

3. Application of Order

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

4. Fees for ambulance services

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

5. Scope of Order (Additional Information)

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

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

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

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

6. Goods and Services Tax

No GST is payable on the fees in Schedule A.

7. Definitions

In this order:

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

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

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

New Tax System Price Exploitation Law means

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

The Act means the Workers Compensation Act 1987.

WorkCover means the WorkCover Authority of New South Wales.

8. Parts of the Order

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

SCHEDULE A

Fees

Primary

Ambulance services to or from a medical practitioner or hospital.

1 July 2013				
Rates	Road		Fixed Wing	Helicopter
	Emergency	Non-Emergency	Emergency	Emergency
Call-Out	\$341	\$268	\$341	\$341
Variable Rate (per km)	\$3.07	\$1.66	\$3.07	\$3.07
Maximum Charge	\$5584	\$5584	\$5584	\$5584

Notes:

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

WORKERS COMPENSATION ACT 1987

Workers Compensation (Public Hospital Rates) Order 2013
under the
Workers Compensation Act 1987

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

Dated this 27th day of June 2013.

JULIE NEWMAN,
Chief Executive Officer,
WorkCover Authority

1. Name of Order

This Order is the Workers Compensation (Public Hospital Rates) Order 2013.

2. Commencement

This Order commences on the 1st of July 2013.

3. Application of Order

- (1) This Order applies to the hospital treatment of a worker at a public hospital, being treatment or service of a type referred to in clauses 4 to 9 and provided on or after 1 July 2013, whether the treatment relates to an injury that is received before, on or after that date.
- (2) This order does not apply to hospital treatment (excluding Visiting Medical Officer and Salaried Medical Officer services) provided to a worker whose injury has been sustained as a result of a motor vehicle accident in New South Wales. Fees for Visiting Medical Officer and Salaried Medical Officer services are contained in the relevant WorkCover medical services fees order.
- (3) Any order of the Director-General of the Department of Health relating to the classification of hospitals made for the purposes of clause 4 of this Order or any previous Order under section 62 of the Act has effect, subject to any amendment of it made by any subsequent order of the Director-General of the Department of Health.
- (4) Any order relating to the classification of hospitals made for the purposes of clause 4 of this Order may provide that a hospital is not a public hospital of a particular type in respect of treatment provided to a specified class of patient.

4. Definitions

- (1) In this Order:
classification refers to a classification of hospital, category of patient or otherwise (or any combination of them), appearing in Column 1 of the Tables to clauses 4 and 5 of this Order.
the Act means the Workers Compensation Act 1987.
WorkCover means the WorkCover Authority of New South Wales.
- (2) A reference to treatment or services in this Order is (consistent with the definition of “hospital treatment” in section 59 of the Act) a reference to treatment or services provided at a public hospital or at any rehabilitation centre conducted by such a hospital.

5. Fees for hospital patient services generally

- (1) The amount for which an employer is liable under the Act for hospital treatment of a worker, being treatment provided to a worker within a classification specified in Column 2 of the Table to this clause is:
 - (a) in the case of inpatient services, for each day (or part of a day) that the worker is a patient of the hospital, or
 - (b) in the case of outpatient services, for each occasion of service,the corresponding amount specified in Column 3 of that Table.
- (2) This clause does not apply to hospital treatment of a type referred to in clauses 7 to 11 of this Order.
- (3) In this clause and the Table to this clause:

Acute Admitted Patient Services – All Hospitals

Means acute care for an admitted patient in which the primary clinical purpose or treatment goal is to:

- manage labour (obstetric);
- cure illness or provide definitive treatment of injury;
- perform surgery;

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

Non – Acute/ Sub – Acute Admitted Patient Services & Outpatient Services

- Means admitted patient care that does not meet the definition of Acute Care.

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

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

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

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

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

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

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

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

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

Table: Fees for hospital patient services generally

Acute Admitted Patient Services – All Hospitals		
<i>Payment Class. Code</i>	<i>Item</i>	<i>Fee</i>
PUH 001	Critical Care - first 21 days per episode	\$4,615/day
	Critical Care – over 21 days	\$2,645/day
	Other Inpatient – first 21 days per episode	\$1,820/day
	Other Inpatient – over 21 days	\$1,065/day
Non-Acute/Sub-Acute Admitted Patient Services & Outpatient Services		
<i>Payment Class. Code</i>	<i>Item</i>	<i>Fee</i>
PUH 002	Public hospital – in patient	Max \$1065/day
	Incorporating:	
	• Metropolitan Referral Hospital	\$1065/day
	• Metropolitan Non Referral & Non-Metropolitan Hospital	\$1065/day
	• Public Psychiatric hospital	\$445/day
	• Other Public Hospital	\$250/day
PUH 003	Dialysis	\$600 (per session)
	Public hospital – outpatient occasion of services (excluding physiotherapy, psychology and exercise physiology services – use relevant WC gazetted fees for these services with code PUH003)	Max \$115
	• Metropolitan Referral Hospital	\$115
	• Metropolitan Non Referral & Non-Metropolitan Hospital	\$115
	• Public Psychiatric Hospital	\$80
	• Other Public Hospital	\$80

6. Fees for brain injury rehabilitation services

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

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

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

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

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

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

Table: Fees for brain injury rehabilitation services

Brain Injury Rehabilitation Services		
<i>Code</i>	<i>Item</i>	<i>Fee (\$)</i>
PBI 001	Admitted patient service Incorporating: <ul style="list-style-type: none"> • Category A patient • Category B patient • Category X patient 	Max \$1,590/day \$1,120/day \$715/day \$1,590/day
PBI 002	Metropolitan (non-referral) services Incorporating: <ul style="list-style-type: none"> • Category A patient • Category B patient 	Max \$800/day \$800/day \$395/day
PBI 003	Non-admitted patient services	\$75 per half hour
PBI 004	Out-patient medical clinic appointments Incorporating: <ul style="list-style-type: none"> • Initial assessment • Follow up assessment 	Max \$265 \$265 \$130
PBI 005	Group activities Incorporating: <ul style="list-style-type: none"> • Directly supervised by health professional • Indirectly supervised by health professional 	Max \$50/half hour \$50/half hour \$35/ half hour

7. Fees for spinal injury rehabilitation services

- (1) Spinal injury rehabilitation rates apply exclusively to services provided at Royal Rehabilitation Centre Sydney.
- (1) The rate for inpatient spinal injury rehabilitation services is that which applies for hospital patients in the metropolitan non-referral classification, that is \$1,065 per day.
- (3) The rate for outpatient/outreach spinal injury rehabilitation services is that which applies for Brain Injury Program non-inpatient services/outreach rate, that is, \$75 per half hour or part thereof.

8. Fee amount payable for physiotherapy outpatient services

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

9. Fee amount payable for psychology outpatient services

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

10. Fee amount payable for exercise physiology outpatient services

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

11. Charges for health records and medical reports

- (1) In this clause a health record means a document account, whether in hard or electronic form, of a workers health, illness and treatment during each visit or stay at a health service.
- (2) The charges for health records and medical reports are charged in accordance with the rates set out in NSW Health IB2012_032 subject to the categorisations set out in NSW Health PD2006_050 (except where rates are otherwise provided under specific legislation). Reports charging both of those rates or categorisations are amended or revised from time to time and can be found at the following internet sites:
http://www.health.nsw.gov.au/policies/ib/2012/pdf/IB2012_032.pdf
http://www.health.nsw.gov.au/policies/pd/2006/PD2006_050.html

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Government Gazette

OF THE STATE OF

NEW SOUTH WALES

Number 81

Friday, 28 June 2013

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SPECIAL SUPPLEMENT

ESSENTIAL ENERGY

Schedule of Water and Sewerage Charges

Effective from 1 July 2013

UNDER section 310 of the Water Management Act 2000 and Regulations, Essential Energy is required to set the maximum scale of charges to apply for the 12 months commencing on 1 July 2013 (in accordance with the IPART Determination and Final Report dated June 2010), as follows:

SCHEDULE 1 – WATER SUPPLY CHARGES

RESIDENTIAL – BROKEN HILL, MENINDEE, SUNSET STRIP and SILVERTON

<i>Access Charge</i>		<i>Usage Charge</i>	
<i>Nominal Size of Water Service</i>	<i>Annual Access Charge (\$)</i>		<i>Charge cents / kL</i>
20mm	\$253.66	Treated Water Usage Charge	
25mm	\$396.13	Tier 1 (up to 1.096 kL/day*)	167 c/kL
32mm	\$649.79	Tier 2 *** (in excess of 1.096 kL/day*)	280 c/kL
40mm	\$1,014.66	Tier 1 Summer ** (extra 0.549 kL/day in a 114 day period December to March)	167 c/kL
50mm	\$1,585.68		
80mm	\$4,058.60	Chlorinated Water Usage Charge	
100mm	\$6,341.56	Tier 1 (up to 1.096 kL/day*)	108 c/kL
150mm	\$14,268.80	Tier 2 *** (in excess of 1.096 kL/day*)	184 c/kL
		Tier 1 Summer ** (extra 0.549 kL/day in a 114 day period December to March)	108 c/kL

VACANT LAND

All properties to be levied \$253.66 per property per annum

PIPELINE CUSTOMERS

<i>Access Charge</i>		<i>Usage Charge</i>	
<i>Nominal Size of Water Service</i>	<i>Annual Access Charge (\$)</i>		<i>Charge cents / kL</i>
		Untreated Water Usage Charge	
20mm	\$253.66	Tier 1 (up to 1.096 kL/day*)	72 c/kL
25mm	\$396.13	Tier 2 (in excess of 1.096 kL / day*)	108 c/kL
32mm	\$649.79		
40mm	\$1,014.66		

NON RESIDENTIAL – BROKEN HILL, MENINDEE, SUNSET STRIP and SILVERTON

<i>Access Charge</i>		<i>Usage Charge</i>	
<i>Nominal Size of Water Service</i>	<i>Annual Access Charge (\$)</i>		<i>Charge cents / kL</i>
		Treated Water Usage Charge per Quarter	
20mm	\$253.66	Tier 1 (up to 1.096 kL/day*)	167 c/kL
25mm	\$396.13	Tier 2 *** (in excess of 1.096 kL / day*)	280 c/kL
32mm	\$649.79	Tier 1 Summer ** (extra 0.549 kL/day in a 114 day period December to March)	167 c/kL
40mm	\$1,014.66		
50mm	\$1,585.68	Untreated Water Usage Charge	
80mm	\$4,058.60	Any measured amount	147 c/kL
100mm	\$6,341.56		
150mm	\$14,268.80	Chlorinated Water Usage Charge	
		Tier 1 (up to 1.096 kL/day*)	108 c/kL
		Tier 2 *** (in excess of 1.096 kL / day*)	184 c/kL
VACANT LAND		Tier 1 Summer ** (extra 0.549 kL/day in a 114 day period December to March)	108 c/kL
All properties to be levied \$253.66 per property per annum			
		Effluent Water Usage Charge	
		Any measured amount	63 c/kL

* calculated on the number of days between meter reading

** To apply within a 114 day period in the summer quarter – 1 December 2013 to 24 March 2014

*** The tier two consumption price applies when water consumption exceeds 1.096 kilolitres per day or 1.645 kilolitres per day in the summer quarter multiplied by the number of days between a customer's meter reading.

OPERATING MINES**Water Access Charge**

Water Access Charge for each Operating Mine is levied on a pro rata basis, calculated on combined treated and untreated water consumption of all Operating Mines, up to a maximum annual water supply access charge of \$1.298234 million

Water Usage Charge

Water usage charge of \$2.1077/kL for all treated water usage with minimum payment of \$1.559692 million, on a pro rata basis

Water usage charge of \$1.47/kL for all untreated water usage.

SCHEDULE 2 – SEWERAGE AND TRADE WASTE CHARGES

SEWERAGE SERVICE CHARGES CITY OF BROKEN HILL

Residential Land: The service charge shall be a fixed charge of \$496.79 per customer service connection per year. In respect of any chargeable land used as the site of a block of company or community title units or flats shall be treated as a single non-residential assessment.

Non Residential Land:**Sewer Access Charge**

Nominal Size of Service Annual Access Charge (\$)

20mm	\$709.39
25mm	\$1,108.34
32mm	\$1,816.42
40mm	\$2,837.57
50mm	\$4,433.37
80mm	\$11,350.28
100mm	\$17,734.82
150mm	\$39,903.00

Sewer Usage Charge

All kilolitres 119 c/kL

Sewer Discharge Factor

An appropriate sewer discharge factor is applied to the final sewerage calculation for non-residential customers.

Vacant Land: The service charge shall be a fixed charge of \$496.79 per property or customer service connection per year, whichever is greater.

SEWERAGE AND TRADE WASTE CHARGES FOR EACH OPERATING MINE

Residential: The sewerage service charge for mining company houses shall be \$496.79 per occupied house.

Non-residential: The sewerage service charge shall be the non-residential service charge based on the water supply service connection meter size. The sewer usage charge shall be 119 c/kL of non-residential discharge to the sewerage system.

Trade waste: Annual trade waste fee shall be \$1,491.62 for each operating mine.

Applicable trade waste usage charge or excess mass charge as detailed below.

These charges will apply until a liquid trade waste agreement has been implemented.

WATER AND SEWERAGE CHARGES IN RESPECT OF LANDS EXEMPT UNDER SCHEDULE 4

- (i) Water - Land which is exempt from service access charges under Schedule 4 of the Act; shall be charged on the treated water usage recorded by the water service times the charge of 238 c/kL.
- (ii) Sewer - Land which is exempt from service access charges under Schedule 4 of the Act; shall be charged on the water usage recorded by the water service times by the sewer usage charge of 119 c/kL times by the relevant Sewer Discharge Factor as per the NOW Liquid Trade Waste Management Guidelines 2009.

TRADE WASTE CHARGES FOR NON-RESIDENTIAL CUSTOMERS CITY OF BROKEN HILL

Non Residential Land:**Trade Waste Charges**

Category 1 (Low Risk. Nil or only minimal liquid trade waste pre-treatment equipment required)

Application fee*	\$219.29
Annual Trade Waste Fee	\$101.72
Re-inspection Fee	\$95.11

Category 1a (Low Risk. Require more sophisticated prescribed liquid trade waste pre-treatment equipment)

Application fee*	\$219.29
Annual Trade Waste Fee	\$101.72
Re-inspection Fee	\$95.11
Non-Compliant Trade Waste Usage Charge**	\$1.90/kL

Category 2 (Medium Risk. Require prescribed liquid trade waste pre-treatment equipment)

Application fee*	\$219.29
Annual Trade Waste Fee	\$681.65
Re-inspection Fee	\$95.11
Trade Waste Usage Charge	\$1.90/kL
Non-Compliant Trade Waste Usage Charge***	\$17.44/kL

Category 3 (High Risk. Industrial and large volume dischargers)

Application fee*	\$219.29
Annual Trade Waste Fee	Set on a case by case basis depending on the complexity of monitoring required
Re-inspection Fee	\$95.11
Approved pH Range	as per the Essential Energy Policy for the Discharge of Liquid Trade Waste
Approved BOD Range	as per the Essential Energy Policy for the Discharge of Liquid Trade Waste
Food Waste Disposal	\$27.74/bed

* Not applicable to those dischargers exempted from obtaining an approval for liquid trade waste discharge as per the Essential Energy Policy for the Discharge of Liquid Trade Waste

** Applicable to dischargers who have not installed or properly maintained pre-treatment equipment

*** Applicable to discharges who have not installed or properly maintained pre-treatment equipment

Excess Mass Charge	\$/kg
acid demand, pH>10	\$0.86
Alkali demand, pH<7	\$0.86
Aluminium	\$0.86
Ammonia* (as N)	\$2.60
Arsenic	\$85.87
Barium	\$42.27
Biochemical oxygen demand (BOD)	\$0.86
Boron	\$0.86
Bromine	\$17.09
Cadmium	\$396.31
Chloride	No charge
Chlorinated hydrocarbons	\$42.27
Chlorinated phenolic	\$1,712.05
Chlorine	\$1.79
Chromium	\$28.72
Cobalt	\$17.78
Copper	\$17.78
Cyanide	\$85.87
Fluoride	\$4.23
Formaldehyde	\$1.79
Herbicides/defoliants	\$856.02
Iron	\$1.79

Excess Mass Charge	\$/kg
Lead	\$42.27
Lithium	\$8.59
Manganese	\$8.59
Mercaptans	\$85.87
Mercury	\$2,853.42
Methylene blue active substances (MBAS)	\$0.86
Molybdenum	\$0.86
Nickel	\$28.72
Nitrogen* (as TKN Total Kjeldahl Nitrogen)	\$0.22
Organoarsenic compounds	\$856.02
Pesticides general (excludes organochlorines and organophosphates)	\$856.02
Petroleum hydrocarbons (non-flammable)	\$2.87
Phenolic compounds (non-chlorinated)	\$8.59
Phosphorous (Total P)	\$1.79
Polynuclear aromatic hydrocarbons (PAHs)	\$17.78
Selenium	\$60.15
Silver	\$1.38
Sulphate* (SO ₄)	\$0.17
Sulphide	\$1.79
Sulphite	\$1.91
Suspended Solids (SS)	\$1.09
Thiosulphate	\$0.30
Tin	\$8.59
Total Dissolved Solids (TDS)	\$0.06
Total Oil and Grease	\$1.53
Uranium	\$8.59
Zinc	\$17.50
Non Compliant Excess Mass Charge	as per the Essential Energy Policy for the Discharge of Liquid Trade Waste

ANCILLARY AND MISCELLANEOUS CHARGES

<i>Service No.</i>	<i>Description</i>	<i>2013/2014 Charge (No GST)</i>
1	Conveyancing Certificate Statement of outstanding charges (s 41 Conveyancing (General) Regulation 2008) (a) Full Certificate with Meter Read (b) Updated Meter Read Request (Special Meter Read) (c) Full Certificate with History Search (d) Urgent Full Certificate with Meter Read (within 48 hours)	 \$68.47 \$51.33 \$120.29 \$118.62
2	Meter Test (Refunded if meter is +/- 3%)	\$71.17
3	Drainage Diagram	\$20.06
4	Plumbing Inspection	\$33.21
5	Plumbers Application	\$35.48
6	Site inspection for water and sewerage	\$114.30
7	Statement of available water pressure	\$164.88
8	Building plan approval – extension	\$32.03
9	Building plan approval – new connection	\$48.42

<i>Service No.</i>	<i>Description</i>	<i>2013/2014 Charge (No GST)</i>
11	Relocation/Increase in size of water service (Tapping Fee)	\$81.95
12	Backflow Prevention Device Testing and Certification (Per Hour plus Materials)	\$68.64 per hour
13	Install Water Service (a) 20mm Service up to 3 metres (b) 20mm Service over 3 metres and less than 30 metres (c) All Others	\$703.08 \$1,813.78 By Quotation
14	Alter Existing Water Service Actual Cost Relocate Existing Service	By Quotation Charge for Install Water service (charge 13) plus Charge for Water Disconnect (charge 19)
15	Downgrade Meter Size (a) 25mm to 20mm (b) All Others	\$90.36 By Quotation
16	Repair Damaged Water Service (a) First repair with five year period (b) Second and subsequent repairs (Per Hour plus Materials)	Free \$90.36 per hour
17	Rectification of Illegal Service	Greater of \$220.20 or actual cost
18	Replace Damaged Water Meter First replacement in a five year period (a) 20mm (b) 25mm (c) 32mm (d) 40mm (e) 50mm (f) 80mm (g) 100mm or greater	Free \$106.00 \$208.72 \$303.56 \$731.01 \$911.85 \$1,001.14 By Quotation
19	Water Service Disconnection (a) First disconnect in a one year period (b) Capping (c) 20mm to 25mm (d) 32mm or greater (ea) Bitumen Repairs (minimum 1 metre)	Free \$88.16 \$147.30 By Quotation \$17.15 per metre
20	Water Service Reconnection (a) First reconnect in a one year period (b) Un-Capping (c) 20mm to 25mm (d) 32mm or greater (e) Bitumen Repairs (minimum 1 metre)	Free \$94.90 \$158.52 By Quotation \$17.15 per metre
21	Asset Location (a) Major or Critical Infrastructure (b) Minor or Non Critical Initial Location (c) Re-inspect Asset Location	\$90.36 per hour Free \$90.36 per hour
22	Relocate Existing Stop Valve or Hydrant	By Quotation

<i>Service No.</i>	<i>Description</i>	<i>2013/2014 Charge (No GST)</i>
23	Replace Water Main before Customer Installations	By Quotation
24	Standpipe Hire (a) Monthly (Minimum Charge) (b) Annually (c) Water Usage Charges (i) Treated (ii) Untreated (iii) Effluent	 \$29.20 \$350.47 \$2.27 per kL \$1.47 per kL \$0.46 per kL

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Government Gazette

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SPECIAL SUPPLEMENT

CONSTITUTION ACT 1902

Ministerial Arrangements During the Absence of the
Minister for Primary Industries and Minister for Small Business

PURSUANT to section 36 of the Constitution Act 1902, His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has authorised the Honourable G. SOURIS, M.P., Minister for Tourism, Major Events, Hospitality and Racing and Minister for the Arts, be authorised to perform the duties of the office of the Minister for Primary Industries and Minister for Small Business, from 1 July 2013, and the Honourable A. J. STONER, M.P., Deputy Premier, Minister for Trade and Investment and Minister for Regional Infrastructure and Services be authorised to perform the duties of the office of the Minister for Primary Industries, and Minister for Small Business, from 6 July 2013, with a view to them performing the duties of the Honourable K. A. HODGKINSON, M.P., during her absence from duty.

BARRY O'FARRELL, M.P.,
Premier

Department of Premier and Cabinet, Sydney.
28 June 2013.

**FISHERIES MANAGEMENT (OCEAN TRAP AND LINE SHARE MANAGEMENT PLAN)
REGULATION 2006**

Order

Extension of transitional period for minimum shareholding requirements for spanner crab shares in the
Ocean Trap and Line Fishery

I, RICHARD SHELDRAKE, Director-General of the Department of Primary Industries, with the delegated authority of the Director General of the Department of Trade and Investment, Regional Infrastructure and Services pursuant to section 228 of the Fisheries Management Act 1994 and:

1. pursuant to section 43(2) of the Interpretation Act 1987 and Clause 6(6)(b) of the Appendix to the Fisheries Management (Ocean Trap and Line Share Management Plan) Regulation 2006, revoke the Order dated 27 June 2012, entitled “Extension of transitional period for minimum shareholding requirements for spanner crab shares in the Ocean Trap and Line Fishery” and published in *New South Wales Government Gazette* No. 67 on 29 June 2012, at page 3073; and
2. pursuant to clause 6(6)(b) of the Appendix to the Fisheries Management (Ocean Trap and Line Share Management Plan) Regulation 2006, prescribe that for the purposes of Clause 6 of that Appendix and in the case of:
 - (i) ocean trap and line – spanner crab northern zone shares; and
 - (ii) ocean trap and line – spanner crab southern zone shares,the transitional period will end on 30 June 2015.

Dated this 28th day of June 2013.

RICHARD SHELDRAKE,
Director-General,
Department of Primary Industries
(an office within Department of Trade and Investment, Regional Infrastructure and Services)

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SPECIAL SUPPLEMENT

FISHERIES MANAGEMENT ACT 1994

Section 76

Instrument of Determination of Management Charge for Abalone Fishery

I, ANDREW GOULSTONE, Director, Commercial Fisheries with the delegated authority of the Minister for Primary Industries and the Director-General pursuant to sections 227 and 228 of the Fisheries Management Act 1994 ("the Act") and pursuant to sections 76(1) and (2) of the Act, do hereby determine the management charge for the period 1 July 2013 to 30 June 2014 payable by holders of shares in the abalone fishery (as described in Schedule 1 to the Act) to be \$45.47 per share.

Dated this 27th day of June 2013.

ANDREW GOULSTONE,
Director,
Commercial Fisheries,
Department of Primary Industries
(an office within the Department of Trade and Investment,
Regional Infrastructure and Services)

FISHERIES MANAGEMENT ACT 1994

Section 76

Instrument of Determination of Management Charge for Lobster Fishery

I, ANDREW GOULSTONE, Director, Commercial Fisheries with the delegated authority of the Minister for Primary Industries and the Director-General pursuant to sections 227 and 228 of the Fisheries Management Act 1994 ("the Act") and pursuant to sections 76(1) and (2) of the Act, do hereby determine the management charge for the period 1 July 2013 to 30 June 2014 payable by holders of shares in the lobster fishery (as described in Schedule 1 to the Act) to be \$51.57 per share.

Dated this 27th day of June 2013.

ANDREW GOULSTONE,
Director,
Commercial Fisheries,
Department of Primary Industries
(an office within the Department of Trade and Investment,
Regional Infrastructure and Services)

STOCK DISEASES ACT 1923

Notification No. 1827-OJD

Revocation of Notification No. 1825-OJD

I, KATRINA ANN HODGKINSON, M.P., Minister for Primary Industries pursuant to sections 3(2)(a) and 11A of the Stock Diseases Act 1923 (“the Act”), revoke Notification No. 1825-OJD published in *New South Wales Government Gazette* No. 55 of Monday, 28 May 2012, at pages 2263-2266 and any notification revived as a result of this revocation.

1827-OJD is the NSW Department of Primary Industries’ reference. For further information, contact the Department of Primary Industries on (02) 6391 3212.

Dated this 21st day of June 2013.

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

STOCK DISEASES ACT 1923

Proclamation No. 573-OJD

Proclamation to Restrict the Importation or Introduction into New South Wales of Sheep on account of Johne’s Disease

I, the Honourable THOMAS FREDERICK BATHURST, Lieutenant-Governor of the State of New South Wales, with the advice of the Executive Council pursuant to sections 3(2)(a) and 11B of the Stock Diseases Act 1923 (‘the Act’), revoke Proclamation No. 568-OJD published in *New South Wales Government Gazette* No. 83 of 5 June 2009, at pages 2565-2566, and any Proclamation revived as a result of its revocation.

Signed and sealed at Sydney, this 26th day of June 2013.

By His Excellency’s Command,

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

GOD SAVE THE QUEEN!

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SPECIAL SUPPLEMENT

MUTUAL RECOGNITION ACT 1992 (COMMONWEALTH) – NOTICE

THOMAS FREDERICK BATHURST, Lieutenant-Governor

I, the Honourable THOMAS FREDERICK BATHURST, Lieutenant-Governor of the State of New South Wales, with the advice of the Executive Council and for the purposes of section 47 (2) of the Mutual Recognition Act 1992 of the Commonwealth, request the Governor-General of the Commonwealth to make regulations under section 47 (1) of that Act in the terms set out in the Schedule to this notice.

Dated, this 26th day of June 2013.

1	Name of regulation	1
2	Commencement	1
3	Authority	1
4	Schedule(s)	1

Schedule 1—Amendments	2
<i>Mutual Recognition Act 1992</i>	2

No.	Year	Regulation Title	Page
	2013	Mutual Recognition (Amendment of Act—Container Deposit Scheme) Regulation 2013	i

OPC60098 - A

1 Name of regulation

This regulation is the *Mutual Recognition (Amendment of Act—Container Deposit Scheme) Regulation 2013*.

2 Commencement

This regulation commences on the day after it is registered.

3 Authority

This regulation is made under the *Mutual Recognition Act 1992*.

4 Schedule(s)

Each Act that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

No. , 2013 *Mutual Recognition (Amendment of Act—Container Deposit Scheme)* 1
Regulation 2013

OPC60098 - A

Schedule 1 Amendments

Schedule 1—Amendments***Mutual Recognition Act 1992*****1 At the end of Schedule 2**

Add:

- 34 Each of the following:
- (a) Part 2 of the *Environment Protection (Beverage Containers and Plastic Bags) Act* (NT);
 - (b) all other provisions of that Act, to the extent that they relate to the container deposit scheme established by that Part;
 - (c) regulations made under that Act, to the extent that they relate to that scheme

2 *Mutual Recognition (Amendment of Act—Container Deposit Scheme) Regulation 2013* No. , 2013

OPC60098 - A

TRANS-TASMAN MUTUAL RECOGNITION ACT 1997 (COMMONWEALTH) – NOTICE

THOMAS FREDERICK BATHURST, Lieutenant-Governor

I, the Honourable THOMAS FREDERICK BATHURST, Lieutenant-Governor of the State of New South Wales, with the advice of the Executive Council and for the purposes of sections 43 (1) and 45 of the Trans-Tasman Mutual Recognition Act 1997 of the Commonwealth, endorse the terms of the proposed Commonwealth Trans-Tasman Mutual Recognition Legislation Amendment (Tobacco Plain Packaging) Regulation 2013 set out in the Schedule to this notice.

Dated, this 26th day of June 2013.

Select Legislative Instrument No. _____, 2013

Dated 2013

Quentin Bryce
Governor-General

By Her Excellency's Command

Greg Combet AM
Minister for Climate Change, Industry and Innovation
for the Minister for Health

OPC50445 - D

Contents

1	Name of regulation	1
2	Commencement	1
3	Authority	1
4	Schedule(s)	1

Schedule 1—Amendments

		2
<i>Tobacco Plain Packaging Regulations 2011</i>		2
<i>Trans-Tasman Mutual Recognition Act 1997</i>		2

No. , 2013 *Trans-Tasman Mutual Recognition Legislation Amendment (Tobacco Plain Packaging) Regulation 2013* i

OPC50445 - D

1 Name of regulation

This regulation is the *Trans-Tasman Mutual Recognition Legislation Amendment (Tobacco Plain Packaging) Regulation 2013*.

2 Commencement

This regulation commences on the day after it is registered.

3 Authority

This regulation is made under the following Acts:

- (a) subsection 45(3) of the *Trans-Tasman Mutual Recognition Act 1997*;
- (b) section 109 of the *Tobacco Plain Packaging Act 2011*.

4 Schedule(s)

Each instrument or Act that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

No. , 2013 *Trans-Tasman Mutual Recognition Legislation Amendment (Tobacco Plain Packaging) Regulation 2013* 1

OPC50445 - D

Schedule 1 Amendments

Schedule 1—Amendments

Tobacco Plain Packaging Regulations 2011

1 At the end of regulation 1.1.5

Add:

- Note 1: The *Tobacco Plain Packaging Act 2011* and these Regulations were temporarily exempted from the operation of the *Trans-Tasman Mutual Recognition Act 1997* under section 46 of that Act and section 109 of the *Tobacco Plain Packaging Act 2011*. The temporary exemption operated from 1 October 2012 until the commencement of the *Trans-Tasman Mutual Recognition Legislation Amendment (Tobacco Plain Packaging) Regulation 2013*.
- Note 2: The *Tobacco Plain Packaging Act 2011* and these Regulations are permanently exempted from the operation of the *Trans-Tasman Mutual Recognition Act 1997* under subsection 4(2) and section 45 of that Act, and clause 3 to Part 2 of Schedule 2 to that Act. The permanent exemption began on the commencement of the *Trans-Tasman Mutual Recognition Legislation Amendment (Tobacco Plain Packaging) Regulation 2013*.

Trans-Tasman Mutual Recognition Act 1997

2 Clause 3 of Schedule 2 (at the end of the table)

Add:

Tobacco

Competition and Consumer Act 2010, section 134 of Schedule 2 to that Act, to the extent that it relates to the *Competition and Consumer (Tobacco) Information Standard 2011*
Tobacco Plain Packaging Act 2011

2 *Trans-Tasman Mutual Recognition Legislation Amendment (Tobacco Plain Packaging) Regulation 2013* No. , 2013

OPC50445 - D

TRANS-TASMAN MUTUAL RECOGNITION ACT 1997 (COMMONWEALTH) – NOTICE

THOMAS FREDERICK BATHURST, Lieutenant-Governor

I, the Honourable THOMAS FREDERICK BATHURST, Lieutenant-Governor of the State of New South Wales, with the advice of the Executive Council and for the purposes of sections 43 (1) and 47 of the Trans-Tasman Mutual Recognition Act 1997 of the Commonwealth, endorse the terms of the proposed Commonwealth Trans-Tasman Mutual Recognition Regulation 2013 set out in the Schedule to this notice.

Dated, this 26th day of June 2013.

SCHEDULE



Trans-Tasman Mutual Recognition Regulation 2013

Select Legislative Instrument No. , 2013

I, Quentin Bryce AC CVO, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulation under the *Trans-Tasman Mutual Recognition Act 1997*.

Dated 2013

Quentin Bryce
Governor-General

By Her Excellency's Command

Greg Combet AM
Minister for Climate Change, Industry and Innovation

OPC60093 - A

Contents

Part 1—Preliminary	1
1 Name of regulation	1
2 Commencement	1
3 Authority	1
4 Definition	1
5 Continuation of temporary exemption relating to specific laws—tobacco	2

Preliminary **Part 1**

Section 1

Part 1—Preliminary**1 Name of regulation**

This regulation is the *Trans-Tasman Mutual Recognition Regulation 2013*.

2 Commencement

Each provision of this regulation specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement Information		
Column 1	Column 2	Column 3
Provision(s)	Commencement	Date/Details
1. Sections 1 to 4, subsections 5(1) and (2), and anything in this regulation not elsewhere covered by this table	1 October 2013	1 October 2013
2. Subsections 5(3) and (4)	1 December 2013	1 December 2013

3 Authority

This regulation is made under the *Trans-Tasman Mutual Recognition Act 1997*.

4 Definition

In this regulation:

Act means the *Trans-Tasman Mutual Recognition Act 1997*.

No. , 2013

Trans-Tasman Mutual Recognition Regulation 2013

1

OPC60093 - A

Part 1 PreliminarySection 5

**5 Continuation of temporary exemption relating to specific laws—
tobacco**

- (1) For subsection 47(3) of the Act, the following laws of the Commonwealth are exempt from the operation of the Act:
 - (a) *Tobacco Plain Packaging Act 2011*;
 - (b) *Tobacco Plain Packaging Regulations 2011*.
- (2) Subsection (1) ceases to have effect on 30 September 2014.
- (3) For subsection 47(3) of the Act, the *Competition and Consumer Act 2010*, section 134 of Schedule 2 to that Act, to the extent that it relates to the *Competition and Consumer (Tobacco) Information Standard 2011* is exempt from the Act.
- (4) Subsection (3) ceases to have effect on 30 November 2014.

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SPECIAL SUPPLEMENT

HEALTH SERVICES ACT 1997

Order Amending the Scale of Fees for Hospital and Other Health Services

PURSUANT to section 69 of the Health Services Act 1997, I, Mr KEN WHELAN, Acting Director-General of the Ministry of Health, as the duly appointed delegate of the Minister for Health, do by this Order hereby amend the currently applying Scale of Fees for hospital services and other health services to the extent and in the manner set forth in the Schedule below, to take effect on and from 1 July 2013.

Signed at Sydney, this 1st day of July 2013.

KEN WHELAN,
Acting Director-General

SCHEDULE

Amendment of Scale of Fees

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

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

1A. ACCOMMODATION CHARGES

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

1A.1. Public Patients

	Daily Fee
	\$
1A.1.1 treated by a doctor nominated by the hospital	Nil
1A.1.2 accommodated in a shared room (single room accommodation without charge may be provided on the grounds of medical need)	Nil

1A.2. Private Patients (Overnight Stay)

	Daily Fee
	\$
1A.2.1 treated by a doctor nominated by the patient and accommodated in a shared room	326
1A.2.2 treated by a doctor nominated by the patient and accommodated at the patient's request, in a single room or as sole occupant of a shared room.	611

1A.3. Private Patients (Same Day Patient)

	Daily Fee
	\$
Band 1	236
Band 2	263

	Daily Fee
	\$
Band 3	290
Band 4	326

Note: These bands are as categorised by the Commonwealth under the National Health Act 1953.

1A.4. Ineligible Patients

1A.4.1	Work Visa holders 457 & 485 and Student Visa holders 570 to 576	Daily Fee \$
1A.4.1.1	Inpatient Patient Services	
	Public Hospitals – Critical Care	2,715
	Public Hospitals – other than Critical Care	1,095
	Public Psychiatric Hospitals	460
	Other (e.g. Residential Aged Care Facilities)	255
1A.4.2	Other than Work Visa holders 457 & 485 and Student Visa holders 570 to 576	Daily Fee \$
1A.4.2.1	Acute Admitted Patient Services – All Hospitals	
	Inpatient – Critical Care – first 21 days per episode	4,740
	Inpatient – Critical Care – over 21 days	2,715
	Other Inpatient – first 21 days per episode	1,870
	Other Inpatient – over 21 days	1,095
1A.4.2.2	Sub-Acute and Non-Acute Admitted Patient Services.	
	Public Hospitals	1,095
	Public Psychiatric Hospitals	460
	Other (eg Residential Aged Care Facilities)	255
1A.4.3	Hospital in the Home Fees – All Hospitals	210
1A.4.4	Dialysis – All Hospitals (per session)	600

With the exception of:

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

1A.5. Compensable Patients

(other than Workers Compensation or Motor Vehicles Compensation)

	Daily Fee \$
1A.4.1	Acute Admitted Patient Services – All Hospitals
	Inpatient – Critical Care – first 21 days per episode
	Inpatient – Critical Care – over 21 days
	Other Inpatient – first 21 days per episode
	Other Inpatient – over 21 days
1A.4.2	Sub-Acute and Non-Acute Admitted Patient Services.
	Public Hospitals
	Public Psychiatric Hospitals
	Other (eg Residential Aged Care Facility)
1A.4.3	Dialysis – All Hospitals (per session)

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

1A.6. Veterans' Affairs Patients

	Daily Fee
	\$
Veterans' Affairs Patients	Nil

1A.7. Nursing Home Type Patients

- 1A.7.1 Elect to be treated by hospital nominated doctors –
 Shall be charged a patient contribution:
 (on a fortnightly basis): not exceeding the equivalent to 87.5% of any Commonwealth Standard Rate Pension and 87.5% of any maximum Rent Assistance payable to a person; or
 (on a daily basis, where appropriate): one fourteenth of the fortnightly amount already referred to.
- 1A.7.2 Elect to be treated by doctor of choice –
 Shall be charged on a daily basis, an amount equivalent to the patient contribution calculated on a daily basis in accordance with sub paragraph 1A.7.1, plus an amount determined in writing from time to time by the Minister for Health of the Commonwealth, or the Minister's delegate, pursuant to the National Health Act 1953 of the Commonwealth.

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

	Daily Fee
	\$
Accommodation in a shared room	574
Accommodation in a single room	763
Same Day Admission	490
Accommodation as a critical care patient	1,537
Accommodation as a compensable patient	Applicable rates under 1A.5.

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

	Daily Fee
	\$
Accommodation in a shared room	574
Accommodation in a single room	763
Same Day Admission	490
Accommodation as a critical care patient	1,537

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

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

- 1A.10.1 where there is a single dollar amount specified for an item, that dollar amount; or
- 1A.10.2 where there is a minimum and maximum benefit dollar amount specified for an item, a dollar amount being the minimum benefit amount, the maximum benefit amount or an amount within that dollar range,

as determined in writing from time to time in respect of that item by the Minister for Health of the Commonwealth, or the Minister's Delegate, pursuant to the National Health Act 1953 of the Commonwealth. Such charges shall take effect on any date determined by the Commonwealth Minister for Health or the Minister's delegate in respect of that item.

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

1D. TREATMENT FEES

	Daily Fee
	\$
Treatment fee applicable to ineligible inpatients, other than compensable patients, in addition to the current applicable accommodation charge (refer item 1A.4.), in situations where the ineligible inpatient receives medical treatment under arrangement with a public hospital rather than an individual practitioner	285

With the exception of:

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

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

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

3A. BRAIN INJURY REHABILITATION SERVICES

provided by designated units of public hospitals in respect of compensable patients requiring brain injury rehabilitation services (including diagnostic services)

	Daily Fee \$
3A.1. Admitted Patient Services	
Category A patient	1,120
Category B patient	715
Category X patient	1,590
3A.2. Transitional Living Unit	
Category A patient	800
Category B patient	395
3A.3. Non Admitted Patient Services (including Outreach)	\$75 per half hour or part thereof
3A.4. Outpatient Medical Clinic Appointments	
	Standard Fee \$
Medical Consultation – New (initial assessment)	265
Medical Consultation – Review (follow-up appointment)	130
3A.5. Group Activities	
	\$ per half hour or part thereof
Qualified	50
Unqualified	35

Note: Categories, classifications or descriptions of service referred to in this Part 3A are to be considered the same as those defined or set out in Ministry of Health Policy Directive PD 2006_048, or as that policy is subsequently amended or revised from time to time.

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

PART 4 – NON-ADMITTED PATIENT CHARGES

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

4A. Ineligible Patients

For each Occasion of Service (both categories)	\$
Public Hospital	115
Public Psychiatric Hospital	80
Other (eg Residential Aged Care Facility)	80

The rates of charge are as per the above occasion of service rates as appropriate to the designated hospital classification or as per the Australian Medical Association (AMA) schedule of rates.

With the exception of:

1. A visitor to Australia who holds a temporary entry permit, and who has applied for but has not yet been issued with an entry permit granting permanent residence.
2. Persons entitled to free public hospital treatment under the terms of a Reciprocal Health Care Agreement between Australia and their country.

4B. Compensable Patients

(other than Workers Compensation or Motor Vehicles Compensation) –

For each Occasion of Service (excluding physiotherapy services, psychology and exercise physiology services)

	\$
Public Hospital	115
Public Psychiatric hospital	80
Other hospital (eg Residential Aged Care Facility)	80

The above occasion of service rates apply or alternatively the maximum amount payable under the relevant WorkCover practitioner fees order. The fees orders, which generally link to AMA rates, cover Medical Practitioners, Surgeons and Orthopaedic Surgeons.

Compensable Non-Admitted Physiotherapy Services

<i>Normal Practice</i>	\$
Initial consultation & treatment	83.70
Standard consultation and treatment	70.90
Initial consultation & treatment of two distinct areas	126.20
Standard consultation & treatment of two distinct areas	106.90
Complex treatment	141.70
Group/class Intervention (rate per participant)	50.30

Home Visit

Initial consultation & treatment	103.10
Standard consultation and treatment	84.40
Initial consultation & treatment of two distinct areas	152.00
Standard consultation & treatment of two distinct areas	130.10
Complex treatment	167.40

Other

Case conference (rate per hour), Report Writing (max)	167.40
Activity assessment, consultation & treatment	167.40
Travel (per km)	1.55

Compensable Non-Admitted Psychology Service Charges

Initial consultation	199.50
Standard consultation	166.30
Report Writing (per hr /max 1 hr)	166.30
Case Conferencing (per hr/pro rata)	166.30
Travel (per km)	1.55
Group (per participant)	49.90

Compensable Non-Admitted Exercise Physiology Service Charges

Initial consultation & treatment	133.70
Standard consultation & treatment	133.70
Reduced supervision treatment	58.40
Group/class intervention (per participant)	42.60
Additional Expenses (as agreed with insurer)	—
Case Conferencing (per hr)	133.70
Report Writing (max)	133.70
Travel (per km)	1.55

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

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Government Gazette

OF THE STATE OF
NEW SOUTH WALES

Number 86
Wednesday, 3 July 2013

Published under authority by the Department of Premier and Cabinet

SPECIAL SUPPLEMENT

FISHERIES MANAGEMENT ACT 1994

Instrument of Determination – Total Allowable Catch for Abalone

I, KATRINA ANN HODGKINSON, M.P., Minister for Primary Industries pursuant to section 33 of the Fisheries Management Act 1994 (“the Act”), provide notice that the Total Allowable Catch Setting and Review Committee established under section 26 of the Act:

1. pursuant to sections 28 and 33 of the Act, revokes the determination titled “Instrument of Determination – Total Allowable Catch for Abalone” dated 14 June 2012 and published in *New South Wales Government Gazette* No. 64 of 22 June 2012, at page 2498, and any determination revived as a result of this revocation; and
2. pursuant to section 28 of the Act and Clause 14 of the Fisheries Management (Abalone Share Management Plan) Regulation 2000, determines that the total allowable catch for abalone for the fishing period beginning 1 July 2013 and ending 31 December 2013 (both dates inclusive) is 62.5 tonnes.

This Instrument of Determination takes effect on 1 July 2013.

Dated this 30th day of June 2013.

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

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Government Gazette

OF THE STATE OF
NEW SOUTH WALES

Number 87
Friday, 5 July 2013

Published under authority by the Department of Premier and Cabinet

LEGISLATION

Online notification of the making of statutory instruments

Week beginning 24 June 2013

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

Proclamations commencing Acts

[Boarding Houses Act 2012 No 74 \(2013-324\)](#) — published LW 28 June 2013

[Intoxicated Persons \(Sobering Up Centres Trial\) Act 2013 No 15 \(2013-325\)](#) — published LW 28 June 2013

[Local Court Amendment \(Company Title Home Unit Disputes\) Act 2013 No 6 \(2013-326\)](#) — published LW 28 June 2013

[Property, Stock and Business Agents Amendment Act 2013 No 3 \(2013-327\)](#) — published LW 28 June 2013

[Road Transport Act 2013 No 18 \(2013-328\)](#) — published LW 28 June 2013

[Road Transport Legislation \(Repeal and Amendment\) Act 2013 No 19 \(2013-329\)](#) — published LW 28 June 2013

[State Revenue and Other Legislation Amendment \(Budget Measures\) Act 2012 No 46 \(2013-330\)](#) — published LW 28 June 2013

Regulations and other statutory instruments

[Births, Deaths and Marriages Registration Amendment \(Fees\) Regulation 2013 \(2013-331\)](#) — published LW 28 June 2013

[Boarding Houses Regulation 2013 \(2013-332\)](#) — published LW 28 June 2013

[Civil Procedure Amendment \(Fees\) Regulation 2013 \(2013-333\)](#) — published LW 28 June 2013

[Election Funding, Expenditure and Disclosures \(Adjustable Amounts\) Amendment Notice 2013 \(2013-334\)](#) — published LW 28 June 2013

[Fisheries Management Legislation Amendment \(Fees, Charges and Contributions\) Regulation 2013 \(2013-335\)](#) — published LW 28 June 2013

[Food Amendment \(Food Standards Code\) Regulation 2013 \(2013-336\)](#) — published LW 28 June 2013

[Industrial Relations \(General\) Amendment \(Fees\) Regulation 2013 \(2013-337\)](#) — published LW 28 June 2013

[Industrial Relations \(National System Employers\) Amendment \(Moree Artesian Aquatic Centre\) Order 2013 \(2013-322\)](#) — published LW 24 June 2013

- Industrial Relations (Public Sector Conditions of Employment) Amendment Regulation 2013 (2013-366) — published LW 28 June 2013
- Intoxicated Persons (Sobering Up Centres Trial) Amendment Regulation 2013 (2013-338) — published LW 28 June 2013
- National Energy Retail Law (Adoption) Amendment (Early Termination Charges and Site Specific Conditions) Regulation 2013 (2013-339) — published LW 28 June 2013
- Passenger Transport Amendment (Authorised Officers) Regulation 2013 (2013-340) — published LW 28 June 2013
- Protection of the Environment Operations Amendment (Scheduled Activities) Regulation 2013 (2013-341) — published LW 28 June 2013
- Public Finance and Audit Amendment (Office of the Children's Guardian) Proclamation 2013 (2013-342) — published LW 28 June 2013
- Public Sector Employment and Management (Transfer of Branch) Order 2013 (2013-343) — published LW 28 June 2013
- Relationships Register Amendment (Fees) Regulation 2013 (2013-344) — published LW 28 June 2013
- Road Transport (General) Amendment (Documentation) Regulation 2013 (2013-345) — published LW 28 June 2013
- Service NSW (One-stop Access to Government Services) Regulation 2013 (2013-323) — published LW 26 June 2013
- Transport Administration (Dissolution of Sydney Metro) Proclamation 2013 (2013-346) — published LW 28 June 2013
- Transport Administration (General) Amendment (Miscellaneous) Regulation 2013 (2013-347) — published LW 28 June 2013
- Transport Administration (General) Amendment (Sydney Metro) Regulation 2013 (2013-348) — published LW 28 June 2013
- Travel Agents Amendment (Substitution Trust Deed) Regulation 2013 (2013-349) — published LW 28 June 2013
- Victims Rights and Support (Victims Support Levy) Notice 2013 (2013-350) — published LW 28 June 2013
- Water Management (General) Amendment (Extension of Transitional Period) Regulation 2013 (2013-351) — published LW 28 June 2013
- Water Sharing Plan for the Lachlan Regulated River Water Source Amendment Order 2013 (2013-352) — published LW 28 June 2013
- Work Health and Safety Amendment (Fees and Transitional Provisions) Regulation 2013 (2013-353) — published LW 28 June 2013
- Workers Compensation (Weekly Payments Indexation) Amendment (Current Weekly Earnings) Order 2013 (2013-354) — published LW 28 June 2013
- Young Offenders Amendment (Youth on Track) Regulation 2013 (2013-355) — published LW 28 June 2013

Environmental Planning Instruments

- Liverpool Local Environmental Plan 2008 (Amendment No 29) (2013-356) — published LW 28 June 2013
- Narrandera Local Environmental Plan 2013 (2013-357) — published LW 28 June 2013
- Parramatta City Centre Local Environmental Plan 2007 (Amendment No 6) (2013-358) — published LW 28 June 2013
- Port Macquarie-Hastings Local Environmental Plan 2011 (Amendment No 16) (2013-359) — published LW 28 June 2013
- Rockdale Local Environmental Plan 2011 (Amendment No 5) (2013-360) — published LW 28 June 2013
- Wagga Wagga Local Environmental Plan 2010 (Amendment No 8) (2013-361) — published LW 28 June 2013

Assents to Acts

ACTS OF PARLIAMENT ASSENTED TO

Legislative Assembly Office, Sydney, 26 June 2013

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

Act No. 48 – An Act to appropriate out of the Consolidated Fund sums for the recurrent services and capital works and services of the Government for the year 2013-14. [**Appropriation Bill**]

Act No. 49 – An Act to appropriate out of the Consolidated Fund sums for the recurrent services and capital works and services of the Legislature for the year 2013-14. [**Appropriation (Parliament) Bill**]

Act No. 50 – An Act to make miscellaneous amendments to certain State revenue and other legislation in connection with the Budget for the year 2013-2014; and for other purposes. [**State Revenue and Other Legislation Amendment (Budget Measures) Bill**]

RONDA MILLER,
Clerk of the Legislative Assembly

ACTS OF PARLIAMENT ASSENTED TO

Legislative Assembly Office, Sydney, 1 July 2013

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

Act No. 51 – An Act to establish Local Land Services and to repeal the Rural Lands Protection Act 1998 and the Catchment Management Authorities Act 2003; and for other purposes. [**Local Land Services Act Bill**]

Act No. 52 – An Act to amend the Ports Assets (Authorised Transactions) Act 2012 to extend the operation of that Act to Port of Newcastle; and for other purposes. [**Ports Assets (Authorised Transactions) Amendment Bill**]

Act No. 53 – An Act to request the Parliament of the Commonwealth to enact under section 51 (xxxviii) of the Constitution of the Commonwealth an Act to change the law relating to royal succession and royal marriages; to amend the Imperial Acts Application Act 1969; and for related purposes. [**Succession to the Crown (Request) Bill**]

Act No. 54 – An Act to secure the health and safety of persons who work at mines; and for other purposes. [**Work Health and Safety (Mines) Bill**]

RONDA MILLER,
Clerk of the Legislative Assembly

OFFICIAL NOTICES

Appointments

CONSTITUTION ACT 1902

Ministerial Arrangements During the Absence from Duty
of the Premier and Minister for Western Sydney

PURSUANT to section 36 of the Constitution Act 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable A. J. STONER, M.P., Deputy Premier, Minister for Trade and Investment and Minister for Regional Infrastructure and Services, to act for and on behalf of the Premier, and that the Honourable V. M. Dominello, M.P., Minister for Citizenship and Communities and Minister for Aboriginal Affairs, to act for and on behalf of the Minister for Western Sydney, as on and from 6 July 2013, with a view to them performing the duties of the offices of the Premier, and Minister for Western Sydney respectively during my absence from duty.

BARRY O'FARRELL, M.P.,
Premier

Department of Premier and Cabinet, Sydney.
3 July 2013.

CONSTITUTION ACT 1902

Ministerial Arrangements During the Absence of the
Minister for Transport

PURSUANT to section 36 of the Constitution Act 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable D. J. Gay, M.L.C., Minister for Roads and Ports to act for and on behalf of the Minister for Transport, on and from 11 July 2013, with a view to his performing the duties of the Honourable G. BEREJKILIAN, during her absence from duty.

BARRY O'FARRELL, M.P.,
Premier

Department of Premier and Cabinet, Sydney.
3 July 2013.

CONSTITUTION ACT 1902

Ministerial Arrangements During the Absence of the
Treasurer and Minister for Industrial Relations

PURSUANT to section 36 of the Constitution Act 1902, Her Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable A. J. CONSTANCE, M.P., Minister for Ageing and Minister for Disability Services, to act for and on behalf of the Treasurer, and Minister for Industrial Relations on and from 7 July 2013, and the Honourable B. R. O'FARRELL, Premier and Minister for

Western Sydney, to act for and on behalf of the Treasurer, and Minister for Industrial Relations on and from 14 July 2013, with a view to them performing the duties of the Honourable M. B. BAIRD, M.P., during his absence from duty.

BARRY O'FARRELL, M.P.,
Premier

Department of Premier and Cabinet, Sydney.
3 July 2013.

ROYAL BOTANIC GARDENS AND DOMAIN TRUST ACT 1980

Royal Botanic Gardens and Domain Trust
Appointment

HER Excellency the Governor, with the advice of the Executive Council, in pursuance of section 6 of the Royal Botanic Gardens and Domain Trust Act 1980, has approved the appointment of Ms Diana EILERT as a member of the Royal Botanic Gardens and Domain Trust, from 19 June 2013 to 18 June 2016.

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

SYDNEY CRICKET AND SPORTS GROUND ACT 1978

Department of Education and Communities

Appointment of Trustees to the Sydney Cricket and
Sports Ground Trust

HER Excellency the Governor, with the advice of the Executive Council, pursuant to section 6(1)(a) of the Sydney Cricket and Sports Ground Act 1978, has appointed the persons listed below as members of the Sydney Cricket and Sports Ground Trust for a term commencing on 14 July 2013 and terminating on 13 July 2017:

Mr Rodney CAVALIER, AO (re-appointment).

Mr Alan JONES, AO (re-appointment).

Mr Anthony SHEPHERD, AO (re-appointment).

Mr Stephen WAUGH, AO (re-appointment).

Mr Ron GRAHAM, (new appointment).

Mr Nihal GUPTA (new appointment).

Ms Lynnette (Lyn) LARSEN (new appointment).

Ms Kay (Katie) PAGE (new appointment).

GRAHAM ANNESLEY, M.P.,
Minister for Sport and Recreation

Roads and Maritime Services

ROAD TRANSPORT (GENERAL) ACT 2005

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

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

Dated: 23 May 2013.

KEN TRETHEWAY,
General Manager,
Cootamundra Shire Council
(by delegation from the Minister for Roads)

SCHEDULE

1. Citation

This Notice may be cited Cootamundra Shire Council 25 Metre B-Double Route Notice No. 01/2013.

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

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

4. Application

This Notice applies to those 25 metre B-Double vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2010 and Schedule 2 of the Road Transport (Vehicle Registration) Regulation 2007.

5. Routes

<i>Type</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25m.	Parker Street.	Adams Street.	Wallendoon Street.	For use in emergency situations when directed by RMS, Police or Council.

ROAD TRANSPORT (GENERAL) ACT 2005

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

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

Dated: 23 May 2013.

STEVEN PINNUCK,
General Manager,
Greater Hume Shire Council
(by delegation from the Minister for Roads)

SCHEDULE**1. Citation**

This Notice may be cited Greater Hume Shire Council 25 Metre B-Double Route Notice No. 02/2013.

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

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

4. Application

This Notice applies to those 25 metre B-Double vehicles which comply with Schedule 1 of the Road Transport (Mass, Loading and Access) Regulation 2010 and Schedule 2 of the Road Transport (Vehicle Registration) Regulation 2007.

5. Routes

<i>Type</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25m.	Baird Street.	Olympic Highway.	Railway Parade.	For use in emergency situations when directed by RMS, Police or Council

ROADS ACT 1993

Notice of Dedication of Land as Public Road at Boomi
in the Moree Plains Shire Council area

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

T D Craig

Manager, Compulsory Acquisition & Road Dedication
Roads and Maritime Services

SCHEDULE

ALL that piece or parcel of land situated in the Moree
Plains Shire Council area, Parish of Boonangar and
County of Benarba, shown as Lot 3 Deposited Plan
1151323.

(RMS Papers: 10M1448; RO 291.1212)

Department of Trade and Investment, Regional Infrastructure and Services

MINERAL RESOURCES

NOTICE is given that the following applications have been received:

EXPLORATION LICENCE APPLICATIONS

(T13-1405)

No. 62, ISON ENERGY PTY LTD, area of 37 blocks, for Petroleum, dated 21 June 2013. (Lightning Ridge Mining Division).

(T13-1100)

No. 4839, FORCE RESOURCES PTY LIMITED (ACN 154 507 310), area of 24 units, for Group 1, dated 1 July 2013. (Cobar Mining Division).

(T13-1101)

No. 4840, QUEENSLAND BAUXITE LIMITED (ACN 124 873 507), area of 32 units, for Group 2, dated 1 July 2013. (Inverell Mining Division).

(T13-1102)

No. 4841, QUEENSLAND BAUXITE LIMITED (ACN 124 873 507), area of 125 units, for Group 2, dated 1 July 2013. (Inverell Mining Division).

(T13-1103)

No. 4842, ALKANE RESOURCES LTD (ACN 000 689 216), area of 14 units, for Group 1, dated 2 July 2013. (Orange Mining Division).

MINING LEASE APPLICATION

(13-1778)

No. 451, CENTENNIAL SPRINGVALE PTY LIMITED (ACN 052 096 812) and SPRINGVALE SK KORES PTY LIMITED (ACN 051 015 402), area of about 1256.71 hectares, to mine for coal, dated 15 May 2013. (Orange Mining Division).

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

NOTICE is given that the following applications have been granted:

EXPLORATION LICENCE APPLICATION

(T13-1001)

No. 4742, now Exploration Licence No. 8118, ABN IR PTY LTD (ACN 156 431 659), County of Gresham, Map Sheet (9338), area of 12 units, for Group 1, dated 27 June 2013, for a term until 27 June 2016.

MINING LEASE APPLICATION

(T12-1147)

Inverell No. 428, now Mining Lease No. 1687 (Act 1992), JESASU PTY LTD (ACN 001 654 682), Parish of Buckley, County of Arrawatta, Map Sheet (9138-1-S), area of 44.64 hectares, to mine for corundum, sapphire and zircon, dated 2 May 2013, for a term until 2 May 2023. As a result of the grant of this title, Assessment Lease No. 2 (Act 1992) has partly ceased to have effect.

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

NOTICE is given that the following application has been refused:

EXPLORATION LICENCE APPLICATION

(T12-1241)

No. 4685, GOLD AND COPPER RESOURCES PTY LIMITED (ACN 124 534 863), County of Wellington, Map Sheet (8632, 8731, 8732). Refusal took effect on 28 June 2013.

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

NOTICE is given that the following applications have been withdrawn:

EXPLORATION LICENCE APPLICATIONS

(T12-1249)

No. 4692, ARGENT MINERALS LIMITED (ACN 124 780 276), County of Bland and County of Bourke, Map Sheet (8329). Withdrawal took effect on 27 June 2013.

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

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

(T01-0097)

Exploration Licence No. 5874, ENDEAVOUR MINERALS PTY LTD (ACN 063 725 708), area of 3 units. Application for renewal received 1 July 2013.

(11-3407)

Exploration Licence No. 6818, DIVERSIFIED MINING PTY LTD (ACN 139 102 435), area of 32 units. Application for renewal received 2 July 2013.

(T11-0087)

Exploration Licence No. 7800, TARONGA MINES LIMITED (ACN 126 854 288), area of 67 units. Application for renewal received 2 July 2013.

(T11-0088)

Exploration Licence No. 7801, TARONGA MINES LIMITED (ACN 126 854 288), area of 34 units. Application for renewal received 2 July 2013.

(T04-0314)

Mining Claim converted to Lease No. 25 (Act 1992), Peter Graham CULVERSON, area of 2500 square metres. Application for renewal received 1 July 2013.

(T04-0315)

Mining Claim converted to Lease No. 30 (Act 1992), Peter Graham CULVERSON, area of 1296 square metres. Application for renewal received 1 July 2013.

(13-2398)

Mining Lease No. 1318 (Act 1992), CHARBON COAL PTY LIMITED (ACN 064 237 118) and SK NETWORKS RESOURCES AUSTRALIA PTY LTD (ACN 003 964 225), area of 983 hectares. Application for renewal received 1 July 2013.

(13-2384)

Mining Lease No. 1319 (Act 1992), CENTENNIAL SPRINGVALE PTY LIMITED (ACN 052 096 812) and SPRINGVALE SK KORES PTY LIMITED (ACN 051 015 402), area of 1.482 hectares. Application for renewal received 27 June 2013.

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

RENEWAL OF CERTAIN AUTHORITIES

NOTICE is given that the following authorities have been renewed:

(07-7940)

Authorisation No. 248, ILLAWARRA COAL HOLDINGS PTY LTD (ACN 093 857 286), Counties of Camden and Cumberland, Map Sheet (9029), area of 5592 hectares, for a further term until 19 December 2015. Renewal effective on and from 17 June 2013.

(06-2974)

Authorisation No. 372, CENTENNIAL MUNMORAH PTY LIMITED (ACN 101 508 963), County of Northumberland, Map Sheet (9131, 9231), area of 4310 hectares, for a further term until 2 June 2016. Renewal effective on and from 17 June 2013.

(06-2975)

Authorisation No. 383, CENTENNIAL MANNERING PTY LTD (ACN 101 509 120), County of Northumberland, Map Sheet (9231), area of 1745 hectares, for a further term until 2 June 2016. Renewal effective on and from 7 June 2013.

(06-2976)

Authorisation No. 384, CENTENNIAL MANNERING PTY LTD (ACN 101 509 120), County of Northumberland, Map Sheet (9131, 9231), area of 3163 hectares, for a further term until 2 June 2016. Renewal effective on and from 17 June 2013.

(07-2717)

Authorisation No. 435, COAL & ALLIED OPERATIONS PTY LTD (ACN 000 023 656), County of Durham, Map Sheet (9033), area of 79 hectares, for a further term until 8 May 2015. Renewal effective on and from 7 June 2013.

(06-2973)

Authorisation No. 441, CENTENNIAL MANNERING PTY LTD (ACN 101 509 120), County of Northumberland, Map Sheet (9231), area of 288 hectares, for a further term until 2 June 2016. Renewal effective on and from 7 June 2013.

(07-7941)

Exploration Licence No. 4470, ILLAWARRA COAL HOLDINGS PTY LTD (ACN 093 857 286), Counties of Camden and Cumberland, Map Sheet (9029), area of 4845 hectares, for a further term until 19 December 2015. Renewal effective on and from 17 June 2013.

(10-9018)

Exploration Licence No. 4918, WHITE MINING (NSW) PTY LIMITED (ACN 089 414 595) and ICRA ASHTON PTY LTD (ACN 097 499 780), County of Durham, Map Sheet (9133), area of 370 hectares, for a further term until 17 December 2015. Renewal effective on and from 7 June 2013.

(12-2035)

Exploration Licence No. 5418, COAL & ALLIED OPERATIONS PTY LTD (ACN 000 023 656), County of Durham, Map Sheet (9033), area of 38.2 hectares, for a further term until 8 May 2017. Renewal effective on and from 17 June 2013.

(11-1548)

Exploration Licence No. 5824, MAITLAND MAIN COLLIERIES PTY LTD (ACN 000 012 652), JFE STEEL AUSTRALIA (GC) PTY LTD (ACN 113 447 466), JS GLENNIES CREEK PTY LTD (ACN 113 447 055), NS GLENNIES CREEK PTY LIMITED (ACN 113 447 331), POS-GC PTY LTD (ACN 113 446 414) and VALE AUSTRALIA (GC) PTY LTD (ACN 097 238 349), County of Durham, Map Sheet (9133), area of 1102 hectares, for a further term until 18 March 2016. Renewal effective on and from 18 June 2013.

(12-4814)

Exploration Licence No. 6311, AUGUR RESOURCES LTD (ACN 106 879 690) and ZODIAC RESOURCES PTY LTD (ACN 147 515 839), County of Gordon, Map Sheet (8632), area of 49 units, for a further term until 26 September 2014. Renewal effective on and from 28 June 2013.

(T03-0901)

Exploration Licence No. 6336, AUGUR RESOURCES LTD (ACN 106 879 690), County of Flinders, Map Sheet (8233, 8234, 8333, 8334), area of 50 units, for a further term until 31 October 2015. Renewal effective on and from 21 June 2013.

(11-3076)

Exploration Licence No. 6428, RENISON COAL PTY LTD (ACN 100 163 942) and NORTHERN ENERGY CORPORATION LIMITED (ACN 081 244 395), County of Arrawatta, Map Sheet (9139), area of 585 hectares, for a further term until 6 June 2014. Renewal effective on and from 9 May 2013.

(12-1298)

Exploration Licence No. 6524, GLOUCESTER RESOURCES LIMITED (ACN 114 162 597), County of Gloucester, Map Sheet (9233), area of 2091 hectares, for a further term until 7 March 2015. Renewal effective on and from 7 June 2013.

(06-4113)

Exploration Licence No. 6679, FORGE MINERALS PTY LTD (ACN 121 258 713), County of Brisbane, Map Sheet (9134), area of 7 units, for a further term until 12 December 2013. Renewal effective on and from 26 June 2013.

(12-4028)

Exploration Licence No. 6856, CENTENNIAL SPRINGVALE PTY LIMITED (ACN 052 096 812) and SPRINGVALE SK KORES PTY LIMITED (ACN 051 015 402), County of Cook, Map Sheet (8931), area of 9053 hectares, for a further term until 8 August 2017. Renewal effective on and from 18 June 2013.

(07-0120)

Exploration Licence No. 6871, Elisa LUKES, County of Hardinge, Map Sheet (9137), area of 6 units, for a further term until 11 September 2014. Renewal effective on and from 24 June 2013.

(04-2200)

Exploration Licence No. 7123, CHARBON COAL PTY LIMITED (ACN 064 237 118) and SK NETWORKS RESOURCES AUSTRALIA PTY LTD (ACN 003 964 225), County of Roxburgh, Map Sheet (8832), area of 281 hectares, for a further term until 9 April 2016. Renewal effective on and from 17 June 2013.

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

REFUSAL OF APPLICATIONS FOR RENEWAL

NOTICE is given that the applications for renewal in respect of the following authorities have been refused:

(T08-0093)

Exploration Licence No. 7233, RIMFIRE PACIFIC MINING NL (ACN 006 911 744), County of Cunningham, Map Sheet (8431), area of 4 units. The authority ceased to have effect on 28 June 2013.

(T08-0096)

Exploration Licence No. 7234, RIMFIRE PACIFIC MINING NL (ACN 006 911 744), County of Cunningham, Map Sheet (8431), area of 4 units. The authority ceased to have effect on 28 June 2013.

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

TRANSFER

(T99-0447)

Mining Lease No. 811 (Act 1973), formerly held by AUGUR RESOURCES LTD (ACN 106 879 690) has been transferred to ZODIAC RESOURCES PTY LTD (ACN 147 515 839) and AUGUR RESOURCES LTD (ACN 106 879 690). The transfer was registered on 28 June 2013.

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

EXPIRY

Mining Claim converted to Lease No. 48 (Act 1992), Edwin Maurice DAWSON, Parish of Flagstone, County of Gough. This title expired on 30 June 2013.

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

PRIMARY INDUSTRIES**STOCK DISEASES ACT 1923**

Appointment of Inspector

Notification No. 548

I, ANDREW COLIN SANGER, Director, Biosecurity Compliance, with the delegated authority of the Director General of the Department of Trade and Investment, Regional Infrastructure and Services, pursuant to section 22C of the Stock Diseases Act 1923 (“the Act”) and pursuant to section 6(1) of the Act, hereby appoint Andrew Kenneth MINERS as an inspector for the purposes of the Act.

Dated this 2nd day of July 2013.

A. C. SANGER,
Director,
Biosecurity Compliance,
Department of Primary Industries
(an office within the Department of Trade and
Investment, Regional Infrastructure and Services)

LANDS**DUBBO CROWN LANDS OFFICE****45 Wingewarra Street (PO Box 1840), Dubbo NSW 2830****Phone: (02) 6883 3300 Fax: (02) 6884 2067****NOTICE OF ADDITIONAL PURPOSE PURSUANT
TO SECTION 34A(2)(B) OF THE CROWN LANDS
ACT 1989**

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

ANDREW STONER, M.P.,
Minister for Regional Infrastructure and Services

SCHEDULE 1

<i>Column 1</i>	<i>Column 2</i>
Environmental Protection and Sustainable Grazing (Relevant Interest – Section 34A, licence 508249).	Reserve No.: 49082. Public Purpose: Travelling stock. Notified: 16 July 1913. File No.: 12/08086.

SCHEDULE 2

<i>Column 1</i>	<i>Column 2</i>
Domestic Garden (Relevant Interest – Section 34A, Licence - LI 515063).	Reserve No.: 1013810. Public Purpose: Future public requirements. Notified: 29 June 2007. File No.: 13/09700.

SCHEDULE 3

<i>Column 1</i>	<i>Column 2</i>
Encroachments (Relevant Interest – S34A, Licence 510342).	Reserve No.: 88118. Public Purpose: Access and public recreation. Notified: 29 January 1971. File No.: 13/04056.

GRAFTON OFFICE
49-51 Victoria Street, Grafton NSW 2460
(PO Box 2185, Dangar NSW 2309)
Phone: (02) 6640 3400 Fax: (02) 6642 5375

NOTIFICATION OF CLOSING OF A ROAD

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

ANDREW STONER, M.P.,
Minister for Regional Infrastructure and Services

Description

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

Road Closed: Lot 1, DP 1136281.

File No.: OE05 H 239.

Schedule

On closing, the land within Lot 1, DP 1136281 remains vested in the State of New South Wales as Crown land.

Description

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

Road Closed: Lot 1, DP 1184562.

File No.: 07/2864.

Schedule

On closing, the land within Lot 1, DP 1184562 remains vested in the State of New South Wales as Crown land.

Description

*Parish – Qwyarigo; County – Clarence;
Land District – Grafton; L.G.A. – Clarence Valley*

Road Closed: Lot 3, DP 1176597.

File No.: 11/00916.

Schedule

On closing, the land within Lot 3, DP 1176597 remains vested in the State of New South Wales as Crown land.

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

ROADS ACT 1993

ORDER

Transfer of a Crown Road to a Council

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

ANDREW STONER, M.P.,
Minister for Regional Infrastructure and Services

SCHEDULE 1

Parish – Ellis; County – Brisbane;
Land District – Muswellbrook;
Local Government Area – Muswellbrook Shire Council

The Crown section of Skippens Road at Muswellbrook, 20.115m wide and approximately 640m in length, east of Lot 5, DP 801249 (as highlighted on the diagram below).



SCHEDULE 2

Roads Authority: Muswellbrook Shire Council.

Council's Reference: Skippens Road.

Lands File Reference: 13/11595.

NEWCASTLE OFFICE
437 Hunter Street, Newcastle NSW 2300
(PO Box 2185, Dangar NSW 2309)
Phone: (02) 1300 052 637 Fax: (02) 4925 3517

NOTIFICATION OF CLOSING OF A ROAD

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

ANDREW STONER, M.P.,
Minister for Regional Infrastructure and Services

Description

*Parish – Kars; County – Cunningham;
Land District – Condobolin; L.G.A. – Lachlan*

Road Closed: Lot 4, DP 1184652.

File No.: 08/10025.

Schedule

On closing, the land within Lot 4, DP 1184652 remains vested in the State of New South Wales as Crown land.

Description

*Parish – South Borambil; County – Gipps;
Land District – Condobolin; L.G.A. – Lachlan*

Road Closed: Lot 5, DP 1181855.

File No.: CL/00610.

Schedule

On closing, the land within Lot 5, DP 1181855 remains vested in the State of New South Wales as Crown land.

Description

*Parish – Bundaburra; County – Cunningham;
Land District – Condobolin; L.G.A. – Lachlan*

Road Closed: Lot 1, DP 1181468.

File No.: CL/00824.

Schedule

On closing, the land within Lot 1, DP 1181468 remains vested in the State of New South Wales as Crown land.

Description

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

Road Closed: Lots 5-6, DP 1185000 (subject to right of carriageway created by Deposited Plan 1185000).

File No.: 10/16201.

Schedule

On closing, the land within Lots 5-6, DP 1185000 remains vested in the State of New South Wales as Crown land.

Description

*Parish – Yarrunga; County – Camden;
Land District – Moss Vale; L.G.A. – Wingecarribee*

Road Closed: Lot 1, DP 1184559.

File No.: 12/04648.

Schedule

On closing, the land within Lot 1, DP 1184559 becomes vested in the State of New South Wales as Crown land.

Council's Reference: DA 06/1335 SW:AS.

Description

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

Road Closed: Lot 2, DP 1182421.

File No.: 12/05360.

Schedule

On closing, the land within Lot 2, DP 1182421 remains vested in the State of New South Wales as Crown land.

Description

*Parish – Weetangera; County – Murray;
Land District – Queanbeyan; L.G.A. – Yass Valley*

Road Closed: Lots 1-3, DP 1184677 (subject to right of carriageway created by Deposited Plan 1184677).

File No.: GB05 H 252.

Schedule

On closing, the land within Lots 1-3, DP 1184677 remains vested in the State of New South Wales as Crown land.

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

NOTIFICATION OF CLOSING OF A ROAD

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

ANDREW STONER, M.P.,
Minister for Regional Infrastructure and Services

Description

*Parish – Currajong; County – Ashburnham;
Land District – Parkes; L.G.A. – Parkes*

Road Closed: Lot 1, DP 1180543.

File No.: CL/00805.

Schedule

On closing, the land within Lot 1, DP 1180543 remains vested in the State of New South Wales as Crown land.

Description

*Parish – Nimbo; County – Buccleuch;
Land District – Cooma; L.G.A. – Tumut*

Road Closed: Lot 1, DP 1170604 (subject to easement for Transmission Line created by Deposited Plan 1170604).

File No.: GB06 H 143.

Schedule

On closing, the land within Lot 1, DP 1170604 remains vested in the State of New South Wales as Crown land.

Description

*Parish – Krawarree; County – Murray;
Land District – Braidwood; L.G.A. – Palerang*

Road Closed: Lot 1, DP 1186354.

File No.: 13/04251.

Schedule

On closing, the land within Lot 1, DP 1186354 remains 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

**REMOVAL FROM OFFICE OF ADMINISTRATOR
OF RESERVE TRUST**

PURSUANT to section 119(1a) of the Crown Lands Act 1989, the Administrator specified in Schedule 1 hereunder, is removed from the office of manager of the reserve trust specified in Schedule 2, which is trustee of the reserve referred to in Schedule 3.

ANDREW STONER, M.P.,
Minister for Regional Infrastructure and Services

SCHEDULE 1

Anna Victoria SHAW.

SCHEDULE 2

Central Tablelands Heritage Lands Trust.

SCHEDULE 3

Reserve No.: 97960.

Public Purpose: Public recreation.

Notified: 25 October 1985.

Reserve No.: 81412.

Public Purpose: Public recreation.

Notified: 20 February 1959.

Reserve No.: 190027.

Public Purpose: Public recreation.

Notified: 30 January 1987.

File No.: OE81 R 131.

TAMWORTH OFFICE**25-27 Fitzroy Street (PO Box 535), Tamworth NSW 2340****Phone: (02) 6764 5100 Fax: (02) 6766 3805****ROADS ACT 1993****ORDER**

Transfer of Crown Road to Council

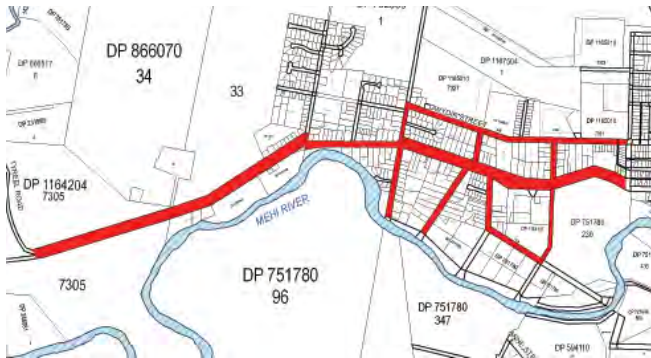
IN pursuance of provisions of section 151, Roads Act 1993, the Crown public roads specified in Schedule 1 are transferred to the Roads Authority specified in Schedule 2 hereunder, as from the date of publication of this notice and as from that date, the roads specified in Schedule 1 cease to be Crown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

ANDREW STONER, M.P.,

Minister for Regional Infrastructure and Services

SCHEDULE 1*Parish – Moree; County – Courallie;**Land District – Moree; L.G.A. – Moree Plains Shire*

Crown public roads of variable width as shown by solid red shading on diagram hereunder.

**SCHEDULE 2**

Roads Authority: Moree Plains Shire Council.

File No.: 13/11438.

Council's Reference: Ross Harris.

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.

ANDREW STONER, M.P.,

Minister for Regional Infrastructure and Services

SCHEDULE*Column 1*

Land District: Tamworth.

Local Government Area:

Tamworth Regional.

Locality: North Tamworth.

Reserve No.: 753848.

Public Purpose: Future public requirements.

Notified: 29 June 2007.

File No.: 13/09802.

Column 2

The part being Lot 61,
DP No. 1161239, Parish
Tamworth, County Inglis, of
807.2 square metres.

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

**ALTERATION OF PURPOSE/CONDITIONS OF A
WESTERN LANDS LEASE**

IT is hereby notified that in pursuance of the provisions of section 18J, Western Lands Act 1901, the purpose and conditions of the undermentioned Western Lands Lease have been altered as shown.

ANDREW STONER, M.P.,
Minister for Regional Infrastructure and Services

Administrative District – Hillston North;
Shire – Central Darling;
Parish of Matheson; County of Manara

The purpose/conditions of Western Lands Leases 2404 and 5727, being the land contained within Folio Identifiers 467/761324 and 3411/765700 respectively have been altered from “Grazing” to “Grazing, Farm Tourism and Recreational Hunting” effective from 1 July 2013.

As a consequence of the alteration of purpose and conditions rent will be assessed annually in line with the Western Lands Act 1901 and Regulations.

The conditions previously annexed to Western Lands Lease 2404 and 5727 have been revoked and the following conditions have been annexed thereto.

**CONDITIONS AND RESERVATIONS ATTACHED TO
WESTERN LANDS LEASE WLL Nos 2404 and 5727**

- (1) In the conditions annexed to the lease, the expression “the Minister” means the Minister administering the Western Lands Act 1901, and any power, authority, duty or function conferred or imposed upon the Minister by or under those conditions may be exercised or performed either by the Minister or by such officers of the Department of Trade and Investment as the Minister may from time to time approve.
- (2) In these conditions and reservations the expression “the Commissioner” means the Commissioner charged with the administration of the Western Lands Act 1901 (“the Act”) in accordance with section 4(2) of the Act.
- (3) (a) For the purposes of this clause the term Lessor shall include Her Majesty the Queen Her Heirs and Successors the Minister and the agents servants employees and contractors of the Lessor Her Majesty Her Majesty’s Heirs and Successors and the Minister.
 (b) The lessee covenants with the Lessor to indemnify and keep indemnified the Lessor from and against all claims for injury loss or damage suffered by any person or body using or being in or upon the Premises or any adjoining land or premises of the Lessor arising out of the Holder’s use of the Premises and against all liabilities for costs charges and expenses incurred by the Lessor in respect of the claim of any such person or body except to the extent that any such claims and demands arise wholly from any negligence or wilful act or omission on the part of the Lessor.
- (c) The indemnity contained in this clause applies notwithstanding that this Lease authorised or required the lessee to undertake or perform the activity giving rise to any claim for injury loss or damage.
- (d) The lessee expressly agrees that the obligations of the Holder under this clause shall continue after the expiration or sooner determination of this Lease in respect of any act deed matter or thing occurring before such expiration or determination.
- (4) The lessee will (without in any way limiting the liability of the lessee under any other provision of this lease) forthwith take out and thereafter during the Term keep current a public risk insurance policy for \$10,000,000 for any one claim (or such other reasonable amount as the Minister may from time to time specify in writing to the lessee) whereby the Minister shall during the continuance of this lease be indemnified against all actions suits claims demands proceedings losses damages compensations costs charges and expenses mentioned or referred to in this lease to which the Minister shall or may be liable.
- (5) The rent of the lease shall be assessed in accordance with Part 6 of the Western Lands Act 1901.
- (6) The rent shall be due and payable annually in advance on 1 July in each year.
- (7) (a) “GST” means any tax on goods and/or services, including any value-added tax, broad-based consumption tax or other similar tax introduced in Australia.
 “GST law” includes any Act, order, ruling or regulation, which imposes or otherwise deals with the administration or imposition of a GST in Australia.
 (b) Notwithstanding any other provision of this Agreement:
 (i) If a GST applies to any supply made by either party under or in connection with this Agreement, the consideration provided or to be provided for that supply will be increased by an amount equal to the GST liability properly incurred by the party making the supply.
 (ii) If the imposition of a GST or any subsequent change in the GST law is accompanied by or undertaken in connection with the abolition of or reduction in any existing taxes, duties or statutory charges (in this clause “taxes”), the consideration payable by the recipient of the supply made under this Agreement will be reduced by the actual costs of the party making the supply that are reduced directly or indirectly as a consequence of the abolition of or reduction in taxes.
- (8) The lessee must pay all rates and taxes assessed on or in respect of the land leased during the currency of the lease.

- (9) The lessee must hold and use the land leased bona fide for the lessee's own exclusive benefit and shall not transfer, convey or assign the land or any portion thereof without having first obtained the written consent of the Minister.
- (10) The lessee must not enter into a sublease of the land leased unless the sublease specifies the purpose for which the land may be used under the sublease, and it is a purpose which is consistent with the purpose for which the land may be used under this lease.
- (11) If the lessee enters into a sublease of the land leased, the lessee must notify the Commissioner of the granting of the sublease within 28 days after it is granted.
- (12) The land leased must be used only for the purpose of **Grazing, Farm Tourism and Recreational Hunting**.
- (13) The lessee must maintain and keep in reasonable repair all improvements on the land leased during the currency of the lease and must permit the Minister or the Commissioner or any person authorised by the Minister or the Commissioner at all times to enter upon and examine the whole or any part of the land leased and the buildings or other improvements thereon.
- (14) The lessee must ensure that the land leased is kept in a neat and tidy condition to the satisfaction of the Commissioner and not permit refuse to accumulate on the land.
- (15) Upon termination or forfeiture of the lease the Commissioner may direct that the former lessee remove any structure or material from the land at his own cost and without compensation. Where such a direction has been given the former lessee must leave the land in a clean and tidy condition free from rubbish and debris.
- (16) The lessee must, within 1 year from the date of commencement of the lease or such further period as the Commissioner may allow, enclose the land leased, either separately or conjointly with other lands held in the same interest, with a suitable fence to the satisfaction of the Commissioner.
- (17) The lessee must undertake any fuel management and/or provision of fire trail access in accordance with fire mitigation measures to the satisfaction of the NSW Rural Fire Service.
- (18) The lessee must not use any vehicle for the purpose of "Farm Tourism or Recreational Hunting" (and shall take all reasonable steps to prevent any other person from using any vehicle for the purpose of "Farm Tourism") on any part of the lease identified under the provisions of the Soil Conservation Act 1938 as protected land or as being environmentally sensitive.
- (19) The lessee must ensure that any access tracks must be arranged in such a manner as to minimise the disturbance of any land surface.
- (20) The lessee must ensure that all traffic is contained to the designated tracks in order to reduce the impact on soil and vegetation including potential wind and water erosion on those tracks.
- (21) The lessee must not erect or permit any person to erect any buildings or extend any existing buildings on the land leased except in accordance with plans and specifications approved by the Council of the local government area.
- (22) The lessee shall ensure that any European heritage sites, artefacts, buildings or other areas of significance will not be damaged, destroyed or defaced by either the lessee or other persons present on the leased land.
- (23) The lessee shall undertake any appropriate measures, at his/her own expense as ordered by the Commissioner to rehabilitate any degraded or disturbed areas.
- (24) No excavation will be undertaken on the lease area for the purpose of farm tourism, or recreational hunting.
- (25) No building, structure or other thing that is a fixture (other than a fence or gate) shall be constructed or placed on the lease area for the purpose of farm tourism or recreational hunting.
- (26) No garbage or poisonous, toxic or hazardous substance arising from the use of the land for farm tourism, film making or recreational hunting shall be stored or disposed on the lease area.
- (27) No clearing of the land shall be undertaken for the purpose of farm tourism or recreational hunting.
- (28) No right of exclusive possession is conferred on the lessee by reason of the variation of purpose of the lease by the addition of the purpose of "farm tourism".
- (29) No right of exclusive possession is conferred on the lessee by reason of the variation of purpose of the lease by the addition of the purpose of "recreational hunting".
- (30) (a) The lessee must not use the subject land for recreational hunting on more than 100 days in any one calendar year.
(b) The lessee must in using the subject land for recreational hunting take all reasonable precautions to ensure that persons exercising any native title rights and interests on the land are not put at risk or interfered with in the exercise of their rights and interests by reason of the use of the land for that purpose.
(c) The lessee must when using the subject land for recreational hunting:
 - (i) ensure that all persons entering upon the land for recreational hunting are licensed to carry firearms under the Firearms Act 1996
 - (ii) take all reasonable precautions to ensure that hunting is undertaken in a safe manner and that ethical firearm practices are observed when shooting near boundaries
 - (iii) ensure that all persons entering upon the land for recreational hunting are provided with a map of the property clearly defining the lease/property boundaries
 - (iv) place at the perimeter of the subject land appropriate warning signs stating that the subject land is being used for recreational hunting
 - (v) ensure that only feral animals are hunted except where persons are otherwise licensed to take or kill fauna under the National Parks and Wildlife Act 1976
 - (vi) ensure that adequate provision is made for the removal and disposal of animal carcasses.

- (31) The lessee must not destroy populations or any endangered or threatened species, damage the critical habitat of endangered species, populations and ecological communities or damage the habitat of any threatened species, populations or ecological communities scheduled in the Threatened Species Conservation Act 1995 on any part of the lease whilst using the lands for the purpose of "recreational hunting" and shall prevent any other person from doing the same.
- (32) The lessee will not without the written consent of the Minister by any act matter or deed or by failure or omission cause or permit to be imposed on the Minister any liability of the Holder under or by virtue of this Lease in the use of the land for the purpose of recreational hunting.
- (33) (a) For the purposes of this clause the term Minister shall include Her Majesty the Queen Her Heirs and Successors the State of New South Wales the Minister and the agents servants employees and contractors of Her Majesty Her Majesty's Heirs and Successors the State of New South Wales and the Minister.
- (b) The lessee agrees that the lessee will indemnify and keep indemnified the Minister from and against all actions suits claims and demands of whatsoever nature and all costs charges and expenses in respect of any accident or injury to any person or property which may arise out of the use of the subject land for the purpose of recreational hunting.
- (c) The lessee expressly agrees that the obligations of the lessee under this clause shall continue after the expiration or other determination of this Lease in respect of any act deed matter or thing happening before such expiration or determination.
- (34) (a) The lessee will forthwith take out and thereafter during the Term keep current a public risk insurance policy for the amount of \$10 000 000 for any one claim (or such other reasonable amount as the Minister may from time to time specify in writing to the Holder) in respect of the use of the land for recreational hunting whereby the Minister shall during the continuance of the Lease be indemnified against all actions suits claims demands proceedings losses damages compensation costs charges and expenses.
- (b) The following provisions apply to all policies of insurance required to be effected by the lessee:
- (i) Where the Minister serves a notice on the Holder directing the Holder to enter into a policy with an insurer approved by the Minister the policy is to be entered into with an insurer approved by the Minister. The Minister shall specify a list of approved insurers in any notice served under this paragraph. Where the Minister does not serve a notice as provided for in this paragraph policies of insurance shall be entered into with an insurer carrying on business in Australia.
- (ii) All policies are to contain conditions and exclusions commonly effected in relation to the type of activity undertaken on the Premises and the nature of the Premises provided that the Minister may by notice served on the Holder direct the Holder to enter into a policy containing specified provisions or which does not contain specified provisions or exclusions and the Holder shall use his best endeavours to comply with the direction.
- (iii) All policies are to be taken out in the names of the Minister and the Holder for their respective rights and interests and in the name of such other parties having an insurable interest as the Minister may require.
- (iv) Duplicate or certified copies of the policies and all renewal certificates and endorsement slips are to be lodged by the Holder with the Minister if required by the Minister.
- (v) All premiums payable in respect of policies and renewals of policies are to be paid punctually by the Holder and the receipt of each premium payable in respect of each policy (or other proof of payment to the Minister's satisfaction) is to be produced by the Holder to the Minister at the request of the Minister.
- (vi) Where the Minister has served notice on the Holder under paragraph (I) the Holder will use all reasonable endeavours to ensure that the insurer which issues a policy advises the Minister of any failure by the Holder to renew any policy or pay any premium in respect thereof.
- (vii) The Holder will not at any time during the Term do or bring upon the Premises anything whereby any insurance relating to the Premises against damage by fire and other risks may be rendered void or voidable. If the Holder does or brings anything upon the Premises whereby the premium on the insurance shall be liable to be increased the Holder will obtain insurance cover for the increased risk and pay all additional premiums (if any) required to be paid.
- (viii) The Holder will use all reasonable endeavours to ensure that full true and particular information is given to the insurer with which the insurances are effected of all matters and things the non-disclosure of which might in any way prejudice or affect any policy of insurance or the payment of all or any moneys thereunder.
- (c) The Minister in his own name or as the attorney of the Holder in the name of the Holder shall be entitled to institute all proceedings against any insurer which issues a policy of insurance required by the Lease to recover from it any amount for loss damage or injury or other money payable under any indemnity in favour of the Minister. The Holder hereby appoints the Minister the attorney of the Holder for the purpose as aforesaid.
- (d) The Holder expressly agrees that the provisions of sub clause (b) continue in force after the Termination Date.
- (35) The lessee may grant a licence to a person to use the subject land for recreational hunting provided:-
- (a) the licence is in writing; and

- (b) contains conditions in or to the effect of the following:
- (i) the licence does not confer on the licensee any right to the exclusive possession of the subject land;
 - (ii) the licensee must not excavate or clear the subject land;
 - (iii) the licensee must not construct or place on the subject land by building, structure or other thing being a fixture (other than a fence or gate);
 - (iv) the licensee must not deposit or store on the subject land any garbage or poisonous toxic or hazardous substances;
 - (v) (a) The licensee must not use the subject land for recreational hunting on more than 100 days in any one calendar year.
 - (b) The licensee must in using the subject land for recreational hunting take all reasonable precautions to ensure that persons exercising any native title rights and interests on the subject land are not put at risk or interfered with in the exercise of their rights and interests by reason of the use of the subject land for that purpose.
- (c) The licensee will place at the perimeter of the subject land appropriate warning signs stating that the subject land is being used for recreational hunting.
- (vi) the licence will expire upon an approved determination of native title [within the meaning of section 13 of the Native Title Act 1993 (C'wealth)] in relation to any part of the land where the determination is that native title exists.
- (36) The variation of the purpose of this lease by the addition of the purpose of farm tourism and recreational hunting will lapse upon an approved determination of native title [within the meaning of section 13 of the Native Title Act 1993 (C'wealth)] in relation to the subject land where the determination is that native title exists.

GRANTING OF A WESTERN LANDS LEASE

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

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

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

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

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

ANDREW STONER, M.P.,
Minister for Regional Infrastructure & Services

SCHEDULE

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

WLL No.	Name of Lessee	File No.	Folio Identifier	Area (m ²)	Term of Lease	
					From	To
15163	Lajla Holmgaard PEDERSEN and Louis David ROUSSEL	12/04964	43/1065215	1963	19 June 2013	18 June 2033
16215	Robert HALL	08/8355	8002/1169647	2046	28 June 2013	27 June 2033

WATER

WATER ACT 1912

Order under Section 166(1)

Amendment of Designation of Floodplain Area
Lower Cocks Creek

THE Water Administration Ministerial Corporation, by this Order pursuant to section 166(1) of Part 8 of the Water Act 1912, hereby amends the floodplain designation known as the Liverpool Plains Flood Plain (16th December 1994), to exclude the lands set out in the Schedule to this Notice.

Dated at Sydney, this day of 2013.

DAVID HARRISS,
Commissioner,
NSW Office of Water,
signed for the Minister of Primary Industries
(by delegation)

SCHEDULE

Those parts of that area situated in New South Wales and:

- (a) being within the Shire of Gunnedah, and Warrumbungle, and Narrabri;
- (b) shown on the diagram hereunder; and
- (c) exclusive of all towns, villages and their environs.



Larger maps of the area and exclusions to which this Order relates are available for public inspection during office hours at the Tamworth and Narrabri offices of the NSW Office of Water.

WATER ACT 1912

Order under Section 166(1)

Designation of Floodplain Area
Lower Cocks Creek Floodplain

THE Water Administration Ministerial Corporation, by this Order pursuant to section 166(1) of Part 8 of the Water Act 1912, designates the lands set out in the Schedule to this Notice as a floodplain which is to be known as the Lower Cocks Creek Floodplain.

Dated at Sydney, this day of 2013.

DAVID HARRISS,
Commissioner,
NSW Office of Water,
signed for the Minister of Primary Industries
(by delegation)

SCHEDULE

Those parts of that area situated in New South Wales and:

- (a) being within the Shire of Gunnedah, and Warrumbungle, and Narrabri;
- (b) shown on the diagram hereunder; and
- (c) exclusive of all towns, villages and their environs.



Larger maps of the area and exclusions to which this Order relates are available for public inspection during office hours at the Tamworth and Narrabri offices of the NSW Office of Water.

WATER ACT 1912

Notice under Section 166A of the Water Act 1912

Adoption of Floodplain Management Plan

Lower Cocks Creek Floodplain Management Plan

PURSUANT to section 166A of the Water Act 1912, and having considered the matters set out in section 166C of the Act, the Water Administration Ministerial Corporation has adopted the Lower Cocks Creek as a floodplain management plan for the lands set out in the Schedule to this Notice.

SCHEDULE

That part of the Liverpool Plains Floodplain, designated as a floodplain by Order published in the *New South Wales Government Gazette*, dated 16th December 1994, being the area situated in New South Wales in the catchment of the Liverpool Plains, shown on the map hereunder.



Larger maps of the area and exclusions to which this notice relates are available for public inspection during office hours at the Tamworth and Narrabri offices of the NSW Office of Water.

STATE WATER CORPORATION ACT 2004

State Water Corporation Operating Licence 24 June 2013 to 30 June 2013

Renewal and amendment under Sections 13 and 14

I, Professor MARIE BASHIR, AC, Governor of the State of New South Wales, with the advice of the Executive Council and in pursuance of sections 13 and 14 of the State Water Corporation Act 2004, hereby amend and renew the Operating Licence of State Water Corporation for the period 24 June 2013 to 30 June 2013, in the form set out below.

Signed at Sydney, this 29th day of May 2013.

MARIE BASHIR,
Governor of New South Wales

Operating Licence

State Water Corporation Operating Licence
24 June 2013 to 30 June 2013

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State Water Corporation Operating Licence 24 June 2013 – 30 June 2013

1 Information about the Licence**1.1 Purpose of the Licence**

The purpose of the Licence is to set out the terms and conditions under which State Water is to:

- (a) meet the objectives and other requirements imposed on it in the Act;
- (b) provide, construct, operate, manage and maintain efficient, co-ordinated and commercially viable systems and services for capturing, storing and releasing water;
- (c) recognise the rights given to Customers and the community by the Licence;
- (d) be subject to audits of compliance with the Licence;
- (e) undertake the Functions of the Minister administering the *Water Management Act 2000* under that Act or the *Water Act 1912* or the Ministerial Corporation under any Act or law conferred on State Water by the Licence; and
- (f) comply with the quality and performance standards in the Licence.

Note: The Licence is granted pursuant to section 11 (1) of the Act.

1.2 Term of the Licence

- 1.2.1 The Licence is renewed for a term of 7 days from 24 June 2013 to 30 June 2013, inclusive.
- 1.2.2 Notwithstanding the expiry of the term, the Governor may renew the Licence in accordance with the Act.

1.3 Not applicable**1.4 Not applicable****1.5 Amendment of the Licence**

- 1.5.1 Subject to the Act and clause 1.5.2, the Licence may be amended by the Governor by publication of notice of the amendment in the Gazette.
- 1.5.2 Before notice of an amendment to the Licence is published in the Gazette, the Minister must give to State Water reasonable notice of the proposed amendment to enable it to comply with the amendments (if relevant) upon their commencement.

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1.6 Contravention of the Licence

- 1.6.1 If the Minister is of the opinion that State Water has contravened the Licence, the Minister may take action against State Water under the Act.

Note: Section 16 of the Act provides that, where the Minister is of the opinion that State Water has contravened the Licence, the Minister may:

- (a) serve a notice on State Water requiring it to rectify the contravention; or*
- (b) in addition to or instead of the notice to rectify, the Governor may direct that State Water is to pay a monetary penalty of an amount to be determined by the Governor.*

- 1.6.2 If State Water knowingly contravenes the Licence, IPART may take action against State Water under the Act.

Note: Section 17 of the Act provides that, where State Water knowingly contravenes the Licence, IPART may require State Water to undertake remedial action or may impose a monetary penalty not exceeding \$10,000 for the first day on which the contravention occurs and a further \$1,000 for each subsequent day (not exceeding 30 days) on which the contravention continues.

1.7 Cancellation of the Licence

The Licence may be cancelled by the Governor in the circumstances described in the Act.

1.8 Availability of the Licence

State Water must make the Licence available to the public.

2 State Water's Responsibilities**2.1 Responsibility of State Water under the Licence and other laws**

- 2.1.1 State Water must comply with the Licence and all applicable laws.

Note: State Water has obligations under a number of laws including:

- (a) State Water Corporation Act 2004;*
- (b) Water Management Act 2000;*
- (c) Water Act 1912;*
- (d) Protection of the Environment Operations Act 1997;*
- (e) Independent Pricing and Regulatory Tribunal Act 1992;*
- (f) Environmental Planning and Assessment Act 1979;*
- (g) State Owned Corporations Act 1989;*
- (h) Dams Safety Act 1978;*

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- (i) *Fisheries Management Act 1994;*
- (j) *Public Health Act 1991;*
- (k) *Fluoridation of Public Water Supplies Act 1957; and*
- (l) *Water Act 2007 (Cth).*

2.2 Objectives of State Water under the Act

- 2.2.1 State Water's principal objectives are to capture, store and release water in an efficient, effective, safe and financially responsible manner.
- 2.2.2 State Water's other objectives (each of which are of equal importance, but not as important as its principal objectives) are:
 - (a) to be a successful business and to that end:
 - (i) to operate at least as efficiently as any comparable business; and
 - (ii) to maximise the net worth of the State's investment in State Water;
 - (b) to exhibit a sense of social responsibility by having regard to the interests of the community in which State Water operates;
 - (c) where its activities affect the environment, to conduct its operations in compliance with the principles of ecologically sustainable development contained in section 6(2) of the *Protection of the Environment Administration Act 1991*; and
 - (d) to exhibit a sense of responsibility towards regional development and decentralisation in the way in which it operates.

2.3 Memoranda of Understanding

- 2.3.1 State Water must use its best endeavours to maintain a Memorandum of Understanding (MoU) with each of the Directors-General of DWE, DPI and DECC for the term of the Licence.
- 2.3.2 The purpose of the MoUs is to form the basis for co-operative relationships between the parties to each MoU, in particular:
 - (a) the MoU with DWE is to:
 - (i) recognise the roles of DWE in regulating water access, use and management and State Water in releasing water and managing assets; and
 - (ii) address the co-ordination of Functions and associated responsibilities between DWE and State Water in undertaking their respective roles;

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- (b) the MoU with DPI is to:
 - (i) recognise the role of DPI as the agency responsible for fisheries management in the State; and
 - (ii) address the impact of State Water's operations and information sharing arrangements on the aquatic habitat and fish passage;
 - (c) the MoU with DECC is to:
 - (i) recognise the role of DECC as the agency responsible for environmental protection and conservation of natural and cultural heritage; and
 - (ii) address the impact of State Water's operations and information sharing arrangements on river health and water quality.
- 2.3.3 Clause 2.3.1 does not limit the persons or regulatory agencies with whom State Water may enter into a MoU.
- 2.3.4 State Water must make available to the public the MoUs referred to in clause 2.3.1.
- 2.3.5 Not applicable.
- 2.3.6 Not applicable.

2.4 Functions of State Water arising from other legislation

Note: Section 6 of the Act specifies the principal Functions of State Water as follows:

- (a) *to capture and store water and to release water:*
 - (i) *to persons entitled to take the water, including release to regional towns;*
 - (ii) *for the purposes of flood management; and*
 - (iii) *for any other lawful purpose, including the release of environmental water;*
- (b) *to construct, maintain and operate water management works;*
- (c) *any other Functions conferred or imposed on it by the operating licence or by or under this or any other Act or law.*

In addition, under section 12 of the Act the Licence may confer on State Water specified Functions of the Minister administering the Water Management Act 2000 under that Act or the Water Act 1912 or the Ministerial Corporation under any Act or law. Functions conferred on State Water may also be exercised by the Minister or Ministerial Corporation unless these Functions are exclusively

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conferred on State Water. The Functions conferred under this clause are not conferred exclusively.

2.4.1 “The following Functions under the specified sections of the *Water Management Act 2000* are conferred on State Water by the Licence:

- a) debiting water from water accounts and/or imposing civil penalties under section 60G, subject to the condition that State Water provide 14 days written notification of any proposed action to the Executive Director, Water Legal and Compliance of DWE or the Deputy Director General, Water Management of DWE prior to taking that action;
- b) approving the form of an application for an assignment dealing with an access licence under section 71L, subject to any requirement approved by the Minister.
- c) granting consents to temporary water transfers under sections 71T and 71V;
- d) debiting and crediting of water accounts under sections 76, 85 and 85A, subject to the condition that State Water provide water account information to DWE;
- e) suspending access licences under section 78 and suspending approvals under section 109 in relation to a failure to pay any fees, charges or civil penalties imposed by State Water;
- f) authorising the taking of water by means of a metered work while its metering equipment is not operating properly under section 91I(3) subject to any requirement approved by the Minister
- g) imposing and recovering fees and charges under section 114 consistent with any relevant determination in relation to the price of Bulk Water made by IPART or any other pricing authority vested with the power to determine water prices for State Water;
- h) directing temporary water restrictions under section 324 where water restrictions are required as a result of an emergency works failure. In such cases, State Water must notify in writing to the Executive Director, Water Legal and Compliance of DWE or the Deputy Director General, Water Management of DWE as soon as practicable after making any direction;
- i) issuing directions under section 325 concerning taking and using water in accordance with any mandatory guidelines established under section 336B and/or waste of water subject to any requirement approved by the Minister and provided directions concerning the waste of water are not contrary to any applicable mandatory guidelines under section 336B,

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- j) issuing directions to install metering equipment under section 326, subject to any requirement approved by the Minister
- k) issuing directions to stop work where unlawful activity is occurring under section 327, subject to any requirement approved by the Minister;
- l) issuing directions concerning unusable Water Management Works under section 329, subject to any requirement approved by the Minister;
- m) issuing directions for temporary stop work orders under section 330, subject to any requirement approved by the Minister;
- n) issuing directions to holders of basic landholder rights under section 331, subject to any requirement approved by the Minister;
- o) ordering landholders to take specified measures to prevent damage to water management works by straying stock under section 332, subject to any requirement approved by the Minister;
- p) issuing directions to protect water sources under section 333, subject to any requirement approved by the Minister;
- q) issuing directions to prepare reports under section 334, subject to any requirement approved by the Minister
- r) applying to the Land and Environment Court for an injunction under section 335, subject to any requirement approved by the Minister
- s) taking remedial measures when a person fails to comply with directions, under section 336A, subject to any requirement approved by the Minister;
- t) issuing directions concerning the production of information and records under section 338A(1) to require production of information and records related to metering;
- u) issuing certificates under section 362B, subject to any requirement approved by the Minister;
- v) recovering fees, charges and civil penalties under sections 362A and 362C, subject to any requirement approved by the Minister; “

2.4.2 The following Functions under the specified sections of the *Water Act* 1912 are conferred on State Water by the Licence in relation to State Water's operations on the Belubula, Brogo and Peel Rivers, the Border Rivers, the Lowbidgee Area, and Iron Pot Creek:

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- (a) receiving water orders under section 20AF;
- (b) approving or refusing temporary transfers under Division 4C of Part 2, including taking action under section 20XA;
- (c) imposing and recovering charges in respect of any entitlement under sections 22C, 117B or 194;
- (d) suspending any licence or entitlement under sections 22C(9) or 117B (8);
- (e) waiving or remitting State Water's charges under sections 22C(10) or 117B;
- (f) suspending or revoking licences under sections 17A(1), (2) and (3);
- (g) suspending or revoking an authority granted to enable the taking of water from a river or lake for the purposes of a joint water supply scheme under sections 20H(1), (2) and (3);
- (h) suspending, modifying or revoking a group licence granted to a board of management elected under the *Private Irrigation Districts Act 1973* under sections 20S(1), (2) and (3);
- (i) giving a direction to remove the whole or part of a water work under section 21 B(1)(b);
- (j) entering any land to take levels, make surveys and marks, fix pegs and stakes and inspect any water works under section 22(1);
- (k) entering land and removing any dam, weir or other work that unlawfully obstructs a water flow or preventing or stopping any unlawful diversion of water from a river or lake under sections 22(3)(a) and (b);
- (l) issuing a written enforcement order directing a water management authority to do, or cease doing, such things as specified in the order under section 192; and
- (m) fixing water management charges under section 194 by reference to costs recoverable under subsection 194(2)(c).

2.4.3 The following Functions specified under the specified sections of the *New South Wales – Queensland Border Rivers Act 1947* are conferred on State Water by the Licence, subject to any requirement approved by the Minister or the Border Rivers Commission:

- (a) constructing, maintaining, operating and controlling relevant works in New South Wales under section 14; and
- (b) exercising the powers and obligations of a "Controlling Authority" under section 20.

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- 2.4.4 State Water must exercise any Functions conferred on it in clauses 2.4.1, 2.4.2 and 2.4.3 consistently with the *Water Management Act 2000*, the *Water Act 1912*, the *New South Wales – Queensland Border Rivers Act 1947*, the Licence and any relevant Water Management Plan.

3 Asset Management

3.1 Asset Management Obligation

State Water must ensure that its Assets are managed in a manner consistent with:

- (a) its obligations in the Licence and all applicable laws, policies and guidelines with which State Water must comply, including the requirements of the NSW Dams Safety Committee;
- (b) the principles of the NSW Government's Strategic Management Framework and the NSW Government's Total Asset Management (TAM) Policy and Guidelines;
- (c) achieving the lowest cost of service delivery across the whole life of the Assets; and
- (d) identifying business risks related to the Assets and managing them to a commercially acceptable level.

3.2 Not applicable.

3.3 Not applicable.

3.4 Augmentation of Water Management Works

When considering any augmentation of a Water Management Work, State Water must consider any additional scope for cost effective demand management strategies by Customers.

4 Customers' rights and consultation

4.1 Community Consultative Committee

- 4.1.1 State Water must continue to consult regularly with the state-wide community consultative committee established under clause 4.1.1 of the Previous Licence (the CCC) to enable community involvement in issues relevant to the performance of State Water's obligations under the Licence, except in relation to the Fish River Scheme.
- 4.1.2 State Water must appoint the members of the CCC consistently with the Licence. The membership of the CCC must include one representative from each of the following:
- (a) Customers (excluding Fish River Customers);

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- (b) environment groups;
- (c) basic water right holders;
- (d) regional business and consumer groups;
- (e) Catchment Management Authorities; and
- (f) local government.

4.1.3 The term of a member of the CCC will expire two years after his or her appointment. A member will be eligible for re-appointment for one further consecutive term.

4.1.4 State Water must provide the CCC with information within its possession or under its control necessary to enable the CCC to discharge the tasks assigned to it, other than information or documents over which State Water or another person claims confidentiality or privilege.

4.2 Valley based customer service committees (excluding Fish River customers)

4.2.1 State Water must continue to consult regularly with the valley based customer service committees established under clause 4.2.1 of the Previous Licence (together the CSCs) to enable Customer involvement in issues relevant to the performance of State Water's obligations to Customers under the Licence, or the customer service charter referred to in clause 4.3. For the purposes of this clause 4.2, Customer does not include a Fish River Customer. The membership of the CSCs must also include a representative of DECC or its nominee to represent the public interest in the provision of water for environmental purposes and representatives from Unregulated River water users, Ground Water users and the relevant Catchment Management Authority.

4.2.2 State Water must provide the CSCs with information within its possession or under its control necessary to enable each CSC to discharge the tasks assigned to that CSC, other than information or documents over which State Water or another person claims confidentiality or privilege.

4.3 Customer Service Charter (excluding Fish River)

4.3.1 State Water must, in consultation with the CSCs, continue to have in place a customer service charter (the Charter).

4.3.2 The Charter must set out the mutual responsibilities or obligations of State Water and its Customers (excluding Fish River Customers) consistently with the Licence, the Act, the *Water Management Act 2000* and the *Water Act 1912*.

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- 4.3.3 State Water must make the Charter available to the public.
- 4.3.4 Not applicable.
- 4.3.5 Not applicable.
- 4.3.6 Not applicable.

4.4 Fish River Customer Council

- 4.4.1 State Water must regularly consult with the Fish River Customer Council to enable Fish River Customer involvement in issues relevant to the performance of State Water of its obligations to Fish River Customers under the Licence and any Customer Contract.
- 4.4.2 State Water must appoint the members of the Fish River Customer Council consistently with the Licence. The membership of the Fish River Customer Council must include one representative from each of the following:
 - (a) Lithgow City Council;
 - (b) Oberon Council;
 - (c) Delta Electricity; and
 - (d) Sydney Catchment Authority.
- 4.4.3 State Water must provide the Fish River Customer Council with information within its possession or under its control necessary to enable the Fish River Customer Council to discharge the tasks assigned to it, other than information or documents over which State Water or another person claims confidentiality or privilege.

4.5 Customer Contracts (Fish River customers only)

- 4.5.1 State Water must use its best endeavours to enter into agreements or maintain agreements with its Fish River Customers during the term of the Licence, in relation to the arrangements to apply to the supply of water by the operation of the Fish River Scheme.
- 4.5.2 The terms of the arrangements must, as a minimum, include:
 - (a) the standard of the quality of water supplied;
 - (b) the continuity of water supplied (i.e. interruption, disconnection and reconnection to supply);
 - (c) the metering arrangements;
 - (d) the costs to be paid by Fish River Customers for the supply of water and other services to them; and

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- (e) any other terms agreed between State Water and its Fish River Customers.

4.6 Code of Practice and Procedure on Debt Management

- 4.6.1 State Water must maintain a code of practice and procedure on debt management (the Code).
- 4.6.2 The Code must:
 - (a) provide for deferred payment or payment by instalment options; and
 - (b) require that State Water provide a point of contact, notified on bills, for customers in financial hardship.
- 4.6.3 A copy of the Code must be made available to the public.
- 4.6.4 Not applicable.
- 4.6.5 Not applicable.

5 Complaint and Dispute Resolution**5.1 Internal Dispute Resolution Process**

- 5.1.1 State Water must have in place internal complaints handling procedures for receiving, responding to and resolving complaints by Customers and the community against State Water.
- 5.1.2 The internal complaints handling procedures of State Water must be based on the Australian Standard *AS ISO 10002-2006 Customer satisfaction – Guidelines for complaints handling in organisations*.
- 5.1.3 State Water must make information concerning its internal complaint handling procedures available to the public.
- 5.1.4 Not applicable.
- 5.1.5 Not applicable.

5.2 External Dispute Resolution Scheme

- 5.2.1 State Water must continue to have in place a dispute resolution scheme (the Scheme) incorporating a Dispute Resolution Body or be a member of an industry based dispute resolution scheme incorporating a Dispute Resolution Body (an Industry Scheme) to resolve disputes between State Water and its Customers.

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Note: The Dispute Resolution Body that forms part of the Industry Scheme of which State Water is a member at the Commencement Date of the Licence is EWON – the Energy and Water Industry Ombudsman of New South Wales.

- 5.2.2 The Scheme established by State Water or an Industry Scheme of which State Water is a member is subject to the Minister's approval.
- 5.2.3 The Dispute Resolution Body (whether under the Scheme or an Industry Scheme) is to hear disputes and Complaints made by Customers in relation to:
- (a) Water Delivery;
 - (b) Customer accounts;
 - (c) State Water's responsibilities in relation to the communication of water availability and access notifications; and
 - (d) the exercise by State Water of the Functions conferred under clause 2.4 of the Licence.
- 5.2.4 The Scheme or Industry Scheme must comply with the minimum standards, so far as applicable, specified in AS 4608-2004 - *Dispute management systems*.
- 5.2.5 The Scheme or Industry Scheme must have the following features:
- (a) the decision-making process of the Dispute Resolution Body and administration of the Scheme or Industry Scheme is to be independent from State Water;
 - (b) State Water must agree to abide by the decisions of the Dispute Resolution Body in relation to disputes referred to it for resolution;
 - (c) the Scheme or Industry Scheme must adopt informal proceedings which discourage an adversarial approach;
 - (d) decisions of the Dispute Resolution Body should observe the principles of procedural fairness, be based upon the information before it, and apply that information to specific criteria;
 - (e) the Scheme or Industry Scheme is to operate efficiently by:
 - (i) keeping track of disputes referred to it;
 - (ii) ensuring complaints are dealt with by the appropriate process;
 - (iii) the Dispute Resolution Body regularly reviewing the operation of the Scheme or Industry Scheme; and

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- (f) the Scheme or Industry Scheme is to be provided by State Water to Customers free of charge.

5.2.6 State Water must prepare a pamphlet that explains how the Scheme or Industry Scheme operates and how it can be accessed. State Water must make this pamphlet available to the public.

5.2.7 Not applicable.

5.2.8 Not applicable.

5.3 Not applicable.

6 Water Delivery Operations

6.1 Water Infrastructure Operations

6.1.1 State Water must operate its Assets in accordance with any relevant Water Management Work Approval or Water Sharing Plan that may be issued by DWE.

6.1.2 When operating its Assets State Water must:

- (a) ensure that releases of water are consistent with any Works Approval;
- (b) operate its Assets efficiently and effectively;
- (c) undertake periodic maintenance rehabilitation and replacement work;
- (d) undertake enhancement and development projects; and
- (e) implement flood planning and other operations instigated by the Dam Safety Committee.

6.2 Management of Allocated Water

State Water:

- (a) is accountable for the management and delivery of water allocated to Customers;
- (b) must manage water orders with a view to ensuring Customer access to water and the equitable delivery of water when physical supply constraints occur, or are likely to occur;
- (c) must process Temporary Water Transfers within a Valley promptly and efficiently; and
- (d) must monitor and maintain a water allocation account for each Water Licence issued to each Customer.

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6.3 Water conservation

State Water must take such steps as are reasonably practicable to conserve water and to minimise losses that result from its operations.

6.4 Supply constraints

State Water must endeavour to manage its water release Functions under clause 1.1(b) and other operations to ensure the timely availability of water taking into account physical supply constraints.

6.5 Water metering

6.5.1 State Water must read Customer meters and audit the compliance of meters against any Commonwealth or State metering standard adopted by the Government.

6.5.2 Not applicable.

6.5.3 Not applicable.

6.5.4 Not applicable.

6.5.5 Not applicable.

6.5.6 Not applicable.

6.5.7 Not applicable.

6.5.8 Not applicable.

6.6 Not applicable.

6.7 Not applicable.

7 The Environment

Note: State Water must conduct its operations in compliance with requirements of the Water Management Act 2000, the State Water Management Outcomes Plan and the Water Management Plans established under that Act.

7.1 Environment Management Plan

7.1.1 Not applicable.

7.1.2 Not applicable.

7.1.3 Not applicable.

7.1.4 Not applicable.

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- 7.1.5 The Environment Management Plan must:
- (a) include details of State Water's program for addressing its environmental impacts and achieving environmental improvements, including (but not limited to):
 - (i) management and mitigation of riverbank and bed erosion;
 - (ii) management and mitigation of water quality issues associated with storage and release (including mitigation of thermal impacts);
 - (iii) management and mitigation of barriers to fish passage;
 - (iv) an algal management strategy;
 - (v) energy management and consumption; and
 - (vi) waste management and minimization;
 - (b) adopt Ecologically Sustainable Development principles;
 - (c) be integrated into State Water's business plans;
 - (d) include indicators to measure the environmental impact of State Water's Asset operations and maintenance; and
 - (e) incorporate environmental improvement targets and timetables for State Water to achieve those targets over the term of the Environment Management Plan.
- 7.1.6 The Environment Management Plan must be provided to IPART and made available to the public.
- 7.1.7 Not applicable.
- 7.1.8 Not applicable.

8 Performance Indicators

- 8.1 State Water must maintain record systems that are sufficient to enable it to measure accurately its performance against:
- (a) the performance indicators set out in Schedule 1;
 - (b) any system performance indicators specified in any instruments that give effect to the National Water Initiative; and
 - (c) any service quality and system indicators in any other instrument determined by IPART.
- 8.2 Not applicable.

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8.3 Not applicable.

8.4 Not applicable.

9 Pricing

State Water must apply the level of fees, charges and other amounts payable for its services subject to the terms of the Licence, the Act and the maximum prices and methodologies for State Water's monopoly services as determined from time to time by IPART or any other pricing authority vested with the power to determine water prices for State Water.

Note: Part 3 of the Act governs the nature of fees and charges which may be imposed by State Water. Under the terms of the Independent Pricing and Regulatory Tribunal Act 1992, State Water is a government agency for which IPART has standing reference to conduct investigations and report on the determination of pricing for monopoly services supplied and pricing policies.

10 Licence Authorisations and Area of Operations

10.1 What the Licence authorises and regulates

10.1.1 The Licence is granted to enable and require State Water to provide, construct, operate, manage and maintain efficient, coordinated and commercially viable systems and services to capture, store and release water.

10.1.2 State Water must ensure that its systems and services meet the performance standards, including without limitation the performance indicators, specified or required to be developed under the Licence in relation to Water Delivery and any other applicable requirements set out in the Licence.

10.2 Powers not limited

The Licence does not restrict State Water's power to carry out any Functions conferred or imposed under any applicable law.

10.3 Operating guidelines

State Water must take into account any policies or guidelines made and issued by the Government as required for the purposes of meeting its obligations under the Licence.

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10.4 Area of Operations

10.4.1 The Licence enables State Water to exercise its Functions in, or in respect of, an area in or outside, the Area of Operations as provided by Schedule 2.

10.4.2 The Licence authorises State Water to exercise its Functions within the area of operations of:

- (a) Sydney Water Corporation;
- (b) Sydney Catchment Authority;
- (c) Hunter Water Corporation; or
- (d) a Water Supply Authority;

subject to State Water obtaining the written agreement of the relevant body.

Note: the Area of Operations for State Water and the capacity for the Licence to authorise the exercise of Functions within, and outside of, that Area of Operations is prescribed by section 15 of the Act.

10.5 Non-exclusive licence

The Licence does not prohibit a person from supplying water (whether Bulk Water or otherwise) to a person (including a person that is a Customer) in the Area of Operations, if it is lawful to do so.

11 Operational Audits of the Licence

11.1 Not applicable.

11.2 Not applicable.

11.3 Not applicable.

11.4 Operational Audits

11.4.1 IPART must initiate an audit of State Water if required by the Minister (Operational Audit).

11.4.2 An operational audit may address any matter required by the Minister.

11.4.3 Not applicable.

11.5 Provision of information

11.5.1 State Water must provide IPART, and the person appointed by IPART to undertake an Operational Audit, with all information within its possession or under its control necessary to the conduct of the audit,

State Water Corporation Operating Licence 2008-2013

including whatever information is requested by IPART or the person appointed by IPART.

- 11.5.2 The information sought under clause 11.5.1 must be made available within a reasonable time of it being requested.
- 11.5.3 For the purposes of any audit on being required by IPART, State Water must, within a reasonable time, permit IPART or its appointee to:
- (a) have access to any works, premises or offices occupied by State Water;
 - (b) carry out inspections, measurements and tests on, or in relation to, any such works, premises or offices;
 - (c) take on to or into any such premises, works or offices any other persons or equipment as necessary for the purposes of performing the audit or verifying the report;
 - (d) inspect and make copies of, and take extracts from, any books and records of State Water that are maintained in relation to the performance of State Water's obligations in accordance with the Licence; and
 - (e) discuss matters relevant to the audit with State Water's employees.
- 11.5.4 If State Water contracts out any of its activities to third parties (including a Subsidiary) it must take all reasonable steps to ensure that, if required by IPART, any such third parties do things specified in this clause 11 that extend to State Water as if that third party were State Water.
- 11.5.5 For the purpose of an audit, State Water or a Subsidiary must provide information required by IPART to IPART or the person appointed by IPART notwithstanding any claim of confidentiality or privilege in respect of that information. If such claim of confidentiality or privilege is made, IPART or the person appointed by IPART may enter into reasonable arrangements with State Water or a Subsidiary to ensure that the confidential or privileged information remains confidential or privileged.

12 Notices

Any notice or other communication under the Licence between IPART and State Water must be made in writing and addressed as follows:

State Water
The Chief Executive Officer

State Water Corporation Operating Licence 24 June 2013 – 30 June 2013

State Water Corporation
PO Box 1018
DUBBO NSW 2830

IPART
The Chief Executive Officer
Independent Pricing and Regulatory Tribunal
PO Box Q290
QVB Post Office NSW 1230

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13 Definitions and Interpretation**13.1 Definitions**

In the Licence:

Act means the *State Water Corporation Act 2004*.

Area of Operations means the area of operations of State Water within the meaning of section 15 of the Act, a description of which is set out in Schedule 2.

Asset includes any structure, plant, equipment, corporate and business system of State Water which causes, allows or assists the performance of its Functions and objectives under the Act and the Licence.

Authorised Users means the holders of basic rights and access licences under the *Water Management Act 2000* and *Water Act 1912*.

Border Rivers means "Carrier Rivers" within the meaning of the Schedule to the *New South Wales- Queensland Border Rivers Act 1947*.

Border Rivers Commission means the body of that name constituted under the *New South Wales- Queensland Border Rivers Act 1947*.

Bulk Water means water delivered to meet the needs of the environment and Authorised Users.

Catchment Management Authority means those authorities listed in Schedule 1 of the *Catchment Management Authorities Act 2003*.

Commencement Date is the date specified by the Governor and published in the Gazette as the date of commencement of the Licence.

Complaint means a contact between any person and State Water in which the person expresses dissatisfaction with State Water's products, services, infrastructure, policy, actions or proposed actions or failure by State Water, its employees or contractors to act.

Customer means any person authorised under the *Water Management Act 2000* or the *Water Act 1912* to take and use water and to whom State Water makes available water by the operation of any of its works or to whom State Water provides a service and includes Fish River Customers.

Customer Contract means any agreement entered into between State Water (or its predecessor) and a Fish River Customer.

Dams Safety Committee means the committee constituted under section 7 of the *Dams Safety Act 1978*.

DECC means the Department of Environment and Climate Change.

State Water Corporation Operating Licence 24 June 2013 – 30 June 2013

Dispute Resolution Body means a reputable person possessing qualifications and experience in dispute resolution by way of mediation or otherwise and includes a person who carries out investigative functions in the nature of an ombudsman.

DPI means the Department of Primary Industries.

DWE means the Department of Water and Energy.

Ecologically Sustainable Development has the same meaning given to that expression in the *Protection of the Environment Administration Act 1991*.

Fish River Customer means any person to whom State Water makes available water by the operation of the Fish River Scheme.

Fish River Scheme means the Fish River water supply scheme as defined in the Act.

Functions include a power, authority or duty.

Gazette means the New South Wales Government Gazette.

Government means the Government of the State.

Ground Water means water accessed from an aquifer or other below-ground water source.

Hunter Water Corporation has the meaning given to it under the *Hunter Water Act 1991*.

IPART means the Independent Pricing and Regulatory Tribunal of NSW constituted by the *Independent Pricing and Regulatory Tribunal Act 1992*.

Licence means this operating licence granted under Section 11 of the Act to State Water or any renewal of it, as in force for the time being.

Lowbidgee Area means the floodplain of the Murrumbidgee River located between the towns of Maude and Balranald.

Minister means the Minister for Water.

Ministerial Corporation means the Water Administration Ministerial Corporation constituted by the *Water Management Act 2000*.

National Water Initiative means the national water policy reform initiative as embodied in the *Intergovernmental Agreement on a National Water Initiative* made between the Commonwealth of Australia and the States and Territories of Australia.

Operational Audit has the meaning given to it in clause 11.4.1.

Previous Licence means the operating licence for State Water that commenced in 2008.

State Water Corporation Operating Licence 2008-2013

Public Consultation has the meaning given to it in clause 13.2.4.

State means the State of New South Wales.

State Water means the State Water Corporation constituted by the Act.

State Water Management Outcomes Plan means the State Water Management Outcomes Plan established under section 6(1) of the *Water Management Act 2000*.

Subsidiary means a company under the control of State Water that meets the definition of a "subsidiary" under section 46 of the *Corporations Act 2001*.

Sydney Catchment Authority has the meaning given to it under the *Sydney Water Catchment Management Act 1998*.

Sydney Water Corporation has the meaning given to it under the *Sydney Water Act 1994*.

Temporary Water Transfer means a temporary assignment of a water allocation under sections 71T and 71V of the *Water Management Act 2000*.

Unregulated River has the meaning given to that term under the *Water Management Act 2000*.

Valley means a river valley.

Water Allocation Account has the meaning given to it under the *Water Management Act 2000* or means an account for a water access licence set up under the administrative procedures implemented under the *Water Act 1912*.

Water Delivery means the water management service provided by State Water, which involves the operation of State Water's Water Management Works and its internal procedures, including the management of Water Allocation Accounts, to enable State Water to satisfy Water Orders, Customer Contracts and environmental requirements.

Water Licence means a licence issued under the *Water Management Act 2000* or the *Water Act 1912*.

Water Management Plan has the meaning given to it under the *Water Management Act 2000*.

Water Management Work has the meaning given to it under the *Water Management Act 2000*.

Water Management Work Approval has the meaning given to it under the *Water Management Act 2000*.

Water Order means a request by a State Water customer, made in accordance with the relevant mandatory conditions imposed on the

State Water Corporation Operating Licence 24 June 2013 – 30 June 2013

relevant water access licence, to take water under the *Water Management Act 2000* or under section 20AF of the *Water Act 1912*.

Water Sharing Plan means a plan devised by the Department of Water and Energy under the *Water Management Act 2000* establishing rules for the allocation of water between the environmental needs of the river or aquifer and water users, and between different types of water users.

Water Supply Authority means a body listed under Schedule 3 of the *Water Management Act 2000*

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13.2 Interpretation

13.2.1 In the Licence, unless the contrary intention appears:

- (a) the word person includes an individual, a body corporate, an unincorporated body or other entity and one or more of each of them;
- (b) headings are for convenience only and do not affect the interpretation of the Licence;
- (c) notes do not form part of the Licence but may be used to assist in the interpretation if there is an ambiguity;
- (d) words importing the singular include the plural and vice versa;
- (e) a reference to a law or legislation (including the Act) includes regulations made under the law or legislation;
- (f) a reference to regulations includes ordinances, codes, licences, orders, permits and directions;
- (g) a reference to a law or regulations in the Licence includes consolidations, amendments, variations, re-enactments, or replacements of any of them;
- (h) a reference to a person includes a reference to the person's executors, administrators, successors, substitutes (including, but not limited to, persons taking by novation), replacements and assigns;
- (i) a reference to an officer includes a reference to the officer which replaces it or which substantially succeeds to its powers or functions;
- (j) a reference to a body, whether statutory or not:
 - (i) which ceases to exist; or
 - (ii) whose powers or functions are transferred to another body,is a reference to the body which replaces it or which substantially succeeds to its powers or functions;
- (k) a reference to a year means a calendar year that ends on 31 December. "Yearly" has a corresponding meaning;
- (l) a reference to a financial year means a period of 12 months commencing on 1 July and ending on the next following 30 June; and
- (m) a reference to a clause or Schedule is to a clause or Schedule to the Licence.

State Water Corporation Operating Licence 24 June 2013 – 30 June 2013

- 13.2.2 Terms defined in the Act, *Water Act 1912*, *Water Management Act 2000* and *New South Wales – Queensland Border Rivers Act 1947* have the same meaning in the Licence, unless a contrary definition is specified in the Licence.
- 13.2.3 Whenever the Licence requires State Water to make something “available to the public”, State Water must:
- (a) publish the document on its Internet website and make it available to download free of charge;
 - (b) make the document available at its offices for viewing by any person, free of charge; and
 - (c) make the document available at its offices for collection by any person, for which State Water may charge a reasonable cost;
- 13.2.4 If the Licence requires that something undergo Public Consultation, it requires as a minimum that:
- (a) notice of that thing and the nature and timing of the consultation be:
 - (i) advertised in a major daily newspaper circulating in the Area of Operations;
 - (ii) communicated to government agencies, organisations and persons to whom it would reasonably be expected notice should be given;
 - (iii) displayed on State Water’s website;
 - (iv) given to the Customer or community committees or councils referred to in clause 4;
 - (v) given to IPART; and
 - (b) submissions be sought from the public and that these submissions be considered by the person conducting the review.
- 13.2.5 If any part of the Licence is prohibited, void, voidable, illegal or unenforceable, then that part is severed from the Licence but without affecting the continued operation of the remainder of the Licence.
- 13.2.6 A reference in the Licence to any organisation, association, society, group or body shall, in the event of it ceasing to exist or being reconstituted, renamed or replaced or if its Functions are transferred to any other entity, body or group, refer respectively to any such entity, body or group, established or constituted in lieu thereof or succeeding to similar Functions.

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- 13.2.7 A reference in the Licence to a document is a reference to the document as amended, revised or replaced.
- 13.2.8 Except where a contrary intention appears in the Licence, where there is disagreement between State Water and IPART as to the proper interpretation of any term of the Licence, the matter must be referred to the Minister for resolution by the Minister.

SCHEDULE 1

Performance Indicators

Part A – State Water performance indicators (excluding Fish River Scheme Indicators)

1. Water Delivery

- (a) percentage of Customers contacted within one working day of a non-complying water order being placed;

Note: A "non-complying water order" is an order which does not comply with licence conditions or which contains insufficient information for State Water to supply water.

- (b) percentage of complying water orders identified as being delivered outside of ± 1 day of the scheduled day of delivery, as measured by customer complaints;

Note: A "complying water order" is an order which complies with the conditions of a water licence and which contains sufficient information for State Water to supply water and "scheduled day of delivery" is per period of the required notice specified in works approvals, licences or entitlements.

- (c) percentage of water orders rescheduled in consultation with Customers within one working day of a known shortage or delivery delay;

Note: This indicator should be calculated as a percentage of the total number of water orders rescheduled due to a known shortage or delivery delay.

- (d) percentage of time that daily minimum flow targets are met;

Note: "Daily minimum flow targets" are those specified in relevant Water Management Plans or by the Minister for Natural Resources or by the Ministerial Corporation; and

- (e) percentage of complying intra-valley transfers processed within four working days of State Water's receipt of correctly completed application form and fee;

Note: "intra-valley transfer" means the transfer of allocated

State Water Corporation Operating Licence 2008-2013

water from one licence to another licence within a Valley and includes transfers under the Water Management Act 2000 and the Water Act 1912.

2. Policing Functions

- (a) liaise with DWE to determine the volume of water taken in excess of access licence conditions under the *Water Management Act 2000* (in mega litres (ML)) and number of licences and licence breaches involved; and report to IPART the data so determined;
- (b) value of penalties imposed by State Water for taking of water in excess of licence conditions under the *Water Management Act 2000* or the *Water Act 1912*;
- (c) volume of penalties imposed by State Water for taking water in excess of access licence conditions under the *Water Management Act 2000* (in ML);
- (d) number of water supply works audited for compliance with metering conditions and the proportion of those works that comply with metering conditions;
- (e) number of "alleged breach reports" forwarded to the Department of Water and Energy;
- (f) number of licences and entitlements suspended under the *Water Management Act 2000* or the *Water Act 1912*; and
- (g) number of approvals suspended under the *Water Management Act 2000*.

Part B - Fish River Scheme Indicators**1. Asset Management**

- (a) the average response time for unplanned supply interruptions;
- (b) number of planned water supply interruptions;
- (c) number of unplanned water supply interruptions;
- (d) average duration of planned water supply interruptions;
- (e) average duration of unplanned water supply interruptions.

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Note: An "unplanned water supply interruption" is an interruption to water supply to a Customer where the Customer has not received at least 24 hours notice of the interruption from State Water. It also includes situations where the duration of a planned interruption exceeds that which was originally notified to the Customer – in which circumstances, the length of the entire interruption is counted as an unplanned supply interruption. A "planned water supply interruption" is an interruption to water supply where the Customer has received at least 24 hours notice of the interruption and the duration of the interruption does not exceed that which was originally notified to the Customer.

2. Water Delivery

Percentage of time that daily minimum flow targets are met.

Note: "Daily minimum flow targets" are those specified in relevant Water Management Plans or by the Minister or by the Ministerial Corporation or as advised in writing by DWE.

3. Water Quality

Percentage of treated water samples that comply with Australian Drinking Water Guidelines (2004) at the Fish River Scheme's water sampling locations for e-coli, colour, turbidity, iron, manganese, aluminium and pH.

Note: The guideline value for turbidity is to be the value for public health rather than the aesthetic value (ie % of samples above 1 Nephelometric Turbidity Unit) and the "Fish River Scheme's water sampling locations" are those identified in the letter from State Water to IPART dated 29 April 2005.

State Water Corporation Operating Licence 2008-2013

SCHEDULE 2**Area of Operations**

Area of Operations of State Water means the area of operations of State Water within the meaning of section 15 of the Act.

As at the Commencement Date, section 15 of the Act provides:

- "(1) The area of operations of the Corporation is the whole of the State, other than the following areas:
- (a) the area of operations of Sydney Water Corporation within the meaning of the *Sydney Water Act 1994*,
 - (b) the area of operations of Sydney Catchment Authority within the meaning of the *Sydney Water Catchment Management Act 1998*,
 - (c) the area of operations of Hunter Water Corporation within the meaning of the *Hunter Water Act 1991*,
 - (d) the area of operations of a water supply authority.
- (2) Despite subsection (1) (b) and (d), the area of operations of the Corporation includes the area of operations of the Corporation in its capacity as a water supply authority in relation to the Fish River water supply scheme.
- (3) Despite subsection (1), the operating licence may authorise the Corporation to carry out any of its Functions:
- (a) outside the State, or
 - (b) in any of the areas referred to in subsection (1) (a)–(d) with the agreement of Sydney Water Corporation, Sydney Catchment Authority, Hunter Water Corporation or the water supply authority, respectively (the **relevant body**).
- (4) If, under subsection (3) (b), the Corporation is to carry out its Functions in more than one of the areas referred to in subsection (1) (a)–(d), the Corporation is to obtain the agreement of each relevant body in relation to the exercise of those Functions.
- (5) Nothing in this Act affects the area of operations of Sydney Water Corporation, Sydney Catchment Authority or Hunter Water Corporation.
- (6) In this section, a reference to the **area of operations** of a water supply authority means the area of operations prescribed for that water supply authority by regulations made under section 289 (1) of the *Water Management Act 2000*"

STATE WATER CORPORATION ACT 2004

State Water Corporation Operating Licence from 1 July 2013

Amendment and Renewal under Sections 13 and 14

I, the Honourable THOMAS FREDERICK BATHURST, Lieutenant-Governor of the State of New South Wales, with the advice of the Executive Council and in pursuance of sections 13 and 14 of the State Water Corporation Act 2004, hereby amend and renew the Operating Licence of State Water Corporation for a term of five years commencing 1 July 2013, in the form set out in Schedule 1.

Signed at Sydney, this 26th day of June 2013.

THOMAS FREDRICK BATHURST,
Lieutenant-Governor of New South Wales

SCHEDULE 1

State Water Corporation Operating Licence 2013-2018

Water Licensing – Operating Licence
2013- 2018

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1 Licence and Licence authorisation

1.1 Purpose of this Licence

- 1.1.1 This Licence is granted to enable and require State Water to carry out its functions within its Area of Operations on the terms and conditions set out in this Licence. This Licence sets out the terms and conditions under which State Water is to:
- a) meet the objectives and other requirements imposed on it in the Act and other applicable law;
 - b) provide, construct, operate, manage and maintain efficient, co-ordinated and commercially viable systems and services to capture, store and release water;
 - c) comply with the performance standards specified in this Licence;
 - d) comply with the reporting obligations set out in the Reporting Manual;
 - e) be subject to Operational Audits; and
 - f) where conferred on State Water by this Licence, undertake specified functions of:
 - i) the Minister administering the *Water Management Act 2000* (NSW) and the *Water Act 1912* (NSW); and
 - ii) the Ministerial Corporation under any Act or law.
- 1.1.2 To the extent permitted by any applicable law, this Licence authorises State Water to carry out its functions:
- a) outside the State; and
 - b) within the area of operations of:
 - i) Sydney Water Corporation;
 - ii) Sydney Catchment Authority;
 - iii) Hunter Water Corporation; or

1 Licence and Licence authorisation

iv) a Water Supply Authority,

subject to State Water obtaining the written agreement of the relevant body.

1.2 Duration of this Licence

1.2.1 The term of this Licence is 5 years from the Commencement Date.

[Note: This Licence starts on 1 July 2013, which means that it will end on 30 June 2018.]

1.3 Availability of Licence

1.3.1 State Water must make this Licence available free of charge:

- a) on its website for downloading by any person; and
- b) to the public on request.

1.4 Conferred functions

1.4.1 This Licence confers on State Water the functions specified in Schedule A to this Licence.

1.4.2 State Water must exercise any functions conferred on it under this Licence consistently with the *Water Management Act 2000* (NSW), the *Water Act 1912* (NSW), the *New South Wales – Queensland Border Rivers Act 1947* (NSW), any other relevant law and any relevant Water Management Plan.

1.4.3 By 1 October 2013, State Water must publish a statement setting out any agreed roles and responsibilities regarding the functions conferred on it under clause 1.4.1 and Schedule A, as agreed with the NSW Office of Water, the Ministerial Corporation or any other relevant government departments or agencies.

[Note: this obligation could be fulfilled by publishing those parts of any agreements (including memoranda of understanding) entered into by State Water and other government departments or agencies with which it shares the functions, which document roles and responsibilities regarding conferred functions.]

1.4.4 State Water must make the statement described in clause 1.4.3 available free of charge:

1 Licence and Licence authorisation |

- a) on its website for downloading by any person; and
- b) to the public on request.

2 Water quality

2.1 Bulk Water supplied to Local Water Utilities for Drinking Water purposes

- 2.1.1 State Water must maintain a register of all Local Water Utilities:
- a) for which State Water maintains a Water Allocation Account; and
 - b) to which State Water delivers water that will be used for the purposes of Drinking Water (Local Water Utility Customers).
- The register must include contact details for each Local Water Utility Customer, and the Valley and approximate location from which each Local Water Utility Customer extracts water.
- 2.1.2 By 1 October 2013, State Water must develop and implement a procedure for providing information when requested by any Local Water Utility to inform that utility's Drinking Water quality assurance program (LWU Information Request Procedure).
- 2.1.3 State Water's LWU Information Request Procedure under clause 2.1.2 above must:
- a) describe how a Local Water Utility is to request information;
 - b) describe how State Water will respond to the request in a timely manner; and
 - c) define any fees or charges that will be charged by State Water to recover reasonable costs incurred for responding to an information request, how these will be calculated, and how they are to be paid.
- 2.1.4 State Water must make details of the LWU Information Request Procedure free of charge:
- a) on its website for downloading by any person; and
 - b) to the public on request.

[Note: The purpose of clause 2.1 is to ensure that there are mechanisms in place for State Water to share information which it currently collects with interested Local Water Utilities, where that information could usefully inform a Local

2 Water quality |

Water Utility's Drinking Water quality assurance program.]

3 | Water quantity

3.1 Delivery of water to Customers

- 3.1.1 State Water must take all reasonable steps to process all Water Orders promptly and efficiently.

[Note: Where a Customer places an incomplete or incorrect Water Order, State Water could fulfil this obligation by notifying that Customer promptly and efficiently of the error, and how to rectify it.]

- 3.1.2 State Water must take all reasonable steps to manage Water Orders so as to ensure the timely Delivery of water to its Customers.

- 3.1.3 State Water must maintain a Water Allocation Account for each access licence issued under the *Water Management Act 2000* (NSW) and each licence issued under the *Water Act 1912* (NSW) held by a Customer.

- 3.1.4 State Water must take all reasonable steps to conserve water and minimise water losses that result from undertaking its operations under this Licence.

[Note: The obligations imposed on State Water by this clause 3.1 are subject to the requirements of any water sharing plans or water management work approvals.]

3.2 Advance notification of changes to flow release patterns

- 3.2.1 State Water must maintain an effective system to provide advance notification of any significant changes to flow release patterns from its Water Management Works, to Customers and other stakeholders that have registered to be notified of such changes.

3.3 Water balance reporting

- 3.3.1 State Water must prepare water balance reports for each of the Valleys in which it operates, in accordance with the Reporting Manual.

4 Assets

4.1 Asset Management System

- 4.1.1 By 30 June 2018, State Water must develop a Management System that is consistent with:
- a) the *International Standard ISO 55001: 2013 Asset Management – Management systems – Requirements*; or
 - b) another asset management standard agreed to by IPART, (Asset Management System).
- 4.1.2 In the case of an Asset Management System which is developed under the *International Standard ISO 55001: 2013 Asset Management – Management systems – Requirements*, State Water must ensure that:
- a) by 30 June 2018, the Asset Management System is certified by an appropriately qualified third party to be consistent with the International standard *ISO 55001:2013: Asset Management – Management systems – Requirements*; and
 - b) once the Asset Management System is certified under clause 4.1.2(a) above, the certification is maintained during the remaining term of this Licence.
- 4.1.3 State Water must ensure that, by 30 June 2018, the Asset Management System is fully implemented and that all relevant activities are carried out in accordance with the system.
- 4.1.4 Until the Asset Management System has been developed in accordance with clause 4.1.1 and certified in accordance with clause 4.1.2 (if applicable), State Water must:
- a) maintain programs to manage risks to its assets and to maintain the appropriate levels of service of those assets; and
 - b) ensure that all its activities are carried out in accordance with those programs.
- 4.1.5 Once the Asset Management System is certified in accordance with clause 4.1.2 (if applicable), State Water must notify IPART of any significant changes that it proposes to make to the Asset Management System in accordance with the Reporting Manual.

4 Assets

4.2 Water metering

4.2.1 State Water must read each of its Customers' meters.

4.2.2 Where provided for in any agreement between State Water and the Minister or the NSW Office of Water, State Water must:

- a) read Metering Equipment (if applicable); or
- b) determine water extraction

for groundwater and Unregulated River licence holders.

4.2.3 State Water may operate, replace, repair, maintain, remove, connect, disconnect or modify Metering Equipment installed under a government-funded meter program.

[Note: This clause 4.2 enables State Water to perform the metering functions set out in this clause for the purposes of section 22A(1) of the Act, subject to the terms and conditions of this Licence.]

5 Customers

5.1 Valley-based customer service committees (excluding Fish River Water Scheme Customers)

- 5.1.1 State Water must regularly consult with Valley-based customer service committees (CSCs) to enable Customer involvement in issues relevant to the performance of State Water's obligations to Customers under this Licence or the customer service charter referred to in clause 5.2 of this Licence.
- 5.1.2 For each CSC, State Water must invite at least 1 representative from each of the groups or bodies identified in paragraphs (a) to (e) below to be a member of that CSC:
- a) Customers which are Unregulated River water users;
 - b) Customers which are groundwater users;
 - c) the NSW environmental water entitlement holder;
 - d) the Commonwealth Environmental Water Holder; and
 - e) the relevant Catchment Management Authority;

For the purposes of this clause 5.1.2, Customer does not include a Fish River Water Scheme Customer.

- 5.1.3 State Water must provide the CSCs with adequate information within its possession or under its control to enable the CSC to discharge the tasks assigned to it, other than information or documents over which State Water or another person claims confidentiality or legal professional privilege and subject to any limitations on disclosure of the information at law.

5 Customers

5.2 Customer Service Charter (excluding Fish River Water Scheme Customers)

- 5.2.1 State Water must, in consultation with the CSCs, establish and maintain a customer service charter (**Customer Service Charter**).
- 5.2.2 The Customer Service Charter must set out the mutual responsibilities and obligations of State Water and its Customers (excluding Fish River Water Scheme Customers) consistently with this Licence, the Act, the *Water Management Act 2000* (NSW), the *Water Act 1912* (NSW) and any other applicable law.
- 5.2.3 State Water must make the Customer Service Charter available free of charge:
- a) on its website for downloading by any person; and
 - b) to the public on request.

5.3 Fish River Customer Council

- 5.3.1 State Water must regularly consult with a Fish River Customer Council to enable Fish River Water Scheme Customer involvement in issues relevant to the performance of State Water in its obligations to Fish River Water Scheme Customers under this Licence and any Fish River Customer Contract.
- 5.3.2 State Water must invite at least 1 representative from each of the entities identified in paragraphs (a) to (d) below to be a member of the Fish River Customer Council:
- a) Lithgow City Council;
 - b) Oberon Council;
 - c) Delta Electricity, a statutory State owned corporation constituted under the *Energy Services Corporations Act 1995* (NSW); and
 - d) Sydney Catchment Authority, a statutory corporation constituted under the *Sydney Water Catchment Management Act 1998* (NSW),
- (**Fish River Customer Council**).
- 5.3.3 State Water must provide the Fish River Customer Council with adequate information within its possession or under its control so as to enable the Fish River Customer Council to discharge the tasks assigned to it, other than information or documents over which State Water or another person claims confidentiality or privilege and subject to any limitations on disclosure of the information at law.

5.4 Fish River Customer Contracts

- 5.4.1 State Water must enter into and maintain an agreement with each of its Fish River Water Scheme Customers during the term of this Licence, for the water supply arrangements for the Fish River Water Supply Scheme.
- 5.4.2 The terms of the agreements must, as a minimum, include provisions on:
- a) the standard of the quality of water to be supplied by State Water;
 - b) the continuity of water to be supplied by State Water (that is, provisions relating to interruption, disconnection and reconnection to supply);
 - c) the metering arrangements;
 - d) the costs to be paid by Fish River Water Scheme Customers for the supply of water and other services to them; and
 - e) any other terms agreed between State Water and its Fish River Water Scheme Customers.

5.5 Code of practice on payment difficulties

- 5.5.1 State Water must develop, maintain and fully implement a code of practice (the Code) relating to Customers having payment difficulties, which must:
- a) provide for deferred payment or payment by instalment for Customers who are required to pay Bills and who are experiencing payment difficulties; and
 - b) identify the circumstances under which State Water may suspend water access licences, and an overview of the process that must be followed prior to suspension.
- 5.5.2 State Water must set out details of the Code in the Customer Service Charter.
- 5.5.3 State Water must provide information on the Code free of charge:
- a) to Customers, at least once annually with their Bills;
 - b) on its website for downloading by any person; and
 - c) to the public on request.

5 Customers

5.6 Internal Complaints Handling Procedure

- 5.6.1 State Water must maintain a procedure for receiving, responding to and resolving Complaints, which is consistent with the *Australian Standard AS ISO 10002-2006: Customer satisfaction - Guidelines for complaints handling in organizations* (ISO 10002:2004, MOD) (**Internal Complaints Handling Procedure**).
- 5.6.2 State Water must ensure that the Internal Complaints Handling Procedure is fully implemented and that all relevant activities are carried out in accordance with the procedure.
- 5.6.3 State Water must provide information on the Internal Complaints Handling Procedure which explains how to make a Complaint and how the Internal Complaints Handling Procedure works free of charge:
- a) to Customers, at least once annually with their Bills;
 - b) on its website for downloading by any person; and
 - c) to the public on request.

5.7 External dispute resolution scheme

- 5.7.1 State Water must be a member of the Energy and Water Ombudsman NSW for the resolution of disputes between State Water and its Customers.
- 5.7.2 State Water must provide free of charge information that explains the operation of the dispute resolution service provided by the Energy and Water Ombudsman NSW (including any rights to have a Complaint or dispute referred to the Energy and Water Ombudsman NSW and how the dispute resolution service can be accessed):
- a) to Customers, at least once annually with their Bills;
 - b) on its website for downloading by any person; and
 - c) to the public on request.

6 Environmental management

6.1 Environmental management

- 6.1.1 By 30 June 2018, State Water must develop a Management System which is consistent with the *Australian Standard AS/NZS ISO 14001:2004: Environmental Management Systems - Requirements with guidance for use (Environmental Management System)*.
- 6.1.2 State Water must ensure that:
- a) by 30 June 2018, the Environmental Management System is certified by an appropriately qualified third party to be consistent with the *Australian Standard AS/NZS ISO 14001:2004: Environmental Management Systems - Requirements with guidance for use*; and
 - b) once the Environmental Management System is certified under clause 6.1.2(a), the certification is maintained during the remaining term of this Licence.
- 6.1.3 State Water must ensure that by 30 June 2018, the Environmental Management System is fully implemented and that all relevant activities are carried out in accordance with the system.
- 6.1.4 Until the Environmental Management System has been developed and certified in accordance with clauses 6.1.1 and 6.1.2, State Water must:
- a) maintain programs to manage risks to the environment from carrying out its activities; and
 - b) ensure that all its activities are carried out in accordance with those programs.
- 6.1.5 Once the Environmental Management System is certified in accordance with clause 6.1.2, State Water must notify IPART of any significant changes that it proposes to make to the Environmental Management System in accordance with the Reporting Manual.

7 Performance monitoring

7.1 Operational Audits

- 7.1.1 IPART may undertake, or may appoint an Auditor to undertake, an audit on State Water's compliance with:
- a) this Licence;
 - b) the Reporting Manual; and
 - c) any matters required by the Minister,
(Operational Audit).
- 7.1.2 State Water must provide IPART or any Auditor with all information in its possession, or under its custody or control, which is necessary to conduct the Operational Audit, including whatever information is reasonably requested by IPART or an Auditor.
- 7.1.3 State Water must provide the information requested under clause 7.1.2 within a reasonable time of it being requested.
- 7.1.4 For the purposes of any Operational Audit or verifying a report on an Operational Audit, State Water must, within a reasonable time of being required by IPART or an Auditor, permit IPART or the Auditor to:
- a) have access to any works, premises or offices occupied by State Water;
 - b) carry out inspections, measurements and tests on, or in relation to, any such works, premises or offices;
 - c) take on to any such premises, works or offices any person or equipment necessary for the purposes of performing the Operational Audit or verifying any report on the Operational Audit;
 - d) inspect and make copies of, and take extracts from, any books and records of State Water that are maintained in relation to the performance of State Water's obligations under this Licence (including under the Reporting Manual); and

- e) discuss matters relevant to the Operational Audit or any report on the Operational Audit with State Water, including any of State Water's officers and employees.

7.2 Reporting

- 7.2.1 State Water must comply with its reporting obligations set out in this Licence and in the Reporting Manual, which include;

- a) reporting to IPART in accordance with the Reporting Manual and this Licence, and
- b) making reports and other information publicly available,

in the manner set out in the Reporting Manual.

- 7.2.2 State Water must maintain sufficient record systems that enable it to report accurately in accordance with this Licence and the Reporting Manual (including its performance against the performance indicators specified in the Reporting Manual).

- 7.2.3 In the case of any ambiguity in the interpretation or application of any performance indicators specified in the Reporting Manual, IPART's interpretation or assessment of the indicators will prevail.

- 7.2.4 State Water must maintain sufficient record systems to enable it to measure accurately its performance against any system performance indicators specified in any instruments that give effect to the National Water Initiative.

7.3 Provision of information

- 7.3.1 If IPART requests that State Water provide information relating to the performance of its obligations under clause 7.2, State Water must provide the information requested within a reasonable time of IPART's request, including providing IPART with physical and electronic access to the records required to be kept under clause 7.2.2.

- 7.3.2 State Water must provide IPART with such information as is reasonably required to enable IPART to conduct any review or investigation of State Water's obligations under this Licence.

- 7.3.3 If State Water contracts out any of its activities to third parties (including a subsidiary) it must take all reasonable steps to ensure that, if required by IPART or an Auditor, any such third parties provide information and do the things specified in this clause 7 as if that third party were State Water.

| 7 Performance monitoring

- 7.3.4 If IPART or an Auditor requests information under this clause 7 which is confidential, the information must be provided to IPART or the Auditor, subject to IPART or the Auditor entering into reasonable arrangements to ensure that the confidential information is not disclosed to third parties, without the consent of State Water.

8 End of term review

8.1 End of Term Review

- 8.1.1 In or around the first quarter of 2017, a review of this Licence will commence to investigate:
- a) whether this Licence is fulfilling its objectives; and
 - b) any issues which have arisen during the term of this Licence, which may affect the effectiveness of this Licence,
- (End of Term Review).
- 8.1.2 State Water must provide to the person undertaking the End of Term Review such information as is reasonably required to enable the person to undertake the End of Term Review.

9 Notices

Any notice or other communication given under this Licence must be made in writing addressed to the intended recipient at the address shown below or the last address notified by the recipient.

State Water	IPART
The Chief Executive Officer State Water Corporation PO Box 1018 Dubbo NSW 2830	The Chief Executive Officer Independent Pricing and Regulatory Tribunal PO Box Q290 QVB Post Office NSW 1230

10 Definitions and interpretation

10.1 Definitions

In this Licence:

Act means the *State Water Corporation Act 2004* (NSW).

Area of Operations has the meaning given in the Act.

Asset Management System has the meaning given in clause 4.1.1.

Auditor means a person appointed by IPART to undertake an Operational Audit.

Bill means a bill sent by State Water to a Customer for the provision of services supplied by State Water.

Border Rivers means "Carrier Rivers" as defined in *New South Wales - Queensland Border Rivers Act 1947* (NSW).

Border Rivers Commission means the commission constituted under the *New South Wales - Queensland Border Rivers Act 1947* (NSW).

Bulk Water means water delivered to meet the needs of the environment and State Water's Customers.

Catchment Management Authority means those authorities listed in Schedule 1 of the *Catchment Management Authorities Act 2003* (NSW).

Commencement Date is the date by law on which this Licence commences.

[Note: The date on which a Licence commences is ordinarily specified in the NSW Government Gazette when the Governor grants or renews this Licence under the Act.]

Complaint means an expression of dissatisfaction made by a Customer to State Water in relation to its services or its complaints-handling process, where a response or resolution is explicitly or implicitly expected.

CSC has the meaning given in clause 5.1.1.

10 Definitions and interpretation

Code has the meaning given in clause 5.5.1.

Customer means any person:

- a) authorised under the *Water Management Act 2000* (NSW) or the *Water Act 1912* (NSW) to take and use water and to whom State Water delivers water; or
- b) to whom State Water provides a service and includes Fish River Water Scheme Customers and environmental water entitlement holders.

Customer Service Charter has the meaning given in clause 5.2.1.

Delivery means the water management service provided by State Water to satisfy Water Orders, customer contracts including Fish River Customer Contracts, and environmental requirements, subject to any physical supply constraints. This incorporates the operation of State Water's Water Management Works, and State Water's internal procedures, including the management of Water Allocation Accounts.

Drinking Water means water intended, or likely to be used, primarily for human consumption but which has other personal, domestic or household uses such as bathing and showering.

Energy and Water Ombudsman NSW means the NSW industry complaints scheme for the energy and water industry of that name and any successor to that scheme.

Environmental Management System has the meaning given in clause 6.1.1.

Fish River Customer Contract means any agreement entered into between State Water and a Fish River Water Scheme Customer in accordance with clause 5.4.

Fish River Customer Council has the meaning given in clause 5.3.

Fish River Water Supply Scheme means the Fish River water supply scheme as defined in the Act.

Fish River Water Scheme Customer means any person to whom State Water makes available water by the operation of the Fish River Water Supply Scheme.

Hunter Water Corporation has the meaning given to it under the *Hunter Water Act 1991* (NSW).

Internal Complaints Handling Procedure has the meaning given in clause 5.6.1.

IPART means the Independent Pricing and Regulatory Tribunal of New South Wales constituted by the IPART Act.

IPART Act means the *Independent Pricing and Regulatory Tribunal Act 1992* (NSW).

Licence means this operating Licence granted under section 11 of the Act to State Water or any renewal of it, as in force at the relevant time.

Local Water Utility has the meaning given to that term in the *Water Management Act 2000* (NSW).

Local Water Utility Customer has the meaning given in clause 2.1.1.

LWU Information Request Procedure has the meaning given in clause 2.1.2.

Management System means a set of procedures to be followed by State Water to develop and implement its policies and objectives and to manage any of its activities, products, functions or services, and includes organisational structure, planning activities, responsibilities, practices, processes and resources.

Metering Equipment has the meaning given in the Act.

Minister means, unless the contrary intention appears, the Minister administering the Act.

[Note: As at the Commencement Date, the Minister administering the Act is the Minister for Primary Industries jointly with the Minister for Regional Infrastructure and Services.]

NSW Health means the Water Unit of the Ministry of Health.

Operational Audit has the meaning given in clause 7.1.1.

Reporting Manual means the document titled "State Water Corporation Reporting Manual" dated July 2013, which is prepared by IPART and is available on IPART's website at www.ipart.nsw.gov.au, as updated from time to time.

State Water means the State Water Corporation constituted as a statutory State owned corporation by the Act.

Sydney Catchment Authority has the meaning given to it under the *Sydney Water Catchment Management Act 1998* (NSW).

Sydney Water Corporation has the meaning given to it under the *Sydney Water Act 1994* (NSW).

Unregulated River has the meaning given to that term under the *Water Management Act 2000* (NSW).

Valley means a river valley.

Water Allocation Account has the meaning given to it under the *Water Management Act 2000* (NSW) or means an account for a water access licence set

10 Definitions and Interpretation

up under the administrative procedures implemented under the *Water Act 1912* (NSW).

Water Management Work has the meaning given to it under the *Water Management Act 2000* (NSW).

Water Order means a request by a Customer, made in accordance with the relevant conditions imposed on the relevant:

- a) water access licence, to take water under the *Water Management Act 2000* (NSW); or
- b) entitlement, to take water under section 20AF of the *Water Act 1912* (NSW).

Water Supply Authority means a body listed under Schedule 3 of the *Water Management Act 2000* (NSW).

10.2 Interpretation

- a) In this Licence, unless the contrary intention appears:
 - i) "person" includes an individual, a body corporate, an unincorporated body or other entity and one or more of each of them;
 - ii) headings are for convenience only and do not affect the interpretation of this Licence;
 - iii) notes do not form part of this Licence but may be used to assist with interpretation if there is an ambiguity;
 - iv) words importing the singular include the plural and vice versa;
 - v) a reference to a law or legislation (including the Act) includes regulations made under the law or legislation;
 - vi) a reference to regulations includes ordinances, codes, licences, orders, permits and directions;
 - vii) a reference to a law or regulation includes consolidations, amendments, variations, re-enactments, or replacements of any of them;
 - viii) a reference to a person includes a reference to the person's executors, administrators, successors, substitutes (including, but not limited to, persons taking by novation) and assigns;
 - ix) a reference to a year means a calendar year that ends on 31 December;
 - x) a reference to a financial year means a period of 12 months commencing on 1 July and ending on the following 30 June;
 - xi) a reference to a clause or schedule is to a clause of or schedule to this Licence; and
 - xii) a reference to a quarter is a period of three months beginning on 1 July, 1 October, 1 January or 1 April in a year.

- b) Terms defined in the Act, *Water Act 1912* (NSW), *Water Management Act 2000* (NSW) and *New South Wales – Queensland Border Rivers Act 1947* (NSW) have the same meaning in this Licence, unless a contrary definition is specified in this Licence.
- c) If any part of this Licence is prohibited, void, voidable, illegal or unenforceable, then that part is severed from this Licence but without affecting the continued operation of the remainder of this Licence.
- d) A reference in this Licence to any organisation, association, society, group, authority or body will, in the event of it ceasing to exist or being reconstituted, renamed or replaced or if its powers or functions are transferred to any other entity, body or group, refer respectively to any such entity, body, authority or group, established or constituted in lieu thereof or succeeding to similar powers and functions.
- e) A reference in this Licence to a document (original document) is a reference to the original document as amended or revised or, where the original document is replaced, to the replacing document, or the document that most closely approximates the original document.
- f) Information provided to IPART under this Licence may be used by IPART for the purpose of an investigation or report under the IPART Act in relation to State Water, or in the discharge of any function lawfully conferred on IPART.



Schedules

| 10 Definitions and interpretation

A Conferral of functions

The following functions under the specified sections of the *Water Management Act 2000* (NSW) are conferred on State Water by the Licence:

- a) approving the form of an application for an assignment dealing with an access licence under section 71L, subject to any requirement approved by the Minister administering the *Water Management Act 2000* (NSW);
- b) granting consents to temporary water transfers under sections 71T and 71V;
- c) debiting and crediting of water accounts under sections 76, 85 and 85A, subject to the condition that State Water provide water account information to NSW Office of Water;
- d) suspending access licences under section 78 and suspending approvals under section 109 in relation to a failure to pay any fees or charges imposed by State Water;
- e) authorising the taking of water by means of a metered work while its metering equipment is not operating properly under section 91I(3) subject to any requirement approved by the Minister administering the *Water Management Act 2000* (NSW);
- f) imposing and recovering fees and charges under section 114 consistent with any relevant determination in relation to the price of Bulk Water made by IPART or any other pricing authority vested with the power to determine water prices for State Water;
- g) making a temporary water restriction order under section 324 where water restrictions are required as a result of an emergency works failure. In such cases, State Water must notify in writing to the Deputy Commissioner, Water Regulation, NSW Office of Water as soon as practicable after making any direction;
- h) issuing certificates under section 362B, subject to any requirement approved by the Minister administering the *Water Management Act 2000* (NSW); and
- i) recovering fees and charges under sections 362A and 362C, subject to any requirement approved by the Minister administering the *Water Management Act 2000* (NSW).

The following functions under the specified sections of the *Water Act 1912* (NSW) are conferred on State Water by the Licence:

- a) entering any land to take levels, make surveys and marks, fix pegs and stakes and inspect any water works under section 22(1);

| A Conferral of functions

The following Functions specified under the specified sections of the *New South Wales – Queensland Border Rivers Act 1947* (NSW) are conferred on State Water by the Licence, subject to any requirement imposed by the Minister administering the *New South Wales – Queensland Border Rivers Act 1947* (NSW) or the Border Rivers Commission:

- a) constructing, maintaining, operating and controlling relevant works in New South Wales under section 14; and
- b) exercising the powers and obligations of a “Controlling Authority” under section 20.

Other Notices

ADOPTION ACT 2000

Notice of Accreditation as an Adoption Service Provider

Sydney Anglican Home Mission Society Council
ABN: 88 851 368 006

IN accordance with the functions delegated to me, I accredit Sydney Anglican Home Mission Society Council as an adoption service provider.

I authorise Ms Jackie Palmer, Principal Officer of Sydney Anglican Home Mission Society Council at 19A Gibbons Street, Telopea NSW, to undertake the following domestic adoption services for children, until 30 June 2018:

- (i) the assessment of the suitability of a person or persons to adopt a child;
- (ii) any decision to place a child with a person or persons to adopt the child; and
- (iii) the transfer of the care of the child to the person or persons wishing to adopt the child.

The Children's Guardian may revoke or vary any condition to which the accreditation of Sydney Anglican Home Mission Society Council is subject and may attach further conditions to the accreditation. The Children's Guardian may revoke or suspend the agency's accreditation if it fails to comply with any of these conditions.

The Children's Guardian may publish details of failure to comply with a condition of accreditation in the Children's Guardian's Annual Report to Parliament.

A decision of the Children's Guardian to impose, not impose, vary or revoke a condition of accreditation is reviewable by the Administrative Decisions Tribunal (ADT), under section 193 of the Adoption Act 2000, following an internal review by the Children's Guardian.

Date of Notice: 30 June 2013.

KERRY N BOLAND,
Children's Guardian

Giving false or misleading information to the Children's Guardian is a serious offence.

ADOPTION ACT 2000

Notice of Accreditation as an Adoption Service Provider

Barnardos Australia
ABN: 18 068 557 906

IN accordance with the functions delegated to me, I accredit Barnardos Australia as an adoption service provider.

I authorise Ms Lisa Vihtonen, Principal Officer of Barnardos Australia at Suite 2, 106-108 Queen Street, St Marys NSW, to undertake the following domestic adoption services for children, until 30 June 2018:

- (i) the assessment of the suitability of a person or persons to adopt a child;
- (ii) any decision to place a child with a person or persons to adopt the child; and
- (iii) the transfer of the care of the child to the person or persons wishing to adopt the child.

The Children's Guardian may revoke or vary any condition to which the accreditation of Barnardos Australia is subject and may attach further conditions to the accreditation. The Children's Guardian may revoke or suspend the agency's accreditation if it fails to comply with any of these conditions.

The Children's Guardian may publish details of failure to comply with a condition of accreditation in the Children's Guardian's Annual Report to Parliament.

A decision of the Children's Guardian to impose, not impose, vary or revoke a condition of accreditation is reviewable by the Administrative Decisions Tribunal (ADT), under section 193 of the Adoption Act 2000, following an internal review by the Children's Guardian.

Date of Notice: 30 June 2013.

KERRY N BOLAND,
Children's Guardian

Giving false or misleading information to the Children's Guardian is a serious offence.

ADOPTION ACT 2000

Notice of Accreditation as an Adoption Service Provider

CatholicCare
ABN: 67 561 712 586

IN accordance with the functions delegated to me, I accredit CatholicCare as an adoption service provider.

I authorise Ms Sonali Abeynaile, Principal Officer of CatholicCare at 8 Jacobs Street, Bankstown NSW, to undertake the following domestic adoption services for children, until 30 June 2018:

- (i) the assessment of the suitability of a person or persons to adopt a child;
- (ii) any decision to place a child with a person or persons to adopt the child; and
- (iii) the transfer of the care of the child to the person or persons wishing to adopt the child.

The Children's Guardian may revoke or vary any condition to which the accreditation of CatholicCare is subject and may attach further conditions to the accreditation. The Children's Guardian may revoke or suspend the agency's accreditation if it fails to comply with any of these conditions.

The Children's Guardian may publish details of failure to comply with a condition of accreditation in the Children's Guardian's Annual Report to Parliament.

A decision of the Children's Guardian to impose, not impose, vary or revoke a condition of accreditation is reviewable by the Administrative Decisions Tribunal (ADT), under section 193 of the Adoption Act 2000, following an internal review by the Children's Guardian.

Date of Notice: 30 June 2013.

KERRY N BOLAND,
Children's Guardian

Giving false or misleading information to the Children's Guardian is a serious offence.

ANTI-DISCRIMINATION ACT 1977 (NSW)**Exemption Order**

UNDER section 126 of the Anti-Discrimination Act 1977 (NSW) and for the purposes of meeting the Pall Australia Pty Ltd's (the Applicant) legal obligations pursuant to:

- Manufacturing Licence Agreements;
- Technical Assistance Agreements;
- Proprietary Information Agreements; and/or
- Export licences granted by the US Department of Commerce;

under the United States International Traffic in Arms Regulations ("ITAR") and Export Administration Regulations ("EAR"), as amended from time to time, (together, the "US Regulations").

The Applicant is granted an exemption from sections 8, 10 and 51 of the Anti-Discrimination Act 1977 (NSW) to permit the Applicant to do the following:

- (a) ask present and future employees and contractors to disclose their full names;
- (b) ask present and future employees and contractors to declare their exact citizenship (including any dual citizenship) and their country of birth;
- (c) require present and future employees and contractors to produce a photocopy of their passport(s);
- (d) require present and future employees and contractors to notify Pall Australia of any change to their citizenship status, to the best of their knowledge and belief;
- (e) restrict access to controlled technology to particular members of Pall Australia's workforce, based on their citizenship or country of birth; and
- (f) record and maintain a register ("Register") of those employees and contractors that are permitted to access controlled material or work on controlled projects due to citizenship, or country of birth status. Access to the Register to be limited to only those employees, (including contractors' staff), contract workers and agents of Pall Australia with a need to know.

(A) This Exemption Order does not extend to any other identification, collection, storage or use of information in relation to any employee in respect of that employee's race, colour, nationality, descent or ethnic, ethno-religious or national origin. Except to the extent expressly provided for in this order. This Exemption Order does not excuse, or purport to excuse, the Applicant from complying with its obligations pursuant to the Anti-Discrimination Act 1977 (NSW) or any other legislation or at common law.

(B) The Applicant is required, prior to taking any action permitted by this Exemption Order, to provide all employees, and prospective employees with:

- (i) express notice that they may be adversely affected by this exemption if they are not an Australian citizen or if they hold dual citizenship;
- (ii) a reasonable explanation in plain English of the nature of any adverse effects of such action to them; and
- (iii) information (at the time of recruitment in the case of prospective employees) about how they can apply for Australian citizenship.

(C) In addition to the above conditions the Applicant is required to:

1. produce comprehensive anti-discrimination policies governing all aspects of the work and workforce, including management, and with particular regard to race discrimination, vilification and harassment and victimisation;
2. establish concise and comprehensive dispute resolution and grievance procedures to receive, investigate and resolve discrimination complaints and grievances and, in particular, those relating to race discrimination, vilification and harassment and victimisation;
3. implement training programs, including at induction, to ensure that all members of the Applicant's workforce, including management, are fully informed of their rights and obligations under such policies and procedures, particularly with regard to issues of race discrimination, vilification, harassment and victimisation;
4. ensure that all members of the workforce, including management, receive regular education and training in issues of discrimination, particularly race discrimination, vilification, harassment and victimisation;
5. take steps to fully inform the workforce, including management, of their rights under the Anti-Discrimination Act 1977 (NSW) and, in particular, but not limited to, the complaints procedure under the Anti-Discrimination Act 1977 (NSW) and to ensure that all members of the workforce, including management, are aware of the rights of aggrieved persons to take their complaints to the Anti-Discrimination Board and through the Administrative Decisions Tribunal;
6. take steps to fully inform the workforce, including management, of the requirements of, and their rights and obligations under, the Racial Discrimination Act 1975 (Cth);
7. notify the Board if the discriminatory terms and provisions of the relevant US legislation and/or Regulations are repealed or become inoperative, so that this Exemption Order may be revoked or amended.

(D) The Applicant is required to advise the Anti-Discrimination Board, every six months from the date of this Exemption Order, over the period specified in this Order, of:

1. The steps they have taken to comply with all the above conditions, including:
 - (a) the number of job applicants rejected for ITAR purposes, including those subsequently appointed to other roles within each reporting period;
 - (b) the number of employees retrenched or redeployed due to ITAR requirements and any steps taken to minimise retrenchment or redeployment, and any steps taken generally to mitigate the impact of the Applicant's responsibility under ITAR on the deployment of its workforce within each reporting period;
 - (c) the number of vacancies advertised within each reporting period, including the number of such vacancies where candidates were required to satisfy ITAR related requirements.

2. The implementation and compliance generally with the terms of this Exemption Order.

(E) The Applicant is required to take all reasonable steps to ensure that any employees adversely affected by this Exemption Order, retain employment with the Applicant, and do not suffer a reduction in wages, salary or opportunity for advancement.

If the Applicant, in order to enable it to comply with the US Regulations or related contractual obligations associated with the US Regulations, moves a member of the workforce from one project to another, the Applicant must take reasonable steps both to explain to that person why the transfer has occurred and to avoid any race-based hostility that might result from the transfer.

Where prospective employees adversely affected by this Exemption Order would otherwise have been acceptable to the Applicant as employees, the Applicant is required to consider and, if feasible, implement reasonable and practicable alternatives to rejection, such as employment in other work or obtaining the necessary approvals under the US Regulations.

In this Exemption Order:

- the expression “the Applicant” means Pall Australia Pty Ltd;
- the expression “ITAR Controlled Material” means controlled defence articles, technical data and defence services which are the subject of export controls under the US Regulations.

This Exemption is granted until 30 June 2016.

Dated this 2nd day of July 2013.

STEPAN KERKYASHARIAN, AO,
President,
Anti-Discrimination Board of NSW

ANTI-DISCRIMINATION ACT 1977 (NSW)

Exemption Order

UNDER the provisions of section 126 of the Anti-Discrimination Act 1977 (NSW), an exemption is granted to Mid-Western Regional Council New South Wales from sections 25 and 51 of the Anti-Discrimination Act 1977 (NSW), to offer and advertise two scholarships for women undertaking training in non-traditional trades.

This exemption will remain in force for a period of one year from the date given.

Dated this 2nd day of July 2013.

STEPAN KERKYASHARIAN, AO,
President,
Anti-Discrimination Board of NSW

ANTI-DISCRIMINATION ACT 1977 (NSW)

Exemption Order

UNDER the provisions of section 126 of the Anti-Discrimination Act 1977 (NSW), an exemption is granted to Women in Prison Advocacy Network Inc. from sections 25, 51 and 53 of the Anti-Discrimination Act 1977 (NSW), to advertise, recruit and employ the following roles:

- Two female employees for the positions of Mentoring Project Coordinator and Policy Project Coordinator;

- Female Board Executive Committee members; and
- Female volunteers as mentors and research/systemic advocacy workers.

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

Dated this 2nd day of July 2013.

STEPAN KERKYASHARIAN, AO,
President,
Anti-Discrimination Board of NSW

ASSOCIATIONS INCORPORATION ACT 2009

Cancellation of Registration pursuant to Section 80

TAKE notice that SPARK INTERNATIONAL INC (INC9893400), became registered under the Corporations Act 2001, as Spark International Australia Limited – ACN 164 346 918, a public company limited by guarantee on 19 June 2013 and accordingly its registration under the Associations Incorporation Act 2009, is cancelled as of that date.

Dated: 2 July 2013.

ROBYNE LUNNEY,
NSW Fair Trading

ASSOCIATIONS INCORPORATION ACT 2009

Cancellation of Registration pursuant to Section 80

TAKE notice that AUSTRALIAN SOCIETY OF SEXUALITY EDUCATORS RESEARCHERS AND THERAPISTS NATIONAL INCORPORATED (INC9887262), became registered under the Corporations Act 2001, as Society of Australian Sexologists Ltd – ACN 163 613 661, a public company limited by guarantee on 6 May 2013 and accordingly its registration under the Associations Incorporation Act 2009, is cancelled as of that date.

Dated: 2 July 2013.

ROBYNE LUNNEY,
NSW Fair Trading

ASSOCIATIONS INCORPORATION ACT 2009

Reinstatement of Cancelled Association pursuant to Section 84

TAKE notice that the incorporation of FORUM OF INDIAN IT COMPANIES IN AUSTRALIA INCORPORATED (INC9879867), cancelled on 5 September 2008, is reinstated pursuant to section 84 of the Associations Incorporation Act 2009.

Dated this 3rd day of July 2013.

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

ASSOCIATIONS INCORPORATION ACT 2009

Reinstatement of Cancelled Association pursuant to Section 84

TAKE notice that the incorporation GLEN INNES AERO CLUB INC (Y0979241), cancelled on 22 August 2008, is reinstated pursuant to section 84 of the Associations Incorporation Act 2009.

Dated this 3rd day of July 2013.

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

ASSOCIATIONS INCORPORATION ACT 2009

Reinstatement of Cancelled Association pursuant to
Section 84

TAKE notice that the incorporation of LISMORE
AUTOMOBILE CLUB INCORPORATED (Y2180145),
cancelled on 3 October 2008, is reinstated pursuant to section
84 of the Associations Incorporation Act 2009.

Dated this 3rd day of July 2013.

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

ASSOCIATIONS INCORPORATION ACT 2009

Reinstatement of Cancelled Association pursuant to
Section 84

TAKE notice that the incorporation TIAN CI HOLY DAO
ASSOCIATION INC (INC9875982), cancelled on 20 May
2011, is reinstated pursuant to section 84 of the Associations
Incorporation Act 2009.

Dated this 3rd day of July 2013.

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

CHARITABLE TRUSTS ACT 1993

Order under Section 12
Administrative Scheme Relating to the
Mearns Massie Endowment Fund

BY his will dated 5 December 1935, William Mearns Massie ('the testator') of Dulwich Hill, bequeathed the residue of his estate to 'pay the net income thereof to the Trustees of the Presbyterian Church of Australia in the State of New South Wales in trust to apply such income in the purchase of food and clothing for the orphans in the Burnside Orphans Home (or such of them as the Governing body of the said home shall from time to time nominate) and for no other purpose...'. As at 17 May 2012, the value of the Mearns Massie Endowment Fund ('the Fund') was \$14,273.55.

The NSW Trustee and Guardian ('the trustee') has applied for a cy près scheme under section 12 of the Charitable Trusts Act 1993 in respect of the Fund. The trustee proposes that the Fund be transferred to the Uniting Church in Australia Property Trust (NSW) to apply the income for the purchase of food and clothing for the children residing in the Burnside Homes. The trustee is also seeking to be replaced as trustee by the Uniting Church in Australia Property Trust.

As there is a charitable trust for the relief of orphans housed in the Burnside Orphan Homes, and as it appears that the original trust purposes have ceased to be suitable and effective, because there are no longer any orphanages (or, it appears, any need for orphanages) in New South Wales, a scheme may be ordered.

As delegate of the Attorney General in Charitable Trusts Act 1993 matters, I have determined that this is an appropriate matter in which the Attorney General should by order establish a scheme under section 12 of the Charitable Trusts Act 1993 whereby the Uniting Church in Australia Property Trust (NSW) (ARBN 134 487 095) be appointed trustee in place of the current trustee, and that permits the application of the income of the Fund to be applied cy près for the purchase of food and clothing for the children residing in the residential care homes operated by UnitingCare Burnside.

Therefore, pursuant to section 12 of the Charitable Trusts Act, I hereby order that the income of the Mearns Massie Endowment Fund be applied cy près for the purchase of food and clothing for the children residing in the residential care homes operated by UnitingCare Burnside.

This Order will take effect 21 days after its publication in the Government Gazette, in accordance with section 16(2) of the Charitable Trusts Act 1993.

Date of the Order: 1 July 2013.

M. G. SEXTON, SC,
Solicitor General
(under delegation from the Attorney General)

ENERGY AND UTILITIES ADMINISTRATION (ENERGY CONTRIBUTIONS) ORDER 2013

I, the Hon. ROBYN PARKER, M.P., Minister for the Environment, with the concurrence of the Hon. Chris Hartcher, M.P., Minister for Resources and Energy, and the Hon. Mike Baird, M.P., Treasurer, make the following Order under section 34J of the Energy and Utilities Administration Act 1987.

This Order takes effect on the date that it is published in the *New South Wales Government Gazette*.

Dated at Sydney, this 1st day of July 2013.

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

Explanatory note

Section 34J of the Energy and Utilities Administration Act 1987, provides that the Minister may, by order published in the *New South Wales Government Gazette*, require any one or more distribution network service providers to make an annual contribution for a specified financial year to the Climate Change Fund. The purpose of this Order is to require defined distribution network service providers to make an annual contribution to the Climate Change Fund for the financial year commencing 1 July 2013.

1. Name of Order

This Order is the Energy and Utilities Administration (Energy Contributions) Order 2013.

2. Commencement

This Order commences on the date that it is published in the *New South Wales Government Gazette*.

3. Interpretation

The Explanatory Note to this Order does not form part of the Order.

4. Definitions

distribution network service provider means a distribution network service provider listed in column 1 of Schedule 1.

5. Annual contribution

- (1) A distribution network service provider is required to make an annual contribution to the Climate Change Fund for the financial year commencing 1 July 2013.
- (2) The amount of the annual contribution to be paid by a distribution network service provider is as set out in column 2 of Schedule 1.

6. Time for payment

The annual contribution is to be paid by quarterly instalments (each being equal to one-fourth of the annual contribution payable) on or before the first day of August 2013, November 2013, February 2014 and May 2014.

SCHEDULE 1

<i>Column 1</i>	<i>Column 2</i>
<i>Distribution network service provider</i>	<i>Annual contribution</i>
Ausgrid	\$149,802,468.31
Endeavour Energy	\$94,431,525.66
Essential Energy	\$64,366,006.03

HERITAGE ACT 1977**Erratum**

THE notice published in the *New South Wales Government Gazette* No. 79 of Friday, 28 June 2013, relating to Heritage Act 1977, Notice of Order under Section 57(2) to grant site specific exemptions from approval for Emu Plains (Nepean River) Underbridge. The following text under Schedule "C" Reason/comments should include:

To provide for the continued operation and day-to-day maintenance of the site without the need to obtain Heritage Council approval where those activities do not impact on the heritage significance of the site.

SUBORDINATE LEGISLATION ACT 1989**Proposed Dust Diseases Tribunal Regulation 2013**

THE proposed Dust Diseases Regulation 2013 will remake the Dust Diseases Regulation 2007 with some changes to the existing Claims Resolution Process.

A Regulatory Impact Statement (RIS) has been prepared examining the need for regulation and its costs and benefits.

Copies of the proposed Regulation and RIS are available on the Department of Attorney General and Justice website at www.lawlink.nsw.gov.au/lpd, by emailing lpclrd@agd.nsw.gov.au or by telephoning (02) 8061 9222.

Submissions are sought on the proposed Regulation and RIS. Submissions can be made to the Director, Justice Policy, NSW Department of Attorney General and Justice, GPO Box 6, Sydney NSW 2001; DX 1227 SYDNEY; email: lpclrd@agd.nsw.gov.au. If you would like to provide comments in an alternative format please call (02) 8061 9222. If you are hearing or speech impaired please contact us via the National Relay Service on 133 677.

All submissions will be treated as public and may be published, unless the submission indicates that it is to be treated as confidential.

Closing date for submissions: **31 July 2013**.

PRIVATE ADVERTISEMENTS

COUNCIL NOTICES

ARMIDALE DUMARESQ COUNCIL

Roads Act 1993

Naming of Roads

NOTICE is hereby given that Armidale Dumaresq Council, in pursuance of section 162 of the Roads Act 1993, has officially named the roads as shown hereunder:

<i>Location</i>	<i>Names</i>
In the subdivision of land situated at 22-26 Tombs Road, being Lots 1-3, DP 841787 and Lot 80, DP 1059019.	Pinto Street, Lara Avenue and Dala Lane.

S. BURNS, General Manager, Armidale Dumaresq Council, 135 Rusden Street (PO Box 75A), Armidale NSW 2350. [7076]

ORANGE CITY COUNCIL

Roads Act 1993

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

ORANGE CITY COUNCIL, by its General Manager, dedicates the land described in the Schedule below as public road under section 10 of the Roads Act 1993. GARRY STYLES, General Manager, Orange City Council, PO Box 35, Orange NSW 2800.

SCHEDULE

All that piece or parcel of land situated in the Orange City Council Area, Parish of Orange and County of Bathurst, shown as:

Description of Land and Title Particulars

Lot 49, DP 881667, Icely Road, Orange. Certificate of Title Identifier 49/881667.

Lot 71, DP 1171815, Icely Road, Orange. Certificate of Title Identifier 71/1171815.

Lot 72, DP 1171815, Icely Road, Orange. Certificate of Title Identifier 72/1171815.

All that piece or parcel of land situated in the Orange City Council Area, Parish of Orange and County of Wellington, shown as:

Description of Land and Title Particulars

Lot 2, DP 1067471, Hill Street, Orange. Certificate of Title Identifier 2/106747. [7077]

COMPANY NOTICES

NOTICE of dissolution of partnership.—PEGELAPASTORAL HOLDINGS PARTNERSHIP.—Notice is hereby given that the partnership previously subsisting between Pegela Rural Investments Pty Ltd (ACN 088 958 230), atf the Pegela Pastoral Trust (formerly known as the Pegela Rural Investments Trust) and Pegela Pty Ltd (ACN 002 256 751) atf Pegela Trust, trading as the Pegela Pastoral Holdings

Partnership of 845 O'Connell Road, Oberon NSW 2787, has been dissolved as of 29 May 2013. MARK MASON, Director, Pegela Rural Investments Pty Ltd (ACN 088 958 230), atf the Pegela Pastoral Trust, 845 O'Connell Road, Oberon NSW 2787, tel (02) 6336 3033. [7078]

NOTICE of dissolution of partnership.—Notice is hereby given that the partnership subsisting between WALTER BRUCE HOLDINGS PTY LTD (ACN 129 793 782) as Trustee for COLQUHOUN DB TRUST and INA HOLDINGS PTY LTD (ACN 137 426 601) as Trustee for WEBLEY DB TRUST trading as Granite Consulting at Level 7, 50 Queen Street, Melbourne, was dissolved by mutual consent on 1 July 2013. RACHEL TAING, Solicitor, c.o. Brand Partners Commercial Lawyers, Level 17, 114 William Street, Melbourne VIC 3000, tel.: (03) 9602 5800. [7079]

NOTICE of retirement from partnership.—Take notice that as from 1 July 2013 CHRISTOPHER CHIU has retired from the partnership of Chew & Chiu Chartered Accountants. Christopher will continue to work with the firm as a consultant until 30 June 2017. CHEW & CHIU CHARTERED ACCOUNTANTS, Level 7, 60 York Street, Sydney NSW 2000 (PO Box 686 QVB, Sydney NSW 1230), tel.: (02) 9262 6900. [7080]

NOTICE of dissolution of partnership.—Notice is hereby given pursuant to section 36(2) of the Partnership Act 1892 (NSW), that the partnership between LAONIA HOLDINGS PTY LTD, ACN 003 767 164, as trustee for the TWEE TRUST AND DOMA CORP PTY LTD, ACN 155 539 987, as trustee for the van Rijn Family Trust trading as "Una's Café Restaurant" is dissolved with effect from 30 June 2013. DOMA CORP P/L, c.o. Una's Restaurant, 340 Victoria Street, Darlinghurst NSW 2010, tel.: (02) 9360 6885. [7081]

Notice of members' final meeting.—RYDE HUNTERS HILL COMMUNITY HOUSING CO-OPERATIVE LIMITED (In Liquidation).—Notice is hereby given that in terms of section 509 of the Corporations Law, the final general meeting of the Co-operative will be held at the office of the Liquidator at 1/8 Bank Street, Wellington NSW 2820, at 9:00 a.m., Friday, 9 August 2013, for the purpose of having laid before it by the liquidator an account showing how the wind up has been conducted and the property of the co-operative disposed. PAUL CAMPION, Liquidator, 1/8 Bank Street, Wellington NSW 2820. [7082]

Notice of members' final meeting.—DAWNBREAKER HOUSING CO-OPERATIVE LIMITED (In Liquidation).—Notice is hereby given that in terms of section 509 of the Corporations Law, the final general meeting of the Co-operative will be held at the office of the Liquidator at 1/8 Bank Street, Wellington NSW 2820, at 9:00 a.m., Friday, 9 August 2013, for the purpose of having laid before it by the liquidator an account showing how the wind up has been conducted and the property of the co-operative disposed. PAUL CAMPION, Liquidator, 1/8 Bank Street, Wellington NSW 2820. [7083]

OTHER NOTICES**AUSGRID**

Electricity Supply Act 1995

Land Acquisition (Just Terms Compensation) Act 1991

Notice of Compulsory Acquisition of Interests in Land for
the purposes of the Electricity Supply Act 1995

AUSGRID declares with the approval of Her Excellency the Governor, that the interest in land described in Schedule 1 below is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purposes of the construction, protection, operation and maintenance of the City East Cable Tunnel by Ausgrid as authorised under the Electricity Supply Act 1995.

Dated this 3rd day of July 2013.

Signed for and on behalf of Ausgrid of 570 George Street, Sydney, by TREVOR ARMSTRONG its duly constituted Attorney pursuant to Power of Attorney registered Book 4641, No. 639.

SCHEDULE 1

Easement for a sub-stratum tunnel in the terms set out in Memorandum No. AG877191, filed at NSW Land and Property Information over all that piece or parcel of land situated at Darlinghurst, in the Local Government Area of City of Sydney, Parish of St James, County of Cumberland and State of New South Wales, being part of Lot 1877 in Deposited Plan 877000, shown in DP1169653. [7084]

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