

Australian Capital Territory

Gazette

SPECIAL GAZETTE

No. S69, Tuesday 11 September, 2001

NOTIFICATION OF THE MAKING OF A REGULATION

NOTICE is hereby given that the undermentioned Regulation of the Australian Capital Territory has been made. Copies of the Regulation may be purchased from the Legislation and Sales Counter, ACT Government Shopfront, Ground Floor, FAI House, Corner of London Circuit and Akuna Street, Canberra City ACT 2601.

Act under which Regulation made	Description of Regulation	Number and year of Regulation
Road Transport (Safety and Traffic Management) Act 1999	Road Transport (Safety and Traffic Management) Regulations Amendment 2001.	No. 32 of 2001
Workers' Compensation Act 1951	Workers Compensation Regulations Amendment 2001	No. 33 of 2001

ACT Government Homepage: http://www.act.gov.au

NOTIFICATION OF THE MAKING OF AN INSTRUMENT

NOTICE is hereby given that the undermentioned Instruments of the Australian Capital Territory have been made. Copies of the Instruments may be purchased from the Legislation and Sales Counter, ACT Government Shopfront, Ground Floor, FAI House, Corner of London Circuit and Akuna Street, Canberra City ACT 2601.

Act under which Instrument made	Description of instrument	Number and year of Instrument
Public Place Names Act 1989	Determination to omit one street name in the Division of City.	No. 274 of 2001
Public Place Names Act 1989	Determination of park name in the Division of Watson.	No. 275 of 2001
Public Place Names Act 1989	Determination of park name in the Division of Campbell.	No. 276 of 2001
Radiation Act 1983	Determination of Fees.	No. 277 of 2001
Unit Titles Act 1970	Revocation of Fees.	No. 278 of 2001
Unit Titles Act 970	Determination of Fees.	No. 279 of 2001
Surveyors Act 2001	ACT Survey Practice Directions.	No. 280 of 2001
Long Service Leave (Building and Construction Industry) Act 1981	Appointment to the Construction Industry Long Service Leave Board – Robert John Yeomans.	No. 281 of 2001
Long Service Leave (Building and Construction Industry) Act 1981	Appointment to the Construction Industry Long Service Leave Board – John Hailey.	No. 282 of 2001
Long Service Leave (Building and Construction Industry) Act 1981	Appointment to the Construction Industry Long Service Leave Board – John Arthur Haskins.	No. 283 of 2001
Long Service Leave (Building and Construction Industry) Act 1981	Appointment to the Construction Industry Long Service Leave Board – Brian O'Reilly.	No. 284 of 2001
Long Service Leave (Building and Construction Industry) Act 1981	Appointment to the Construction Industry Long Service Leave Board – George Wason.	No. 285 of 2001

Utility Networks (Public Safety) Regulations 2001

NOTICE OF COMMENCEMENT

I, GARY HUMPHRIES, Treasurer, fix the day of gazettal as the day the provisions of the Utility Networks (Public Safety) Regulations 2001 will commence.

Dated 6th September 2001

Gary Humphries MLA Treasurer

SUPREME COURT AMENDMENT ACT 2001 (No. 2)

NOTICE OF COMMENCEMENT

UNDER section 2 of the *Supreme Court Amendment Act 2001* (No. 2), **I FIX** the following dates for the commencement of the specified provisions of the Act:

- 7 September 2001 is the day on which the following provisions of the Act shall commence:
 - Section 4 (Seniority of judges);
 - Section 5;
 - Section 6;
 - Section 7 (Arrangement of business of court);
 - Section 8 (Exercise of jurisdiction);
 - Section 9 (Exercise of jurisdiction by Master);
 - Section 10;
 - Section 11 (Rules of Court);
 - Section 12; and
 - Section 14 (Completion of part-heard matters expiration of term of office).
- 7 September 2001 is the day on which the following provisions inserted into the Supreme Court Act 1933 by section 13 shall commence:
 - Subsections 37E(1) and 37E(3) (part of Appellate jurisdiction);
 - Section 37F (Appointment of President);
 - Section 37G (Arrangement of business of Court of Appeal);
 - Section 37H (Appeal bench);
 - Section 37I (Presiding judge);
 - Section 37J (Appeal court constituted by single judge);
 - Section 37K (Decision-making);
 - Section 37L (Appeal judge unable to continue sitting);
 - Section 37M (Reserved judgments);
 - Section 37N (Evidence on appeal);
 - Section 370 (Judgment on appeal); and
 - Section 37P (New trials).

- 1 October 2001 is the day on which the following provisions inserted into the Supreme Court Act 1933 by section 13 shall commence:
 - Subsections 37E(2)(a)(i) (part of Appellate jurisdiction); and

Subsections 37E(2)(c) (part of Appellate jurisdiction).

Dated: 7 September 2001

BILL STEFANIAK MLA ATTORNEY-GENERAL

Note 1: Sections 1, 2, 3, 15, Schedule 1 and Schedule 2 of the Supreme Court

Amendment Act 2001 (No. 2) commenced on notification in the Gazette. Uncommenced provisions (eg, s37E(2)(a)(ii)) will be commenced at a later

Note 2:

date.

AUSTRALIAN CAPITAL TERRITORY LEGISLATIVE ASSEMBLY (MEMBERS' STAFF) AMENDMENT ACT 2001 COMMENCEMENT NOTICE

I, GARY HUMPHRIES, Chief Minister, fix 13 September 2001 as the day the provisions of the Act that are not in force commence.

Dated this 9 day of September 2001.

Gary Humphries Chief Minister



AUSTRALIAN CAPITAL TERRITORY OCCUPATIONAL HEALTH AND SAFETY ACT 1989 DECLARATION

Under Section 39(2) of the ACT *Occupational Health and Safety Act 1989*, I declare that, an application by Baulderstone Hornibrook Pty Ltd, Section 39 of the *Act* applies to the Australian Trucking Association project at Block 3, Section 30 FORREST ACT.

Jocelyn Plovits
Commissioner

Date: 4 September 2001

TRANSPLANTATION AND ANATOMY ACT 1978

INSTRUMENT OF APPOINTMENT

Pursuant to the powers conferred on the Minister, under paragraph 5(1) of the *Transplantation and Anatomy Act 1978* I, MICHAEL MOORE, the Minister for Health, Housing and Community Services, HEREBY APPOINT:

Dr Greg Hollis

Dr Sashi Kumar

Dr Paul Lamberth

Associate Professor Drew Richardson

Dr Kam Sinn

Dr David Elliot

Dr Andrew Singer

Dr Allen O'Connor

Dr David Boadle

Dr Rod Lambert

Dr Ian Brown

To be designated officers for The Canberra Hospital, a hospital conducted by the Territory.

DATED this 3rd day of September 2001.

MICHAEL MOORE

Minister for Health, Housing and Community Services

TRANSPLANTATION AND ANATOMY ACT 1978

APPOINTMENT

EXPLANATORY STATEMENT

In accordance with Section 5(1) of the *Transplantation and Anatomy Act 1978*, the Minister may, by instrument, appoint a medical practitioner to be a designated officer for a hospital conducted by the Territory.

The attached Instrument appoints the following medical practitioners to be designated officers:

Dr Greg Hollis, Consultant Emergency Medicine

Dr Sashi Kumar, Consultant Emergency Medicine

Dr Paul Lamberth, Consultant Emergency Medicine

Associate Professor Drew Richardson, Director Emergency Medicine

Dr Kam Sinn, Consultant Emergency Medicine

Dr David Elliot, Consultant Emergency Medicine

Dr Andrew Singer, Consultant Emergency Medicine

Dr Allen O'Connor, Consultant Emergency Medicine

Dr David Boadle, Deputy Chief Executive (Clinical)

Dr Rod Lambert, Senior Medical Adviser and Clinical Training Unit Manger

Dr Ian Brown, Consultant in Anatomical Pathology

The appointments will commence on the date of gazettal of the Instruments.



AUSTRALIAN CAPITAL TERRITORY LAND (PLANNING AND ENVIRONMENT) ACT 1991 DIRECTION UNDER SUBSECTION 37(1)

Pursuant to paragraph 37(1) of the Land Act, the Executive gives the direction as set out in Attachment "A" to this Instrument.

Brendan Smyth Minister

Gary Humphries Minister

Dated this 9 day of August 2001.

ATTACHMENT A

LAND (PLANNING AND ENVIRONMENT) ACT 1991 DIRECTION UNDER SUBSECTION 37(1)

TO:

Mr Lincoln Hawkins
Executive Director
Planning and Land Management Group
Urban Services

WHEREAS:

- A. You are the public servant performing the duties of the Government Service Office which, under subsection 33(3) of the *Land (Planning and Environment) Act 1991* (the Land Act), constitutes the ACT Planning Authority; and
- B. The ACT Executive has considered the Legislative Assembly resolution of Thursday 14 June 2001 which states:

"That, pursuant to subsection 37 (2) of the Land (Planning and Environment) Act 1991, the Legislative Assembly recommend to the Executive that the ACT Planning Authority be directed to review the Territory Plan as it relates to Block 1, Section 72 and Block 1, Section 80, Watson to consider whether or not to permit residential development or to change the land use policy to Urban Open Space or Hills, Ridges and Buffer Areas with a Public Land - Nature Reserve overlay."

THE ACT EXECUTIVE HEREBY GIVES THE FOLLOWING DIRECTION under subsection 37(1) of the Land Act:

The ACT Planning Authority shall review the Territory Plan as it relates to Block 1, Section 72 and Block 1, Section 80, Watson to consider whether or not to permit residential development or to change the land use policy to Urban Open Space or Hills, Ridges and Buffer Areas with a Public Land - Nature Reserve overlay.

DATED: 9 August 2001

Gary Humphries Minister Brendan Smyth Minister

WASTE MINIMISATION ACT 2001

APPROVAL OF USED PACKAGING MATERIALS INDUSTRY WASTE REDUCTION PLAN

Pursuant to Section 17(1) of the Waste Minimisation Act 2001, I approve

1. The Used Packaging Materials Industry Waste Reduction Plan as set out in Schedule 1.

Dated 13th day of August 2001

Brendan Smyth MLAMinister for Urban Services

UTILITIES ACT 2000

DETERMINATION OF ANNUAL LICENCE FEES

UNDER SECTION 45 of the Utilities Act 2000, the Independent Competition and Regulatory Commission ("ICRC") DETERMINES that the Annual Licence Fees for the year ending on 30 June 2002 for licensee **AGL Electricity Ltd ACN 064 651 083** are as set out in the Schedule.

The following abbreviations are used in this determination:

ICRC = Independent Competition and Regulatory Commission ESCC = Essential Services Consumer Council DUS = Department of Urban Services the Act= Utilities Act 2000 regulations= Utilities Regulations

Unless otherwise agreed in writing with the ICRC, the fees determined are payable by the Licensee to the ICRC in 3 quarterly instalments on 11 October 2001, 1 January 2002 and 1 April 2002, being as nearly as practicable equal instalments.

Payment shall be made by cheque at the ICRC's office at PO Box 975 CIVIC SQUARE ACT 2608.

This Determination commences on the date is notified in the Gazette.

Seal of the ICRC

Date: 6 September 2001

SCHEDULE

LICENSEE: AGL Electricity Ltd

Table 1. Expected costs relating to licensee (\$)

Utility Service	ICRC	ESCC	DUS	Total
Electricity supply	3,350	0	0	3,350

Table 2. Scope and nature of services provided by licensee

Section of the Act/ Utility service	Scope and nature of services
6(c) Electricity supply	Sale and supply of electricity from an electricity distribution network to customers' premises.

Table 3. Licensee: AGL Electricity Ltd - Annual Licence Fees

Utility Service for which licence is granted	Annual Licence Fee(\$)
Electricity supply	3,350

Explanatory Note

The ICRC is required to have regard to the extent of the costs set out in Table 1 when determining annual licence fees, and to the relative scope and nature of the utility services provided by a utility set out in Table 2. Table 1 sets out the expected costs in relation to the licensee of the performance of functions under the Act and regulations of the ICRC, of the ESCC and of DUS's costs of technical regulation under Part 5 of the Act on behalf of the Territory. The Annual Licence Fee determined is the sum of 100% of these expected costs relating to the licensee in respect of the utility services as set out in Table 1. The ICRC's functions under the Act in respect of utilities are funded solely from annual licence fees. There is no budget allocation to the Department for its responsibilities in respect of technical regulation or for the ESCC. The ICRC has therefore determined that the ESCC's and Territory's costs (through DUS) also be recovered through licence fees.

UTILITIES ACT 2000

GRANT OF LICENCE

I, PAUL FRANCIS BAXTER, under Section 37 of the *Utilities Act 2000*, grant a licence for the provision of electricity supply services to AGL Electricity Ltd.

A copy of the licence may be obtained, on payment of the determined fee, by contacting the Independent Competition and Regulatory Commission on (02) 6205 0779. The licence may also be inspected, free of charge, at the Commission's office on level 7, FAI House, 197 London Circuit, Civic. All licences issued under the Act are also published on the Commission's web-site, www.icrc.act.gov.au.

Dated this 6th day of September 2001

Signed

Paul Francis Baxter
Senior Commissioner

Independent Competition and Regulatory Commission

AUSTRALIAN CAPITAL TERRITORY UTILITIES ACT 2000 GRANT OF LICENCE

EXPLANATORY STATEMENT

The *Utilities Act 2000* (the "Act") requires persons providing electricity, gas, water and sewerage services in the ACT to hold an appropriate operating licence. The Independent Competition and Regulatory Commission (the "Commission") is responsible for issuing licences under the Act.

Section 37 of the Act requires the Commission to be satisfied before granting a licence that a person has the capacity to comply with the licence conditions and to operate a viable business as a licensee. Applicants must also satisfy any other requirements relevant to the Commission's objects under the Act. The objects of particular relevance are:

- encouragement of the provision of safe, reliable, efficient and high quality utility services at reasonable prices;
- promotion of ecologically sustainable development in the provision of utility services; and
- protection of consumers' interests.

The Commission has assessed the application for a licence made by AGL Electricity Ltd as meeting the necessary technical, prudential and other assessment criteria to provide electricity supply services. A licence has been granted accordingly.

Environmental Impact Assessment

The Environment Minister, under section 121 of the Land (Planning and Environment) Act 1991 (the Land Act), has directed that further Environmental Impact Assessment be made for the proposed ACT Prison on Blocks 8, 9 and 10 Section 102 Symonston.

The proponent has been nominated as Mr Michael Ockwell of the ACT Prison Project Office, FAI House, London Circuit, Canberra ACT 2601.

Under section 123 of the Land (Planning and Environment) Act 1991 this further assessment:

- 1) is to be in the form of a Public Environment Report:
- 2) is to address the following matters:
 - a) a complete assessment of the long and short term environmental impacts on flora and fauna, and other natural site features including water flows (quality and quantity) and including management of any impacts;
 - b) a complete assessment of the on-site and off-site visual impacts of locating the proposed prison on the nominated footprint;
 - a complete assessment of the on-site and off-site lighting impacts including the design and location of any light;
 - d) a complete assessment of the impacts of the proposed prison on 'Callum Brae'; and
 - e) review the appropriateness of accommodating the proposed prison on the Symonston site by taking into account the full assessment of all the known constraints and infrastructure requirements in respect to (a) (d) above.
- is to be submitted in draft form for public consultation in accordance with the Environment Minister's direction of 4 September 2001 under Section 124(1) of the Land Act; and
- is to be revised taking into account all the comments received and submitted as a final PER to the Environment Minister in accordance with Section 127 of the Land Act.

LAND (PLANNING AND ENVIRONMENT) ACT 1991

NOTICE

The ACT Executive, pursuant to paragraph 26(1)(a) of the Land (Planning and Environment) Act 1991, approved on 9 August 2001:

Variation to the Territory Plan No.138 entitled Gungahlin Drive Extension.

In accordance with subsection 29(1) of the Land (Planning and Environment) Act 1991:

 Plan Variation No.138 was tabled before the Legislative Assembly and had not been disallowed, or deemed to be disallowed, as at 29 August 2001.

Now therefore pursuant to subsection 29(6) of the *Land (Planning and Environment) Act 1991*, I specify that the date of commencement of Variation No.138 to the Territory Plan will be 13 September 2001.

Copies of Variation No.138 to the Territory Plan:

- are available for inspection at libraries of the ACT Government Library Service at Belconnen, Civic, Dickson, Erindale, Griffith, Gungahlin, Kingston, Kippax, Tuggeranong and Woden during normal opening hours;
- are available free of charge at the Shopfront, Dame Pattie Menzies House,
 16 Challis Street, Dickson during normal office hours; and
- are available for inspection on the PALM Website at: http://www.palm.act.gov.au/tplan

Brendan Smyth

Deputy Chief Minister and Minister for Urban Services

ACT GOVERNMENT

PLANNING AND LAND MANAGEMENT GROUP

DRAFT VARIATION NO.176 TO THE TERRITORY PLAN BRUCE CENTRAL PRECINCT

In accordance with Section 24(2) of the *Land (Planning and Environment) Act 1991*, the Planning and Land Management Group of the Urban Services is making available for public inspection, the documents submitted to the Minister in relation to draft Variation No.176 concerning Bruce Central Precinct.

The documents relating to this draft Variation are now available for perusal;

- at libraries of the ACT Government Service at Belconnen, Civic, Dickson, Griffith, Gungahlin, Kippax, Tuggeranong and Woden during normal opening hours: and
- at the PALM Shopfront at 16 Challis Street, Dickson during normal office hours.

The Recommended Final Variation is also available for perusal on the PALM Website at: www.palm.act.gov.au/tplan

ACT GOVERNMENT PLANNING AND LAND MANAGEMENT GROUP

DRAFT VARIATION NO.189 TO THE TERRITORY PLAN FOR CITY PART SECTIONS 35 AND 56 AND STRATUM BLOCK 1 SECTION 78

PROPOSED COMMERCIAL B2A CIVIC CENTRE LAND USE POLICY (PRECINCT b1), PROPOSED COMMUNITY FACILITY SITES AND OTHER MINOR CHANGES

Draft Variation to the Territory Plan No.189, has been prepared by the Planning and Land Management Group (PALM) of Urban Services (incorporating the functions of the ACT Planning Authority).

This draft Variation proposes to:

- vary the Territory Plan to remove the Community Facility Land Use Policy on Blocks 23 and 24 Section 35, a stratum Block 1 Section 78 and part of Block 11 Section 56 City and replace it with a Commercial B2A Civic Centre Land Use Policy;
- amend the precinct boundary delineating the extent of the Precinct b1- Business Area. Currently the Griffin Centre and Civic Youth Centre are located on this area with the skateboard park nearby;
- remove the existing Commercial B2A Civic Centre Land Use Policy from parts of Section 56 and replace it with a Community Facility Land Use Policy. These policy changes will facilitate the redevelopment of this part of the City and ensure that the new community facility sites are made subject to the Community Facility Land Use Policies in the Territory Plan; and
- delete the existing Major Road Land Use Policy, applying to parts of Ballumbir Street and Cooyong Street adjoining the proposed development site, and substitute the Community Facility Land Use Policy and Commercial (B2A) Land Use Policy, Precinct B1 (Business Area) respectively. These changes are proposed to accommodate the new Youth Centre and the development on parts of Section 35 & 56 City.

Provided it is not deferred, the provisions of draft Variation No.189 have interim effect until 10 September 2002, or for the "defined period", whichever is the shorter. The "defined period" commenced on 11 September 2001 and continues until the proposals in the draft Variation, or the corresponding Plan Variation:

- come into effect;
- or are rejected by the Legislative Assembly;
- or are withdrawn.

During the period these provisions have interim effect, the Territory, the Executive, a Minister or a Territory Authority shall not do, or approve the doing of, any act which would be inconsistent with the Territory Plan, or the Plan if it was varied in accordance with the provisions of the draft Variation.

Section 11 of the Land (Planning and Environment) Act 1991 (the Land Act), concerning the Heritage Places Register, does not apply to this proposal.

From Monday 17 September 2001 until Monday 8 October 2001, copies of **draft Variation No.189 to the Territory Plan**, may be:

- inspected at ACT Government Libraries at Belconnen, Civic, Dickson, Erindale, Griffith, Gungahlin, Kippax, Tuggeranong and Woden during normal opening hours;
- inspected at, or obtained from, the PALM Shopfront at Dame Pattie Menzies House,
 16 Challis Street, Dickson, during normal office hours; and
- inspected on the PALM Website at: www.palm.act.gov.au/tplan

Comments on draft Variation No.189 should be submitted, by Monday 29 October 2001, to:

Planning and Land Management Group Urban Services Department GPO Box 1908 CANBERRA ACT 2601 Attention: Mr Phil Harris.

Comments can also be sent via Email to: terrplan@act.gov.au or by Facsimile to: 6207 1710.

Copies of all written comments received in response to the draft Variation, including those from the National Capital Authority (NCA), will be made available for public inspection during normal office hours, from Tuesday 30 October 2001 until Tuesday 20 November 2001, at the PALM Shopfront in Dame Pattie Menzies House, 16 Challis Street, Dickson. Any comments received from the NCA after Monday 29 October 2001 will be available for perusal for 15 business days from the date of receipt.

URBAN SERVICES

PLANNING AND LAND MANAGEMENT GROUP

UNIVERSITY OF CANBERRA INNOVATION CENTRE PRELIMINARY ASSESSMENT

Public comment is invited on the above Preliminary Assessment.

Copies of the Preliminary Assessment:

- may be inspected, or purchased at a cost of \$6.20 per copy, at the PALM Shopfront, Dame Pattie Menzies House, 16 Challis Street, Dickson, during normal office hours; and
- may be inspected at ACT Government Libraries at Belconnen, Civic, Dickson, Erindale, Griffith, Kippax, Tuggeranong, Woden and Gungahlin during normal opening hours; or
- may be inspected at the following web address www.palm.act.gov.au

Written submissions should be forwarded by 28 September 2001 to:

Manager – Planning Policy Section Planning and Land Management Group Urban Services Department GPO Box 1908 CANBERRA ACT 2601

Alternately submissions may be made via email (eiapalm@act.gov.au) or fax (6207 2587). All submissions will go on a public register and access to submissions will be granted on request.

GAZETTE NOTICE

Environment Protection Act 1997

Notification of Hazardous materials ENVIRONMENT PROTECTION POLICY

Section 26(1) of the Act requires notification of an Environment Protection Policy.

The Hazardous Materials Environment Protection Policy (EPP) was developed to minimise the risk of adverse impacts on the environment from the manufacture, use, supply, storage, transport and disposal of hazardous materials in the ACT. The EPP ensures that the ACT meets national and international obligations relating to hazardous materials.

Copies of the EPP are available from the Environment ACT Information Centre in Macarthur House, 12 Wattle Street, Lyneham or by telephoning the Helpline on 6207-9777. It may be viewed electronically under "contents" at http://www.act.gov.au/environ/

Dated the 30 day of August 2001

Gary Croston
Environment Management Authority

Environment ACT

Environment Protection Act 1997

Environment Authorisations

Notice is hereby given that under Section 49 of the Environmental Protection Act 1997 (the Act), environmental authorisations to conduct activities have been granted to the organisations set out below:

Organisation	Brief Description of Activity	Location
Bruce Michael Perrin Capital Firewood & Landscape Supplies	Firewood Activities Firewood Activities	Tinderry Road, Michelago Wilburd Street, Banks
Steve's Firewood	Firewood Activities	Crossley Close, Melba

Environment Protection Agreements

Notice is hereby given that under Section 41 of the Environment Protection Act 1997, environment protection agreements to conduct activities have been reached with the organisations set out below.

Organisation	Brief Description of Activity	Location
Guidelines ACT Pty Ltd	Land Development	16 Bass St QUEANBEYAN NSW 2620
Whitehome (Canberra) Pty Ltd	Land Development	90 Appel Cres FADDEN ACT 2904
Contour Constructions ACT Pty Ltd	Land Development	12 Kellaway Street EVATT ACT 2617
Madison Constructions	Land Development	13 Cretonia House, 10 Oatley Court BELCONNEN ACT 2617
Roads & Traffic Authority	Land Development	1 Simmons Street WAGGA WAGGA NSW 2650

Under Section 135 of the Act, an application may be made to the Administrative Appeals Tribunal for a review of the decision to grant an Environmental Authorisation. The Administrative Appeals Tribunal can be contacted on telephone (02) 6217 4277.

Copies of Agreement and Authorisation documents are available for public inspection, during business hours, at the office of the Environment Management Authority, Level 2, South Wing, Macarthur House, Wattle Street Lyneham ACT.

Dated the 4th day of September 2001 Environment Management Authority

