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NEW SOUTH WALES

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LEGISLATION

Proclamations



New South Wales

Commencement Proclamation

under the

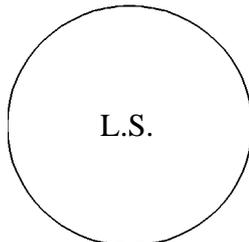
Road Transport Legislation (Breath Testing and Analysis) Act
2007 No 99

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 (1) of the *Road Transport Legislation (Breath Testing and Analysis) Act 2007*, do, by this my Proclamation, appoint 25 January 2008 as the day on which the uncommenced provisions of that Act commence.

Signed and sealed at Sydney, this 16th day of January 2008.

By Her Excellency's Command,



L.S.

ERIC ROOZENDAAL, M.L.C.,
Minister for Roads

GOD SAVE THE QUEEN!



New South Wales

Commencement Proclamation

under the

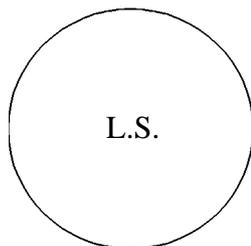
Water Management Act 2000 No 92

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 of the *Water Management Act 2000*, do, by this my Proclamation, appoint 4 February 2008 as the day on which the following provisions of that Act commence:

- (a) Schedule 7 in its application to the *Rivers and Foreshores Improvement Act 1948*,
 - (b) Schedule 8.2.
- Signed and sealed at Sydney, this 16th day of January 2008.

By Her Excellency's Command,



PHILIP KOPERBERG, M.P.,
Minister for Climate Change, Environment and Water
GOD SAVE THE QUEEN!

Explanatory note

The object of this Proclamation is to repeal the *Rivers and Foreshores Improvement Act 1948* and a provision of the *Chipping Norton Lake Authority Act 1977* that applies the 1948 Act to the development area established by the 1977 Act.



New South Wales

Proclamation

under the

Water Management Act 2000 No 92

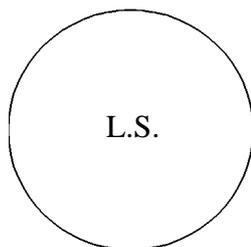
MARIE BASHIR, Governor

I, Professor Marie Bashir AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 88A of the *Water Management Act 2000*, do, by this my Proclamation, declare that, on and from 4 February 2008, Part 3 of Chapter 3 of that Act applies:

- (a) to each part of the State, and
- (b) to all controlled activity approvals in relation to each part of the State.

Signed and sealed at Sydney, this 16th day of January 2008.

By Her Excellency's Command,



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

GOD SAVE THE QUEEN!

Regulations



New South Wales

Water Management Amendment (Controlled Activities) Regulation 2008

under the

Water Management Act 2000

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

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

Explanatory note

This Regulation is made in connection with proclamations under the *Water Management Act 2000* that commence the provisions of that Act in relation to controlled activity approvals and repeal the *Rivers and Foreshores Improvement Act 1948*.

The object of this Regulation is to amend the *Water Management (General) Regulation 2004* so as to ensure that the exemptions from the requirement for a permit under Part 3A of the *Rivers and Foreshores Improvement Act 1948* are carried over as exemptions from the requirement for a controlled activity approval under Part 3 of Chapter 3 of the *Water Management Act 2000*. This Regulation also extends existing provisions with respect to the provision of security so that they cover all obligations under an approval, not merely obligations with respect to the reinstatement of land.

This Regulation is made under the *Water Management Act 2000*, including section 400 (the general power to make regulations) and clause 1 of Schedule 9 (the power to make regulations of a savings or transitional nature).

Clause 1 Water Management Amendment (Controlled Activities) Regulation 2008

Water Management Amendment (Controlled Activities) Regulation 2008

under the

Water Management Act 2000

1 Name of Regulation

This Regulation is the *Water Management Amendment (Controlled Activities) Regulation 2008*.

2 Commencement

This Regulation commences on 4 February 2008.

3 Amendment of Water Management (General) Regulation 2004

The *Water Management (General) Regulation 2004* is amended as set out in Schedule 1.

Water Management Amendment (Controlled Activities) Regulation 2008

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 3)

[1] Clause 35 Register of approvals

Insert at the beginning of the clause:

- (1) For the purposes of section 113 (2) of the Act, the register kept under that section may be kept in written or in electronic form.

[2] Clause 36

Omit the clause. Insert instead:

36 Security deposits

- (1) An approval may be granted subject to a condition to the effect that, before commencing the construction of any work or the carrying out of any activity, the holder of the approval must provide the Minister with security for the cost of performing the holder's obligations under the approval in the event that the holder fails to perform those obligations.
- (2) The security is to be for such reasonable amount as is determined by the Minister and specified in the condition as to security.
- (3) The security may be provided, at the choice of the holder, by means of a deposit with the Minister or a guarantee satisfactory to the Minister.
- (4) Security provided by way of deposit may be paid out to meet the cost of performing the holder's obligations under the approval.
- (5) Any amount repaid to the applicant from a deposit is to be repaid together with any interest accrued as a consequence of its investment.

[3] Clause 39A

Insert after clause 39:

39A Exemption from controlled activity approval

- (1) Public authorities (other than Landcom) and local councils are exempt from section 344 (1) (a) of the Act in relation to all controlled activities that they carry out in, on or under waterfront land.

Water Management Amendment (Controlled Activities) Regulation 2008

Schedule 1 Amendments

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- (2) Persons (excluding public authorities and local councils, but including Landcom) are exempt from section 344 (1) (a) of the Act in relation to the following controlled activities that they carry out in, on or under waterfront land:
- (a) activities carried out in accordance with any lease, licence permit or other right in force under the *Mining Act 1992*, the *Crown Lands Act 1989* or the *Crown Lands (Continued Tenures) Act 1989*,
 - (b) activities comprising the excavation of the bed of a river, lake or estuary for the purpose of facilitating the use of a water supply work,
 - (c) activities carried out pursuant to section 52 (Domestic and stock rights) of the Act,
 - (d) activities carried out, in accordance with a harvestable rights order, in connection with the construction or use of a dam on land within the harvestable rights area constituted by the order,
 - (e) activities carried out in connection with the construction or use of a work to which Part 2 of the *Water Act 1912* applies in accordance with a licence issued under that Part in relation to that work,
 - (f) activities carried out in connection with the construction or use of a controlled work within the meaning of Part 8 of the *Water Act 1912* in accordance with an approval issued under that Part in relation to that work,
 - (g) activities carried out in connection with:
 - (i) the erection of a dwelling house or dual occupancy building, or
 - (ii) the making of alterations or additions to an existing dwelling house or dual occupancy building, or
 - (iii) the provision of ancillary facilities for an existing dwelling house or dual occupancy building,being activities that comprise exempt development or activities the subject of a development consent or complying development certificate issued under the *Environmental Planning and Assessment Act 1979*, but excluding any activity carried out in, on or over the bed of any river, lake or estuary,
 - (h) activities comprising nothing more than the removal of vegetation in circumstances that would otherwise be lawful,

Water Management Amendment (Controlled Activities) Regulation 2008

Amendments

Schedule 1

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- (i) the carrying out of development in accordance with:
- (i) *Development Control Plan No 33—Rouse Hill Regional Centre*, and
 - (ii) the Master Plan referred to in section 1.10 of that development control plan,
on the land bounded by Windsor Road, Commercial Road and Withers Road, Rouse Hill, comprising Lots 1–9, DP 270520, Lot 401, DP 1111687, Lots 304, 305, 307 and 309, DP 1107129, Lot 105, DP 1108407, and Lot 201, DP 1096167.
- (3) The exemptions conferred by subclauses (1) and (2) (a) are subject to a condition requiring the person by whom the relevant controlled activity is carried out to comply with any direction that the Minister may give to the person for the protection of:
- (a) the waterfront land on which the activity is carried out, or
 - (b) any river, lake or estuary to which that land has frontage.
- (4) To the extent to which they are regulated by Ministerial guidelines, the activities referred to in subclause (2) (b) and (c) must be carried out in accordance with those guidelines.
- (5) In this clause:
- development*** has the same meaning as it has in the *Environmental Planning and Assessment Act 1979*.
- dual occupancy building*** means a building containing 2, but no more, dwellings within the meaning of the standard instrument prescribed by the *Standard Instrument (Local Environmental Plans) Order 2006*.
- dwelling house*** has the same meaning as it has in the standard instrument prescribed by the *Standard Instrument (Local Environmental Plans) Order 2006*.
- Ministerial guidelines*** means guidelines established by the Minister, by order published in the Gazette, for the purposes of this clause.

Water Management Amendment (Controlled Activities) Regulation 2008

Schedule 1 Amendments

[4] Schedule 7 Savings and transitional provisions

Insert after Part 2 of Schedule 7:

Part 3 Provisions relating to the repeal of the Rivers and Foreshores Improvement Act 1948

9 Definitions

In this Part:

Constructing Authority has the same meaning as it has in Part 3A of the former 1948 Act.

Part 3A permit means a permit under Part 3A of the former 1948 Act.

10 Conditions as to security under sec 22C

- (1) This clause applies to any Part 3A permit in respect of which security has been required to be given pursuant to section 22C (2) of the former 1948 Act.
- (2) The controlled activity approval that arises from a Part 3A permit to which this clause applies is taken to be subject to a condition having the same terms and conditions as those specified by the Constructing Authority under section 22C (2) of the former 1948 Act in respect of the permit.

11 Continued application of Part 3A to certain offences

- (1) Part 3A of the former 1948 Act continues to apply to and in respect of any alleged offence under section 22B of that Act as if that Act had not been repealed.
- (2) In particular:
 - (a) any order that, immediately before the commencement of this clause, was in force under section 22D or 22F of the former 1948 Act, and
 - (b) any direction that, immediately before the commencement of this clause, was in force under section 22G of the former 1948 Act,continues to have effect, and may be enforced under that Act, as if that Act had not been repealed.

Water Management Amendment (Controlled Activities) Regulation 2008

Amendments

Schedule 1

12 General terms of approval for integrated development

Any general terms of approval given by the Constructing Authority for the purposes of Division 5 of Part 4 of the *Environmental Planning and Assessment Act 1979* (Special procedure for integrated development) in relation to an activity that, before the commencement of this clause, required a Part 3A permit continue to have effect in relation to that activity to the extent to which, after that commencement, it requires a controlled activity approval.

13 Exemption from requirement for Minister to give notice under cl 20 of Sch 10

Clause 20 of Schedule 10 to the Act does not require notice of the terms of a controlled activity approval to be given to the holder of the approval if the approval is due to expire within 2 years after the approval comes into being under clause 3 of that Schedule.

Orders



New South Wales

State Property Authority Order 2008

under the

State Property Authority Act 2006

MARIE BASHIR, Governor

I, Professor Marie Bashir AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 19 of the *State Property Authority Act 2006*, make the following Order.

Dated, this 23rd day of January 2008.

By Her Excellency's Command,

JOHN WATKINS, M.P.,
Minister for Finance

Explanatory note

The object of this Order is to include certain property in Schedule 1 to the *State Property Authority Act 2006* which will have the effect of transferring the property to the State Property Authority.

This Order is made under section 19 of the *State Property Authority Act 2006*.

Clause 1 State Property Authority Order 2008

State Property Authority Order 2008

under the

State Property Authority Act 2006

1 Name of Order

This Order is the *State Property Authority Order 2008*.

2 Amendment of State Property Authority Act 2006 No 40

Schedule 1 to the *State Property Authority Act 2006* is amended as set out in Schedule 1 to this Order.

State Property Authority Order 2008

Amendment

Schedule 1

Schedule 1 Amendment

(Clause 2)

Schedule 1 Property transferred to Authority

Insert at the end of the Schedule:

Leases

Lease of lease AC228034, Goodsell Building, 8–12 Chifley Square, Sydney registered as dealing number AC228053

Lease of suite 401, level 4, 24 Moonee Street, Coffs Harbour registered as dealing number AB548301

Lease of level 7, 24 Moonee Street, Coffs Harbour registered as dealing number 7936736

Lease of suites 801, 802, 803 and 804, level 8, 24 Moonee Street, Coffs Harbour registered as dealing number AA374868

Lease of level 21, 1 Oxford Street, Darlinghurst registered as dealing number AC280042

Lease of part of the roof level, 1 Oxford Street, Darlinghurst, shown designated (A) in plan (page 27) with AB782329 registered as dealing number AB782329

Lease of level 8, 1 Oxford Street, Darlinghurst registered as dealing number AC280032

Lease of level 4, 1 Oxford Street, Darlinghurst registered as dealing number AC280031

Lease of level 14, 1 Oxford Street, Darlinghurst registered as dealing number AC280037

Lease of level 15, 1 Oxford Street, Darlinghurst registered as dealing number AC280038

Lease of level 1, 1 Oxford Street, Darlinghurst registered as dealing number AC280029

Lease of level 9, 1 Oxford Street, Darlinghurst registered as dealing number AC280033

Lease of level 11, 1 Oxford Street, Darlinghurst registered as dealing number AC280034

Lease of level 19, 1 Oxford Street, Darlinghurst registered as dealing number AC280040

Lease of level 12, 1 Oxford Street, Darlinghurst registered as dealing number AC280035

Lease of level 2, 1 Oxford Street, Darlinghurst registered as dealing number 3046077

State Property Authority Order 2008

Schedule 1 Amendment

Lease of level 20, 1 Oxford Street, Darlinghurst registered as dealing number AC280041

Lease of level 16, 1 Oxford Street, Darlinghurst registered as dealing number AC280039

Lease of level 3, 1 Oxford Street, Darlinghurst registered as dealing number AC280030

Lease of level 19, 1 Oxford Street, Darlinghurst registered as dealing number AB267308

Lease of level 13, 1 Oxford Street, Darlinghurst registered as dealing number AC280036

Lease of suite 1.06, 1st floor, 40 Mann Street, Gosford registered as dealing number AB593548

Lease of suite 1.04, first floor, 40 Mann Street, Gosford registered as dealing number AB593547

Lease of suites 3.02, 3.03, 3.04 and 3.05, 3rd floor, 40 Mann Street, Gosford registered as dealing number AC179436

Lease of suite G.03, ground floor, 40 Mann Street, Gosford registered as dealing number AA723739

Lease of level B2, suite 1 level ground, suite 3, level mezzanine, levels 1 to 6 inclusive, suite 1 of level 7, suite 2 of level 8 and suite 2 of level 9, Viewpoint, 43 Bridge Street, Hurstville registered as dealing number AA593449

Lease of 35 Elbow Street, West Kempsey registered as dealing number AB59465

Lease of whole of level 5, 29 Molesworth Street, Lismore registered as dealing number AD40130

Lease of suite 1, level 4, 29 Molesworth Street, Lismore registered as dealing number AC965181

Lease of suite 2, level 4, 29 Molesworth Street, Lismore registered as dealing number AC965197

Lease of suite 3, level 4, 29 Molesworth Street, Lismore registered as dealing number AC965198

Lease of suite 4, level 4, 29 Molesworth Street, Lismore registered as dealing number AC965199

Lease of suite 5, level 4, 29 Molesworth Street, Lismore registered as dealing number AC965200

Lease of suite 1, level 3, 237 Wharf Road, Newcastle registered as dealing number AB913095

Lease of level 4, 10 Valentine Avenue, Parramatta registered as dealing number AC201596

Lease of level 6, 10 Valentine Avenue, Parramatta registered as dealing number AC201598

State Property Authority Order 2008

Amendment

Schedule 1

Lease of level 3, 10 Valentine Avenue, Parramatta registered as dealing number AC201595

Lease of level 5, 10 Valentine Avenue, Parramatta registered as dealing number AC201597

Lease of level 11, 10 Valentine Avenue, Parramatta registered as dealing number AC201603

Lease of level 10, 10 Valentine Avenue, Parramatta registered as dealing number AC201602

Lease of level 12, 10 Valentine Avenue, Parramatta registered as dealing number AC201604

Lease of level 1, 10 Valentine Avenue, Parramatta registered as dealing number AC201593

Lease of ground floor, 10 Valentine Avenue, Parramatta registered as dealing number AC201592

Lease of level 2, 10 Valentine Avenue, Parramatta registered as dealing number AC201594

Lease of level 13, 10 Valentine Avenue, Parramatta registered as dealing number AC201605

Lease of level 7, 10 Valentine Avenue, Parramatta registered as dealing number AC201599

Lease of level 8, 10 Valentine Avenue, Parramatta registered as dealing number AC201600

Lease of level 9, 10 Valentine Avenue, Parramatta registered as dealing number AC201601

Lease of level 1, 139 Macquarie Street, Sydney registered as dealing number 8943799

Lease of suite 1, level 10, 139 Macquarie Street, Sydney registered as dealing number AA971022

Lease of levels 5, 6, 7, 9, 10 and 11, Central Square, 323 Castlereagh Street, Sydney registered as dealing number 9968539

Lease of suite 1201 and level 13, Central Square, 323 Castlereagh Street, Sydney registered as dealing number AA162435

Lease of level 5, Thakral House, 301 George Street, Sydney registered as dealing number AC716697

Lease of suite 1301, level 13, Thakral House, 301 George Street, Sydney registered as dealing number AC716692

Lease of stage 1, level 13, 175 Liverpool Street, Sydney registered as dealing number AC590014

Lease of suite G3, ground floor, suite 301, third floor and suites 401 and 402, fourth floor, 76 Morgan Street, Wagga Wagga registered as dealing number 8291315

State Property Authority Order 2008

Schedule 1 Amendment

Lease of suite G2, ground floor and suites 201, 202, 203 and 208, second floor, 76 Morgan Street, Wagga Wagga registered as dealing number 8291314

Lease of lease V920175 (see O82534) being part of level 10, Colonial Centre, 52 Martin Place, Sydney, shown in plans with Z418389 registered as dealing number Z418389

Lease of lease V920175 (see O82534) being part of level 11, Colonial Centre, 52 Martin Place, Sydney, shown in plans with Z418389 registered as dealing number Z418389

Lease of lease V920175 (see O82533) being part of level 12, Colonial Centre, 52 Martin Place, Sydney, shown in plans with Z418390 registered as dealing number Z418390

Lease of lease V920175 (see O82533) being part of level 10, Colonial Centre, 52 Martin Place, Sydney, shown in plans with Z418390 registered as dealing number Z418390

Lease of lease V920175 (see O82533) being part of level 35, Colonial Centre, 52 Martin Place, Sydney, shown in plans with Z418390 registered as dealing number Z418390

Lease of lease V920175 (see O82533) being part of level 36, Colonial Centre, 52 Martin Place, Sydney, shown on plans with Z418390 registered as dealing number Z418390

Lease of lease V920175 (see O82533) being part of level 4, Colonial Centre, 52 Martin Place, Sydney, shown in plans with Z418390 registered as dealing number Z418390

Lease of lease V920175 (see O82533) being part of level 7, Colonial Centre, 52 Martin Place, Sydney, shown in plans with Z418390 registered as dealing number Z418390

Lease of lease V920175 (see O82533) being part of level 8, Colonial Centre, 52 Martin Place, Sydney, shown in plans with Z418390 registered as dealing number Z418390

Lease of lease V920175 (see O82533) being part of level 9, Colonial Centre, 52 Martin Place, Sydney, shown in plans with Z418390 registered as dealing number Z418390

Lease of lease V920175 (see O82533) being part of level 2, Colonial Centre, 52 Martin Place, Sydney, shown in plans with Z418390 registered as dealing number Z418390

Lease of lease V920175 (see O82533) being part of level 5, Colonial Centre, 52 Martin Place, Sydney, shown in plans with Z418390 registered as dealing number Z418390

Lease of lease V920175 (see O82533) being part of level 3, Colonial Centre, 52 Martin Place, Sydney, shown in plans with Z418390 registered as dealing number Z418390

State Property Authority Order 2008

Amendment

Schedule 1

Lease of lease V920175 (see O82533) being part of level 6, Colonial Centre, 52 Martin Place, Sydney, shown in plans with Z418390 registered as dealing number Z418390

Lease of lease V920175 (see O82533) being part of level 1, Colonial Centre, 52 Martin Place, Sydney, shown in plans with Z418390 registered as dealing number Z418390

Lease of level 38, Governor Macquarie Tower, 1 Farrer Place, Sydney registered as dealing number 9214910

Lease of level 33, Governor Macquarie Tower, 1 Farrer Place, Sydney registered as dealing number 9214905

Lease of level 34, Governor Macquarie Tower, 1 Farrer Place, Sydney registered as dealing number 9214906

Lease of level 39, Governor Macquarie Tower, 1 Farrer Place, Sydney registered as dealing number 9214911

Lease of level 37, Governor Macquarie Tower, 1 Farrer Place, Sydney registered as dealing number 9214909

Lease of level 26, Governor Macquarie Tower, 1 Farrer Place, Sydney registered as dealing number 9215608

Lease of level 25, Governor Macquarie Tower, 1 Farrer Place, Sydney registered as dealing number 9215607

Lease of level 32, Governor Macquarie Tower, 1 Farrer Place, Sydney registered as dealing number 9214904

Lease of level 30, Governor Macquarie Tower, 1 Farrer Place, Sydney registered as dealing number 9215610

Lease of level 40, Governor Macquarie Tower, 1 Farrer Place, Sydney registered as dealing number 9214912

Lease of level 35, Governor Macquarie Tower, 1 Farrer Place, Sydney registered as dealing number 9214907

Lease of level 27, Governor Macquarie Tower, 1 Farrer Place, Sydney registered as dealing number 9215609

Lease of level 19, Governor Macquarie Tower, 1 Farrer Place, Sydney, registered as dealing number O415695, surrendered as regards suite 19.02 by dealing registered number 9215604, variation of lease O415695 by dealing registered number AA524952

Lease of level 41, Governor Macquarie Tower, 1 Farrer Place, Sydney registered as dealing number 9214913

Lease of level 15, Governor Macquarie Tower, 1 Farrer Place, Sydney registered as dealing number 9215605

Lease of level 36, Governor Macquarie Tower, 1 Farrer Place, Sydney registered as dealing number 9214908

State Property Authority Order 2008

Schedule 1 Amendment

Lease of level 31, Governor Macquarie Tower, 1 Farrer Place, Sydney registered as dealing number 9215611

Lease of level 22, 201 Elizabeth Street, Sydney registered as dealing number AC646991

Lease of level 6, 201 Elizabeth Street, Sydney registered as dealing number AC646988

Lease of level 17, 201 Elizabeth Street, Sydney registered as dealing number AC646989

Lease of level 15, 201 Elizabeth Street, Sydney registered as dealing number AA12266

Lease of level 21, 201 Elizabeth Street, Sydney registered as dealing number AC646990

Lease of level 13, 201 Elizabeth Street, Sydney registered as dealing number AA12264

Lease of level 14, 201 Elizabeth Street, Sydney registered as dealing number AA12265

Lease of suite 902, level 9, 55 Market Street, Sydney registered as dealing number 3747379

Lease of level 13, 55 Market Street, Sydney registered as dealing number 3747379

Lease of ninth floor, Civic Tower, 66–72 Rickard Road, Bankstown registered as dealing number AC83178

Lease of suite 2, ground floor, Civic Tower, 66–72 Rickard Road, Bankstown registered as dealing number AA652026

Lease of sixth and seventh floors, Civic Tower, 66–72 Rickard Road, Bankstown registered as dealing number AA652027

Lease of 155–157 Marius Street, Tamworth registered as dealing number E655315

Lease of suite 1, ground floor, 1–3 Fitzwilliam Street, Parramatta registered as dealing number AC409855

Lease of level 1, 1–3 Fitzwilliam Street, Parramatta registered as dealing number 9293759

Lease of level 4, 1–3 Fitzwilliam Street, Parramatta registered as dealing number 9293762

Lease of level 3, 1–3 Fitzwilliam Street, Parramatta registered as dealing number 9293761

Lease of level 2, 1–3 Fitzwilliam Street, Parramatta registered as dealing number 9293760

Lease of level 5, 1–3 Fitzwilliam Street, Parramatta registered as dealing number 9293763

State Property Authority Order 2008

Amendment

Schedule 1

Lease of suite 2, ground floor, 1–3 Fitzwilliam Street, Parramatta registered as dealing number 9293758

Lease of level 6, 1–3 Fitzwilliam Street, Parramatta registered as dealing number 9293764

Lease of suite 1, (western suite), level 3 and suite 5, level 1, 101 Queen Street, Campbelltown registered as dealing number AB789539

Lease of lease registered as dealing number AA651832 of Henry Deane Building, 20 Lee Street, Sydney registered as dealing number AA717629

Lease of suite 106, Riverside Plaza, 131–139 Monaro Street, Queanbeyan registered as dealing number AB709529

Lease of suite 101, Riverside Plaza, 131—139 Monaro Street, Queanbeyan registered as dealing number 8789234

Lease of suite 107, Riverside Plaza, 131–139 Monaro Street, Queanbeyan registered as dealing number AB113443

Lease of suite 2002, level 2, 146 Marsden Street, Parramatta registered as dealing number AC813761

Lease of suite 201, level 2, 146 Marsden Street, Parramatta registered as dealing number AB159879

Lease of the whole of level 3 and suite 501, level 5, 146 Marsden Street, Parramatta registered as dealing number AB159878

Lease of level 1, 16–18 Wentworth Street, Parramatta registered as dealing number AB224938

Lease of ground floor, 16–18 Wentworth Street, Parramatta registered as dealing number AB224937

Lease of level 5, 16–18 Wentworth Street, Parramatta registered as dealing number AB224941

Lease of level 6, 16–18 Wentworth Street, Parramatta registered as dealing number AB224942

Lease of level 3, 16–18 Wentworth Street, Parramatta registered as dealing number AB224939

Lease of level 4, 16–18 Wentworth Street, Parramatta registered as dealing number AB224940

Lease of ground floor, level 3 and suite 402, level 4, 6 Parkes Street, Parramatta registered as dealing number AB42023

Lease of suite 401, level 4, 66 Wentworth Avenue, Sydney registered as dealing number AB932469

Lease of level 6, 175–181 Castlereagh Street, Sydney registered as dealing number AA144184

Lease of level 8, 175–181 Castlereagh Street, Sydney registered as dealing number AA144183

State Property Authority Order 2008

Schedule 1 Amendment

Lease of level 4, 175–181 Castlereagh Street, Sydney registered as dealing number 7596712

Lease of suite 702, level 7, 175–181 Castlereagh Street, Sydney registered as dealing number AB270572

Lease of level 5, 175–181 Castlereagh Street, Sydney registered as dealing number AA144185

Lease of level 13, 175–181 Castlereagh Street, Sydney registered as dealing number AA144181

Lease of suite 1, level 3, 175–181 Castlereagh Street, Sydney registered as dealing number AA712480

Lease of level 12, 175–181 Castlereagh Street, Sydney registered as dealing number AA144182

Lease of level 8, suites 9.01, 9.02, 9.04 and 9.05 on level 9, level 10 and level 11, 227 Elizabeth Street, Sydney registered as dealing number AA938697

Lease of level 18, 227 Elizabeth Street, Sydney registered as dealing number AC290988

Lease of level 17, 227 Elizabeth Street, Sydney registered as dealing number AC290987

Lease of level 20, 227 Elizabeth Street, Sydney registered as dealing number 9511764

Lease of level 19, 227 Elizabeth Street, Sydney registered as dealing number AC290989

Lease of level 22, 227 Elizabeth Street, Sydney registered as dealing number AB405300

Lease of suite 13.01, level 13, 227 Elizabeth Street, Sydney registered as dealing number AC290983

Lease of suite 21.01, level 21, 227 Elizabeth Street, Sydney registered as dealing number AC290990

Lease of level 12, 227 Elizabeth Street, Sydney registered as dealing number AC290986

Lease of levels 4 and 5, 234 Sussex Street, Sydney registered as dealing number 6083174, variation of lease AB121371

Lease of levels 10 and 11, 234 Sussex Street, Sydney registered as dealing number AB489693

Lease of level 9, 24 Campbell Street, Sydney registered as dealing number AB839716

Lease of suite 1301, level 13, 55 Hunter Street, Sydney registered as dealing number 8324246

Lease of level 3, 55 Hunter Street, Sydney registered as dealing number AB415870

State Property Authority Order 2008

Amendment

Schedule 1

Lease of level 4, 60–70 Elizabeth Street, Sydney registered as dealing number 9713294

Lease of level 1, 60–70 Elizabeth Street, Sydney registered as dealing number 9713291

Lease of suite 4, level 3, 60–70 Elizabeth Street, Sydney registered as dealing number 9713293

Lease of suite 301, level 3, 60–70 Elizabeth Street, Sydney registered as dealing number AB543684

Lease of suite 303, level 3, 60–70 Elizabeth Street, Sydney registered as dealing number AB543685

Lease of levels 2, 5, 6, and 7, 60–70 Elizabeth Street, Sydney registered as dealing number 9713292

Lease of suite 802, 83 Clarence Street, Sydney registered as dealing number AB849278

Lease of suite 801, 83 Clarence Street, Sydney registered as dealing number AC900872

Lease of level 6, 83 Clarence Street, Sydney registered as dealing number AB849281

Lease of level 5, 83 Clarence Street, Sydney registered as dealing number AB849280

Lease of level 10, 83 Clarence Street, Sydney registered as dealing number AB849282

Lease of level 4, 83 Clarence Street, Sydney registered as dealing number AB849279

Lease of levels 8 and 9, “The Barrington”, 10–14 Smith Street, Parramatta registered as dealing number 7242704

Lease of suite 1, level 1, “The Barrington”, 10–14 Smith Street, Parramatta registered as dealing number AB664715

Lease of suite 4, level 6, “The Barrington”, 10–14 Smith Street, Parramatta registered as dealing number AC660634

Lease of suite 1, level 2, “The Barrington”, 10–14 Smith Street, Parramatta registered as dealing number 7766647

Lease of level 10, 15 Castlereagh Street, Sydney registered as dealing number AB696067

Lease of suite 502, level 5, 1 Castlereagh Street, Sydney registered as dealing number AA539472

Lease of suite 501, level 5, 1 Castlereagh Street, Sydney registered as dealing number AA539472

Lease of level 23, AMP Centre, 50 Bridge Street, Sydney registered as dealing number AC958497

State Property Authority Order 2008

Schedule 1 Amendment

Lease of suite 1.04, first floor, 7–9 Morrissett Street, Queanbeyan registered as dealing number AB844465

Lease of suite 1.03, first floor, 7–9 Morrissett Street, Queanbeyan registered as dealing number AB844464

Lease of suite 3.03, third floor, 7–9 Morrissett Street, Queanbeyan registered as dealing number AB844467

Lease of suite 3.04, third floor, 7–9 Morrissett Street, Queanbeyan registered as dealing number AC679830

Lease of suite 3.01, third floor, 7–9 Morrissett Street, Queanbeyan registered as dealing number AB844466

Lease of suite G.02, ground floor, 7–9 Morrissett Street, Queanbeyan registered as dealing number AB844463

Lease of suite 301, 2–10 Wentworth Street, Parramatta registered as dealing number AB748570

Lease of level 9, 2–10 Wentworth Street, Parramatta registered as dealing number AD101531

OFFICIAL NOTICES

Appointments

ABORIGINAL LAND RIGHTS ACT 1983

NOTICE

I, the Honourable PAUL LYNCH, M.P., Minister for Aboriginal Affairs, following approval by the New South Wales Aboriginal Land Council (NSWALC), do, by this notice pursuant to section 222(1) of the Aboriginal Land Rights Act 1983 (the Act), appoint Mr Andrew HOHOLT as Administrator to the Nungaroo Local Aboriginal Land Council for a period of six (6) calendar months. During the period of his appointment, the Administrator will have all of the functions of the Nungaroo Local Aboriginal Land Council and any other duties as specified by the instrument of appointment. The Administrator's remuneration and expenses are not to exceed \$60 000 excluding GST without the prior approval of NSWALC. The Administrator's remuneration may include fees payable for the services of other personnel within the Administrator's firm who provide services as agents of the Administrator.

Signed and sealed this 21st day of January 2008.

PAUL LYNCH, M.P.,
Minister for Aboriginal Affairs

GOD SAVE THE QUEEN!

Department of Lands

ARMIDALE OFFICE

108 Faulkner Street (PO Box 199A), Armidale NSW 2350

Phone: (02) 6770 3100 Fax (02) 6771 5348

ERRATUM

THE following notice replaces the notice published in the *New South Wales Government Gazette* of 18 January 2008 on pages 86 and 87. The gazettal date remains the 18 January 2008.

ROADS ACT 1993

ORDER

Transfer of a Crown road to a Council

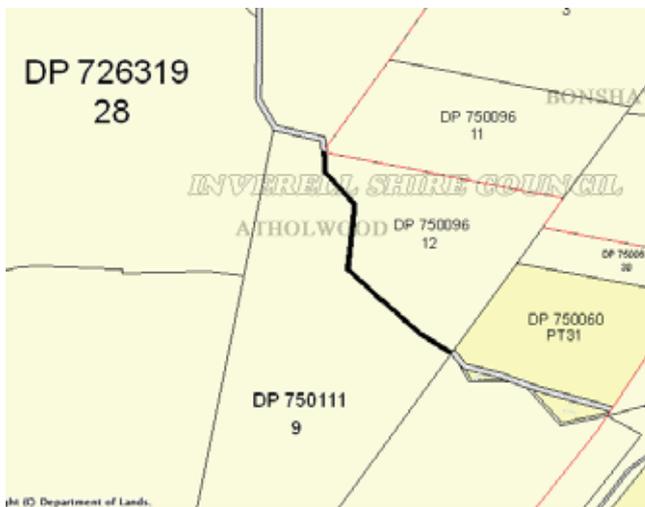
IN pursuance of the provisions of section 151, Roads Act 1993, the Crown public roads specified in each Schedule 1 are transferred to the Roads Authority specified in the corresponding Schedule 2 hereunder, as from the date of publication of this notice and as from that date, the roads specified in each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

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

SCHEDULE 1

*Parish – Myall; County – Arrawatta;
Land District – Inverell; L.G.A. – Inverell*

The Crown road 20.115 metres wide as shown by solid black shading on the diagram hereunder.



SCHEDULE 2

Roads Authority: Inverell Shire Council.

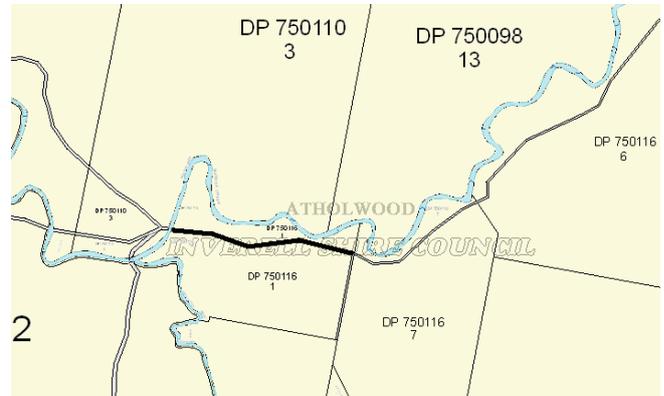
File No.: AE07 H 18:W404597.

Councils Reference: Greg Moran.

SCHEDULE 1

*Parish – Rose; County – Arrawatta;
Land District – Inverell; L.G.A. – Inverell*

The Crown road 20.115 metres wide as shown by solid black shading on the diagram hereunder.



SCHEDULE 2

Roads Authority: Inverell Shire Council.

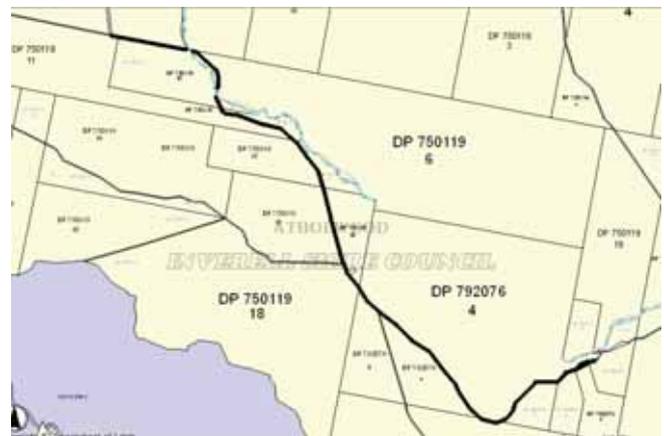
File No.: AE07 H 18:W404599.

Councils Reference: Greg Moran.

SCHEDULE 1

*Parishes – Severn and Myall; County – Arrawatta;
Land District – Inverell; L.G.A. – Inverell*

The Crown road 20.115 metres wide and variable as shown by solid black shading on the diagram hereunder.



SCHEDULE 2

Roads Authority: Inverell Shire Council.

File No.: AE07 H 18:W404600.

Councils Reference: Greg Moran.

SCHEDULE 1

*Parishes – Severn, Hallam and Rose; County – Arrawatta;
Land District – Inverell; L.G.A. – Inverell*

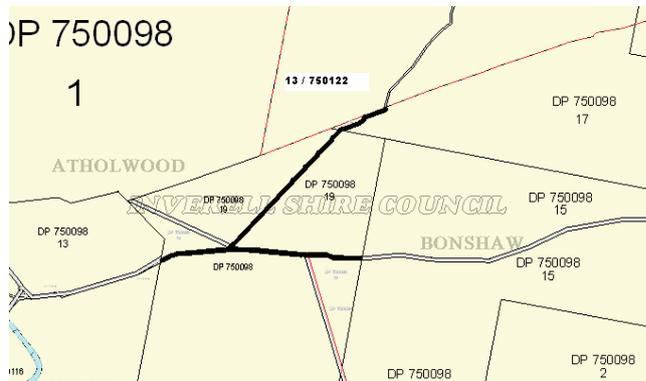
The Crown road 20.115 metres wide and variable as shown by solid black shading on the diagram hereunder.



SCHEDULE 2

Roads Authority: Inverell Shire Council.
 File No.: AE07 H 18:W404446.
 Councils Reference: Greg Moran.

SCHEDULE 1
*Parish – Hetherington; County – Arrawatta;
 Land District – Inverell; L.G.A. – Inverell*
 The Crown road 20.115 metres wide as shown by solid black shading on the diagram hereunder.



SCHEDULE 2

Roads Authority: Inverell Shire Council.
 File No.: AE06 H 175:W389424.
 Councils Reference: 28.10.SR 27 and 28.10.SR 28:GM:rjm.

BOARD OF SURVEYING AND SPATIAL INFORMATION
Panorama Avenue (PO Box 143), Bathurst NSW 2795
Phone: (02) 6332 8238 Fax: (02) 6332 8240

SURVEYING ACT 2002

Registration of Surveyors

PURSUANT to the provisions of the Surveying Act 2002, Section 10 (1) (a), the undermentioned persons have been Registered as Land Surveyors in New South Wales from the dates shown.

<i>Name</i>	<i>Address</i>	<i>Effective Date</i>
BROWN David Anthony	14 Romford Road Frenchs Forest NSW 2086	17 December 2007
LEE Daniel Alexander	14 Sharon Avenue Jewells NSW 2280	17 December 2007
PRITCHARD Kevin Brett	Lean & Hayward Pty Ltd PO Box 232 Campbelltown NSW 2560	7 December 2007
WILLIAMS Brett Anthony Burns	Clarke Dowdle & Associates 1 Oscar Street Umina NSW 2257	20 November 2007

W. A. WATKINS,
 President

S. G. GLENCORSE,
 Registrar

DUBBO OFFICE**142 Brisbane Street (PO Box 865), Dubbo NSW 2830****Phone: (02) 6883 3300 Fax: (02) 6882 6920****APPOINTMENT OF TRUST BOARD MEMBERS**

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

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Owen DUCE (new member), Lisa DUCE (new member).	Mendooran Recreation Reserve Trust.	Reserve No.: 1591. Public Purpose: Public recreation. Notified: 19 November 1883. File No.: DB81 R 90.
Term of Office		
For a term commencing this day and expiring 30 April 2009.		

GOULBURN OFFICE**159 Auburn Street (PO Box 748), Goulburn NSW 2580****Phone: (02) 4824 3700 Fax: (02) 4822 4287****NOTIFICATION OF CLOSING OF A ROAD**

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

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

Description

*Parish – Gundry; County – Argyle;
Land District – Goulburn;
L.G.A. – Goulburn Mulwaree Council*

Lot: 4, DP 1109135 (not being land under the Real Property Act).

File No.: GB07 H 174.BA.

Note: On closing, the title for the land in Lot 4 remains vested in Goulburn Mulwaree Council as operational land.

In accordance with section 44 of the Roads Act 1993, the Crown consents to the land in Lot 4 being vested in the Goulburn Mulwaree Council as operational land, to be given by the Council as compensation for other land acquired by the Council for the purpose of the Roads Act.

Description

*Parish – Yass; County – King;
Land District – Yass; L.G.A. – Yass Valley Council*

Lot 102, DP 1106965 (not being land under the Real Property Act).

FILE No.: GB07 H 166.BA.

Note: On closing, the title for the land in Lot 102 remains vested in Yass Valley Council as operational land.

In accordance with section 44 of the Roads Act 1993, the Crown consents to the land in Lot 102 being vested in the Yass Valley Council as operational land, to be given by the Council as compensation for other land acquired by the Council for the purpose of the Roads Act.

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

NOTIFICATION OF CLOSING OF ROAD

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

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

Description

Land District – Murwillumbah; LGA – Tweed

Road Closed: Lot 1, DP 1113973 at Nobbys Creek, Parish Kynnumboon, County Rous. File Reference: GF04 H 134

SCHEDULE

On closing, the land within Lot 1, DP 1113973 remains vested in the State of New South Wales as Crown Land.

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

NOTIFICATION OF CLOSING OF PUBLIC ROAD

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

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

SCHEDULE

Parish – Geelooma; County – Dowling
Land of District – Lake Cargelligo; L.G.A. – Bland

Road Closed: Lot 1 in D.P. 1119997.
File Ref: GH07 H 55

Note: On closing, title to the land comprised in Lot 1 remains vested in the State of New South Wales as Crown land.

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

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

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
The person for the time being holding the office of Environmental Manager, Wyong Shire Council (ex-officio member), Alan Keith MORRIS (re-appointment), Donald CRAIG (re-appointment), Adrian Alfred GALE (new member), Marlene Therese PENNINGS (new member), Dellas Beryl JOHNSTON (new member), Barry Maxwell ANGEL (new member), Beverley Anne YULE (new member).	Tuggerah Lake (R1003002) Reserve Trust.	Reserve No.: 1003002. Public Purpose: Public recreation and coastal environmental protection. Notified: 22 June 2001. File No.: MD01 R 8/5.

Term of Office

For a term commencing 8 February 2008 and expiring 7 February 2013.

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 the manager of the reserve trust specified in Schedule 2, which is trustee of the reserve referred to in Schedule 3.

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

SCHEDULE 1

Robert John BUGGY.

SCHEDULE 2

Tuggerah Lakes (R1003002) Reserve Trust.

SCHEDULE 3

Reserve No.: 1003002.
Public Purpose: Public recreation and coastal environmental protection.
Notified: 22 June 2001.
File No.: MD01 R 8/5.
Effective Date: 25 January 2008.

MOREE OFFICE**Frome Street (PO Box 388), Moree NSW 2400****Phone: (02) 6752 5055 Fax: (02) 6752 1707****REVOCATION OF RESERVATION OF
CROWN LAND**

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

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Land District: Bingara	The whole being
Local Government Area: Gwydir Shire Council	Lot 701, DP 96133,
Locality: Bingara	Parish Bingara,
Reserve No. 34448	County Murchison
Public Purpose:	of an area of 1.5ha
Travelling Stock	
Notified: 17 May 1902	
File Reference: ME81 R 96	

Notes: Upon revocation, it is intended to re-reserve the land for public recreation and community purposes and appoint Gwydir Shire Council as trust managers.

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Land District: Bingara	The whole being
Local Government Area: Gwydir Shire Council	Lot 7026, DP 1019618,
Locality: Bingara	Parish Bingara,
Reserve No. 34449	County Murchison
Public Purpose:	Lot 7027, DP 1019618,
Travelling Stock	Parish Bingara,
Notified: 17 May 1902	County Murchison
File Reference: ME81 R 96	of an area of 5.09ha

Notes: Upon revocation, it is intended to re-reserve the land for public recreation and community purposes and appoint Gwydir Shire Council as trust managers.

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Land District: Bingara	The whole being
Local Government Area: Gwydir Shire Council	Lot 7008, DP 1016562,
Locality: Bingara	Parish Bingara,
Reserve No. 1001370	County Murchison
Public Purpose:	
Environmental Protection	
Notified: 7 May 1999	
File Reference: ME81 R 96	

Notes: Upon revocation, it is intended to re-reserve the land for the purpose of travelling stock and appoint the Northern Slopes Rural Lands Protection Board as trust managers.

DISSOLUTION OF RESERVE TRUST

PURSUANT to section 92 (3) of the Crown Lands Act 1989, the reserve trust specified in Column 1 of the Schedule hereunder, which was established in respect of the reserve specified opposite thereto in Column 2 of the Schedule, is dissolved.

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Reserve 1001370 For Environmental Protection	Reserve No. 1001370
	Public Purpose:
	Environmental Protection
	Notified: 7 May 1999
	File Reference: ME81 R 96

RESERVATION OF CROWN LAND

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

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Land District: Bingara	Reserve No. 1014368
Local Government Area: Gwydir Shire Council	Public Purpose: Public Recreation
Locality: Bingara	Community Purposes
Lot 701, DP 96133,	
Parish Bingara,	
County Murchison	
Lot 7026, DP 1019618,	
Parish Bingara,	
County Murchison	
Lot 7027, DP 1019618,	
Parish Bingara,	
County Murchison	
Area: About 6.586ha	
File Reference: ME81 R 96	

Notes: This reservation automatically revokes Reserves 34448 and 34449.

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Land District: Bingara	Reserve No. 1014369
Local Government Area: Gwydir Shire Council	Public Purpose: Travelling Stock
Locality: Bingara	
Lot 7008, DP 1016562,	
Parish Bingara,	
County Murchison	
Area: About 2.2ha	
File Reference: ME81 R 96	

Notes: This reservation automatically revokes Reserve 1001370.

ESTABLISHMENT OF RESERVE TRUST

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

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Reserve 1014368 For Public Recreation & Community Purposes	Reserve No. 1014368 Public Purpose: Public Recreation Community Purposes Notified: This Day File Reference: ME81 R 96

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Reserve 1014369 For Travelling Stock	Reserve No. 1014369 Public Purpose: Travelling Stock Notified: This Day File Reference: ME81 R 96

APPOINTMENT OF CORPORATION TO MANAGE RESERVE TRUST

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

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Gwydir Shire Council	Reserve 1014368 For Public Recreation & Community Purposes	Reserve No. 1014368 Public Purpose: Public Recreation Community Purposes Notified: This Day File Reference: ME81 R 96

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Northern Slopes Rural Lands Protection Board	Reserve 1014369 For Travelling Stock	Reserve No. 1014369 Public Purpose: Travelling Stock Notified: This Day File Reference: ME81 R 96

ORANGE OFFICE

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

APPOINTMENT OF TRUSTEE

PURSUANT to section 14(4) of the Trustees of Schools of Arts Enabling Act 1902, the corporation specified in Column 1 of the Schedule hereunder, is appointed as sole trustee of the lands specified opposite thereto in Column 2 of the Schedule.

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Trundle War Memorial School of Arts Incorporated.	Lot 1 in DP 191659 comprised in Certificate of Title Vol. 3910, Fol. 142, and Lot 1 in DP 724890 being the residue of land comprised in Certificate of Title Vol. 2101, Fol. 146, Parish and Town of Trundle, County of Cunningham.

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

IN the *New South Wales Government Gazette* dated 18 January 2008, under the heading "Notification of Closing of a Road" relating to the closure of a road at Jugiong, please amend the shire by deleting "Gundagai" and inserting instead "Harden".

File No.: WA06 H 99.

NOTIFICATION OF CLOSING OF A ROAD

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

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

Description

*Parish – Morven; County – Hume;
Land District – Albury; Shire – Greater Hume*

Lot 2 in DP 1118042 at Morven.

File No.: WA05 H 507.

Note: On closing, the land within the former Council public road will remain vested in the Council of the Shire of Greater Hume as operational land.

Department of Planning

HERITAGE ACT 1977

Direction Pursuant to Section 34 (1) (A) to List an Item on the State Heritage Register

Saint Francis Xavier's Church, Berrima
SHR No. 1171

IN pursuance of section 34 (1) (a) of the Heritage Act 1977, I, the Minister for Planning, having considered a recommendation of the Heritage Council of New South Wales, direct the Council to list the item of environmental heritage specified in Schedule "A" on the State Heritage Register. This listing shall apply to the curtilage or site of the item, being the land described in Schedule "B".

Dated: Sydney, 19th day of December 2007.

FRANK SARTOR, M.P.,
Minister for Planning

SCHEDULE "A"

The item known as Saint Francis Xavier's Church, situated on the land described in Schedule "B".

SCHEDULE "B"

All those pieces or parcels of land known as Lots 1 and 2, section 44 of DP 758098 in Parish of Berrima, County of Camden, shown on the plan catalogued HC 2186 in the office of the Heritage Council of New South Wales.

Department of Primary Industries

COAL MINE HEALTH AND SAFETY ACT 2002

Types of Electrical Plant Used in Hazardous Zone

I, ROBERT REGAN, Chief Inspector, pursuant to clause 19(1)(c) of the Coal Mine Health and Safety Regulation 2006 ("the Regulation"), by this notice:

1. revoke the notice made under clause 19(1)(c) of the Regulation titled "Types of Electrical Plant used in Hazardous Zone" dated 17 December 2007 and published in the New South Wales Government Gazette No. 185 of 21 December 2007, pages 10473-10474 and any notice revived as a result of this revocation; and
2. specify the types of electrical plant that may be used in a hazardous zone as those described in the Schedule below.

SCHEDULE

1. Generally

- 1.1 Where the voltage rating of electrical plant to be used in longwall hazardous zones exceeds 4000 V ac., the operator must:
 - 1.1.1 notify the Chief Inspector 12 months prior to the intended installation date; and
 - 1.1.2 on request supply the Chief Inspector with information specified by the Chief Inspector.
- 1.2 Where the voltage rating of electrical plant to be used in hazardous zones that are in a production area and are not a longwall hazardous zone exceeds 1200V ac., the operator must:
 - 1.2.1 notify the Chief Inspector 12 months prior to the intended installation date; and
 - 1.2.2 on request supply the Chief Inspector with information specified by the Chief Inspector.
- 1.3 The types of electrical plant that may be used in a hazardous zone must comply with the voltage rating requirements specified in 1.1 and 1.2 and satisfy any of the requirements specified in 1.4, 1.5, 1.6, or 1.7.
- 1.4 Electrical apparatus:
 - for which a valid certificate of conformity exists, which accords with clause 2 of this Schedule, and
 - for which the applicable information listed in clause 3 is maintained as required by that clause, and
 - which the Manager of Electrical Engineering of the coal operation has determined is suitable for its intended environment.
- 1.5 Electrical apparatus:
 - of a type detailed on the list Explosion Protected Electrical Apparatus Approvals List, as amended from time to time, and
 - for which the applicable information listed in clause 3 of this Schedule is maintained as required by that clause, and
 - which the Manager of Electrical Engineering of the coal operation has determined is suitable for its intended environment.

(Note: The above list is available from <http://www.dpi.nsw.gov.au/minerals/safety/resources/electrical-engineering/DPI-Ex-approval-list.pdf>)

- 1.6 Electric cables conforming to AS/NZS 1802, Electric cables - Reeling and trailing - For underground coal mining purposes.
- 1.7 Electric cables conforming to AS/NZS 1972, Electric cables - Underground coal mines - Other than reeling and trailing.
- 1.8 Any electric cable determined as suitable by the operator (in consultation with the manager of electrical engineering for the coal operation), that is used solely as part of an intrinsically safe circuit or is integral to a caplamp.
- 1.9 In a hazardous zone where the flammable gas concentration is greater than 1.25% by volume in the general body of air, only the following types of electrical plant.
 - 1.9.1 Electrical apparatus for which a valid certificate of conformity exists, which accords with section 2 of this Schedule, or electrical apparatus of a kind detailed on the list "Explosion Protected Electrical Apparatus Approvals List" and in relation to which the information section 3 of this schedule, and the certificate of conformity has been issued for one or more of the explosion protection techniques and associated levels of protection (or protection category) and types of plant listed in sections 1.9.1.1, 1.9.1.2, 1.9.1.3, or 1.9.1.4
 - 1.9.1.1 Any type of plant certified as intrinsically safe, category "ia", as defined in AS/NZS 60079.11:2000 Electrical apparatus for explosive gas atmospheres, Part 11: Intrinsic safety 'i'.
 - 1.9.1.2 Any type of plant certified as encapsulated, level of protection "ma", as defined in AS/NZS 60079.18:2005 Electrical apparatus for explosive gas atmospheres, Part 18: Construction, test and marking of type of protection encapsulation "m" electrical apparatus.
 - 1.9.1.3 Gas detectors / monitors certified as special protection "s" as defined in AS/NZS 1826(Int):2006 Electrical equipment for explosive gas atmospheres—Special protection—Type of protection 's'.
 - 1.9.1.4 Caplights for use in mines susceptible to firedamp, protection type "I" as defined in AS/NZS 62013.1:2001 Caplights for use in mines susceptible to firedamp parts 1 and 2, or protection type "s". (This type of apparatus must be withdrawn to a safe area when the flammable gas concentration exceeds 2% in the general body of air by volume).
 - 1.9.2 Cables with energised conductors connected to the type of plant described in 1.9.1.1, 1.9.1.2, or 1.9.1.3 must contain only circuits that are intrinsically safe, category "ia".

1.10 In a hazardous zone where the flammable gas concentration is not greater than 0.5% by volume in the general body of air, the following type of portable non-explosion protected plant may be used:

1.10.1 portable apparatus:

- 1.10.1.1 which is only powered by internal batteries
- 2.10.1.1 with batteries which are securely fastened within the apparatus and can not inadvertently detach from the apparatus
- 3.10.1.1 with circuits which do not produce incendive arcs in normal operation
- 4.10.1.1 which does not have any components or parts exposed to coal dust, that can exceed a surface temperature of 150°C in normal operation. (Where coal dust is prevented from entering the internal parts by an appropriate Ingress Protection (IP) rating, maximum surface temperature of any component must not exceed 450°C)
- 5.10.1.1 which is suitable for its duty
- 6.10.1.1 which is suitable for the work environment
- 7.10.1.1 in relation to which any accumulation of static charge has insufficient discharge energy to ignite methane, and
- 8.10.1.1 and in relation to which any radiated energy has insufficient energy to ignite methane and/or explosives.

2. Valid certificate of conformity

The certificate of conformity:

- 2.1 for Group I (mines susceptible to firedamp) as defined in section 4 of AS/NZS 60079.0:2005 Electrical apparatus for explosive gas atmospheres, Part 0: General requirements, or, for plant that is intrinsically safe, Group II associated apparatus, as defined in AS/NZS 60079.0:2005 Electrical apparatus for explosive gas atmospheres, Part 0: General requirements, and
- 2.2 must be an AUS Ex certificate of conformity, or, an ANZ Ex certificate of conformity, or, an IEC Ex certificate of conformity, and
- 2.3 in the case of restrained plugs and receptacles, must also attest to compliance with AS1299 "Electrical equipment for coal mines – Flameproof restrained plugs and receptacles"

3. Information

- 3.1 The following information supplied by the manufacturer or supplier of the plant:
 - 3.1.1 where the plant is certified, a copy of the certificate of conformity
 - 3.1.2 where the plant only has an approval, a copy of the approval
 - 3.1.3 where the plant is certified and approved, a copy of the certificate of conformity and a copy of the approval
 - 3.1.4 information in accordance with section 30 of AS/NZS 60079.0 Electrical apparatus for explosive gas atmospheres, Part 0: General Requirements

3.1.5 information in accordance with the requirements of Chapter 5 of the Occupational Health and safety Regulation 2001, and

3.1.6 plant drawings that:

- 1.1.6. identify all features of the plant that form part of the explosion protected properties,
- 2.1.6. give sufficient detail so that the plant can be verified as complying to the drawing,
- 3.1.6. Give sufficient detail so that the plant can be verified as complying with the certificate of conformity,

4.1.6 are traceable to the drawings used in testing and assessment for certification purposes, and

5.1.6 meet the requirements of any relevant code of practice or notice by the Chief Inspector published in the Government Gazette.

3.2 Information supplied as referred to in clause 3.1 must be maintained at the coal operation, or, where the owner of the plant is not the operator of the coal operation, at a location, determined as acceptable by the manager of electrical engineering for the coal operation, to enable the plant to be verified as conforming to the certificate of conformity, installed, used, maintained, overhauled, and repaired. This information must also comply with the requirements of AS2290.1 "Electrical equipment for coal mines – Introduction and maintenance. Part 1 For hazardous areas".

Definitions:

ANZ Ex certificate of conformity	A certificate of conformity issued under the Australian/New Zealand Certification Scheme for explosion-protected electrical equipment
AUS Ex certificate of conformity	A certificate of conformity issued under the Australian Certification Scheme for explosion - protected electrical equipment
IEC	International Electrotechnical Commission
IEC Ex certificate of conformity	A certificate of conformity issued under the International Electrotechnical Commission Certification Scheme for explosion-protected electrical equipment

Dated this 23rd day of January 2008

ROBERT REGAN,
Chief Inspector

COAL MINE HEALTH AND SAFETY ACT 2002

Notice under clause 37(a)(ii) of Coal Mine Health and Safety Regulation 2006

Types of Explosives for use in an Underground Mine

I, ROBERT REGAN, Chief Inspector under the Coal Mines Health and Safety Act 2002, pursuant to clause 37(a)(ii) of the Coal Mine Health and Safety Regulation 2006 ("the Regulation"), by this notice restrict the use of explosives in underground parts of the mine to explosives of a type conforming to the requirements specified in the Schedule below.

SCHEDULE

Note - Explosives which conform to the requirements of this notice may be referred to as 'PERMITTED EXPLOSIVE'.

1. Test requirements

- (i) Explosive is to be tested in the manner described in Appendix '1' of HSE Testing Memorandum No.2 (TM2) 'Test and approval of explosives for use in coal mines and other mines in which flammable gas may be a hazard' and must pass all the test criteria for its permitted type.
- (ii) Compliance testing shall be carried out by the Health and Safety Laboratory, U.K. or an equivalent organization with a test gallery and systems acceptable to the Chief Inspector.
- (iii) Explosive will not normally be accepted for testing if it is more than two months old on receipt at the Testing Station.
- (iv) Tests may be varied in detail or other tests may be added at the discretion of the Chief Inspector to afford additional information or to meet particular conditions in the use of the explosive. The Chief Inspector also reserves the right to revise any of the test standards.
- (v) If an explosive fails to pass the tests, no second trial will be allowed without the special sanction of the Chief Inspector.
- (vi) The composition and characteristics of the explosive and cartridge diameter must at all times conform, within the limits allowed, to those of the sample officially tested.
- (vii) If at any time after an explosive has been tested for 'permitted explosive' status the manufacturer wishes:
 - to make it at a different factory;
 - to mix it in a different type of machine;
 - to use materials from a different source or prepared in a different way;
 - to cartridge it in a different wrapping;

the Chief Inspector must be so informed and before altered product is supplied to mines, the manufacturer must undertake tests and give written assurance to the Chief Inspector that on the basis of the tests, the product appears to be as safe as the product originally tested for permitted status.

2. Marking

Each cartridge of permitted explosive supplied to a mine shall be clearly and indelibly marked to indicate:

- The name of the explosive and include the word 'Permitted';
- The group number (such as P1, P3 or P5);
- Maximum charge limit in any one shot hole.

All containers are to be labeled appropriately and in accordance with the relevant National code. The batch number and the date and place of manufacture shall appear in a conspicuous place and in a legible manner on each box of explosive supplied to a mine.

3. Charge limit

Group P1, P3

The maximum charge limit in any one shot hole to be not more than 800gm. Subject to site specific assessment of risks the charge-limit may be increased:

- for a single shot hole to a maximum of 1,200gm where the shot hole is at least of length 1.8m, has a minimum burden 0.5m and has at least 0.6m of suitable stemming;
- for multiple shotfiring to not more than 1,600gms.

Group P5

No more than 1000 grams of explosive shall be loaded into any one shot hole.

4. General requirements

Before the product is supplied for use in a mine, the Chief Inspector shall be provided with:

- a copy of the official test report demonstrating compliance with TM2, together with all supporting documentation specified in test report(s) used for product identification and performance evaluation.
- a statement of any special or limiting conditions of use specified by the manufacturer.

Prior to using explosive in a mine, there shall be completed a full risk assessment in accordance with MDG 1010, an evaluation of the processes involved, and safe blast practice identified and documented relevant to that use.

Permitted explosive shall only be used in the hazard scenario or circumstances simulated in the relevant TM2 test, such as Group P1 (single, simultaneous or delay firing in shafts and drifts) and P5 (primarily for delay firing in solid coal), except as follows.

Alternate uses are acceptable provided:

- (i) A risk assessment in accordance with MDG 1010, or equivalent, demonstrates at least an equivalent level of safety, and
- (ii) The risk assessment and additional control measures, if any, are reviewed by an independent party experienced in underground coal blasting who attests to their adequacy, and
- (iii) At least two weeks notice is provided to the Chief Inspector or his delegate, and
- (iv) A safety file is to be made up containing risk assessment and review documents, description of proposed shotfiring activities, and location/district ventilation plan. The safety file is to be maintained at the mine and provided to an inspector on request.

Dated this 23rd day of January 2008.

ROBERT REGAN,
Chief Inspector

**FISHERIES MANAGEMENT ACT 1994
FISHERIES MANAGEMENT (AQUACULTURE)
REGULATION 2007**

Notification under s.163 (7) of the Fisheries Management Act 1994, and Cl.33 of the Fisheries Management (Aquaculture) Regulation 2007

Notice of Receipt of Application for Aquaculture Lease

NSW Department of Primary Industries (NSW DPI) advises an application has been received for a new aquaculture lease

over public water land for the purpose of cultivating Sydney rock oysters. Location is the Manning River, described as follows:

- Approx. 0.1595 hectares over former oyster lease OL86/200

NSW DPI is calling for written submissions from any person supporting or objecting to the oyster lease proposal, citing reasons for the support/objection. NSW DPI is also calling for expressions of interest from persons or corporations interested in leasing the area specified above, for the purpose of aquaculture. An expression of interest must be in the form of a written response referring to lease number OL86/200 to be signed and dated with a return address. If additional expressions of interest are received, NSW DPI may offer the area for leasing through a competitive public tender process, auction or ballot.

If granted the lease will be subject to standard covenants and conditions of an aquaculture lease and aquaculture permit, under the Fisheries Management Act 1994. Specific details of the proposed lease can be obtained, or enquiries made with NSW DPI, Aquaculture Administration Section, Port Stephens on (02) 4982 1232. Objections or expressions of interest for consideration in the determination of the application must be received at the address below, within 30 days from the date of publication of this notification:

Director,
Fisheries Conservation and Aquaculture Branch,
Aquaculture Administration Section,
Port Stephens Fisheries Centre,
Locked Bag 1, Nelson Bay NSW 2315.

BILL TALBOT,
Director,

Fisheries Conservation and Aquaculture Branch,
Department of Primary Industries

FISHERIES MANAGEMENT ACT 1994

FISHERIES MANAGEMENT (AQUACULTURE) REGULATION 2007

Notification under s.163 (7) of the Fisheries Management Act 1994, and Cl.33 of the Fisheries Management (Aquaculture) Regulation 2007

Notice of Receipt of Application for Aquaculture Lease

NSW Department of Primary Industries (NSW DPI) advises an application has been received for a new aquaculture lease over public water land for the purpose of cultivating Sydney rock oysters. Location is Wagonga Inlet, described as follows:

- Approx. 0.3042 hectares over former oyster lease OL59/280

NSW DPI is calling for written submissions from any person supporting or objecting to the oyster lease proposal, citing reasons for the support/objection. NSW DPI is also calling for expressions of interest from persons or corporations interested in leasing the area specified above, for the purpose of aquaculture. An expression of interest must be in the form of a written response referring to lease number OL59/280 to be signed and dated with a return address. If additional expressions of interest are received, NSW DPI may offer the area for leasing through a competitive public tender process, auction or ballot.

If granted the lease will be subject to standard covenants and conditions of an aquaculture lease and aquaculture permit, under the Fisheries Management Act 1994. Specific details of the proposed lease can be obtained, or enquiries made with NSW DPI, Aquaculture Administration Section, Port Stephens on (02) 4982 1232. Objections or expressions of interest for consideration in the determination of the application must be received at the address below, within 30 days from the date of publication of this notification:

Director,
Fisheries Conservation and Aquaculture Branch,
Aquaculture Administration Section,
Port Stephens Fisheries Centre,
Locked Bag 1, Nelson Bay NSW 2315.

BILL TALBOT,
Director,

Fisheries Conservation and Aquaculture Branch,
Department of Primary Industries

FISHERIES MANAGEMENT ACT 1994

Section 8 Notification – Fishing Closure

Sea Urchin and Turban Shell

I, RENATA BROOKS, Deputy Director-General Agriculture, Fisheries and Regional Relations, pursuant to section 8 of the Fisheries Management Act 1994 (“the Act”) and with the delegated authority of the Minister for Primary Industries and the Director-General of the NSW Department of Primary Industries pursuant to sections 227 and 228 of the Act, do by this notification, prohibit the taking of sea urchin and turban shell by licensed commercial fishers from the commercial fishing sub zones specified in Column 1 of the Schedule being the waters described in Column 2 of the Schedule.

This Fishing Closure is effective until 31st December 2008, unless sooner amended or revoked.

Schedule

<i>Column 1</i> Sub Zone	<i>Column 2</i> Waters
B2: Sandon to Red Rock	The whole of the waters between a line drawn east from the point 153° 19' 57.9648" east, 29° 40' 25.8456" south, and a line drawn east from the point 153° 14' 03.4764" east, 29° 58' 52.014" south.
B3: Red Rock to Coffs Harbour	The whole of the waters between a line drawn east from the point 153° 14' 03.4764" east, 29° 58' 52.014" south, and a line drawn east from the point 153° 09' 11.6064" east, 30° 18' 31.8888" south.
E3: Seal Rocks to Hawks Nest Beach	The whole of the waters between a line drawn east from the point 152° 32' 09.9384" east, 32° 26' 02.3964" south, and a line drawn east from the point 152° 11' 14.118" east, 32° 40' 07.0356" south.
H1: Broken Bay to Sydney Harbour	The whole of the waters between a line drawn east from the point 151° 19' 43.8888" east, 33° 34' 40.7532" south, and a line drawn east from the point 151° 16' 51.2508" east, 33° 49' 58.152" south.

H2: Sydney Harbour to Bondi Beach	The whole of the waters between a line drawn east from the point 151° 16' 51.2508" east, 33° 49' 58.152" south, and a line drawn east from the point 151° 16' 37.146" east, 33° 53' 30.9696" south.
H3: Bondi Beach to Botany Bay	The whole of the waters between a line drawn east from the point 151° 16' 37.146" east, 33° 53' 30.9696" south, and a line drawn east from the point 151° 13' 19.992" east, 34° 00' 05.364" south.
K3: Bombo Beach to Warri Beach	The whole of the waters between a line drawn east of the point 151° 51' 23.0616" east, 34° 39' 26.8029" south and a line drawn east of the point 151° 50' 06.7020" east, 34° 44' 04.1820" south
L2: Currarong to Point Perpendicular	The whole of the waters between a line drawn east from the points 150° 49' 20.4636" east, 34° 58' 58.6668" south, and 150° 49' 20.4636" east 35° 00' 49.5396" south and a line drawn east from the point 150° 48' 16.236" east, 35° 05' 39.9084" south.
L3: Inside Jervis Bay	The whole of the waters between a line drawn east from the point 150° 48' 16.236" east, 35° 05' 39.9084" south, and a line drawn east from the point 150° 46' 06.0456" east, 35° 06' 43.992" south.
Q4: Malua Bay to Burrewarra Point	The whole of the waters between a line drawn east from the point 150° 13' 51.1356" east, 35° 47' 34.5696" south, and a line drawn east from the point 150° 14' 07.7244" east, 35° 50' 06.0324" south.
U2: Cuttagee Point to Thibbul Inlet (Murrah)	The whole of the waters between a line drawn east from the point 150° 03' 18.2196" east, 36° 29' 16.6056" south and a line drawn east from the point 150° 03' 27.1296" east, 36° 31' 32.7576" south.
V2: Bithry Inlet to Barounda Inlet	The whole of the waters between a line drawn east from the point 150° 01' 12.2052" east, 36° 37' 46.8768" south, and a line drawn east from the point 149° 59' 41.7444" east, 36° 41' 09.3264" south.
Y21: Mowarry Point to Saltwater Beach	The whole of the waters between a line drawn east from the point 150° 00' 16.5996" east, 37° 08' 29.1552" south, and a line drawn east from the point 150° 00' 11.484" east, 37° 10' 10.8336" south.
Z3: Black Head Anchorage to Nadgee Lake	The whole of the waters between a line drawn east from the point 149° 58' 21.5148" east, 37° 26' 26.358" south, and a line drawn east from the point 149° 58' 21.1764" east, 37° 27' 54.9648" south.

In this Fishing Closure:

“sea urchin” refers to all species in the Class Echinodea
“turban shell” refers to the following species in the Family Turbinidae: Turbo undulatus (also know as green turban shell), Turbo militaris (also know as military turban shell) and Turbo torquatus (also know as Sydney turban shell)

Dated this 21st day of January 2008.

RENATA BROOKS,
Deputy Director-General
Agriculture, Fisheries and Regional Relations
NSW Department of Primary Industries

OCCUPATIONAL HEALTH AND SAFETY ACT 2000

Notice under clause 112A of Occupational Health and Safety Regulation 2001

Requirements for Registration of Detonators used in Underground Mines at a Coal Workplace

I, ROBERT REGAN, Chief Inspector under the Coal Mine Health and Safety Act 2002, with the powers the Director-General has delegated to me under section 137A(2) of the Occupational Health and Safety Act 2000 and pursuant to clause 112A of the Occupational Health and Safety Regulation 2001 (“the Regulation”), by this notice, specify the requirements set out in the Schedule below as the requirements that must be met prior to detonators being used in underground mines at a coal workplace (referred to in this notice as PERMITTED DETONATORS) being registered as a plant design under Part 5.2, Division 3, Subdivision 1 (as modified by Schedule 4A) of the Regulation.

SCHEDULE

1. General requirements

- (i) Detonators shall be copper-cased with leading wires of copper complying with the requirements of HSE Testing Memorandum No.13 (TM13) ‘Conditions of Test and Approval of Electric Detonators’, Appendix ‘C’ excluded.
- (ii) Compliance testing shall be carried out by the Health and Safety Laboratory, U.K. or an equivalent organisation acceptable to the Chief Inspector.
- (iii) The manufacturer must provide evidence that the detonator is capable of satisfactorily initiating detonation in the explosive or explosives in which it is intended to be used.
- (iv) The detonator must be of such character as not to be liable to deteriorate or to become dangerous under conditions of storage or use.

2. Testing requirements applicable to all detonators

- (i) Fusehead resistance: The electrical resistance of the fusehead shall be not less than 0.9 ohms and not greater than 1.8 ohms.
- (ii) Firing current: With a current of 0.6 ampere d.c. applied for 50 milliseconds, the probability of a misfire shall not exceed 1 in 10 000.
- (iii) No-fire current: With a current of 0.25 ampere d.c., applied for 5 seconds, the probability of a detonator firing shall not exceed 1 in 10 000.

- (iv) Detonator resistance: Not more than 2% of the detonators of any one type shall have a total resistance, inclusive of the leading wires, of more than 2.2 ohms.

In addition, for delay detonators, the mean delay time for each delay number should correspond approximately to the nominal delay time. And, the tolerance on the delay time should be such that the probability of the delay time of a detonator taken at random from one delay number in series overlapping the delay time of a detonator similarly taken from an adjacent delay number shall not exceed 1 in 20 (ie. an overlap probability less than 0.05).

- (v) Detonator series firing: When a current of 1.25 amperes d.c. is applied for 4 milliseconds there shall be no failure in 20 consecutive rounds each of 10 detonators connected in series.
- (vi) Detonator incendiarity tests: When fired in the presence of a methane-air mixture containing 9% methane, in a steel lined chamber of approximate dimensions 710mm x 265mm x 50mm sealed along the top by polythene film, using a current of 1.25 amperes d.c. applied for 4 milliseconds, the probability of ignition shall be such that not more than 14 ignitions in 200 tests are produced.

3. Matters for assessment

The following documents must be provided with the design registration application under clause 107 of the regulation for registration of plant design:

- (a) A copy of the official test report demonstrating compliance with TM13, together with all supporting documentation specified in test report(s) used for product identification and performance evaluation.
- (b) A statement of any special or limiting conditions of use specified by the manufacturer.
- (c) A complete written description of the detonator for which registration is requested together with drawings and specifications (and lists thereof) showing full details of construction of the detonator and of the materials used.
- (d) Drawings shall be titled, numbered, and dated; any revision dates shall be shown on the drawings, and the purpose of each revision being sought shall be shown on the drawing or described on an attachment to the drawing to which it applies.
- (e) A proposed plan for quality control which meets the following requirements; either
- i. Certified to comply with ISO 9001:2000; or
 - ii. Demonstrated as equivalent to ISO 9001:2000 every three years.

Dated this 23rd day of January 2008.

ROBERT REGAN,
Chief Inspector

PLANT DISEASES ACT 1924

Appointment of Inspectors

I, RICHARD FREDERICK SHELDRAKE, Director-General of the NSW Department of Primary Industries, pursuant to section 11(1) of the Plant Diseases Act 1924 ("the Act"),

hereby appoint the persons named in the Schedule below as inspectors for the purposes of the Act.

SCHEDULE

Lyndon Anthony	GRAY
Leigh Thomas	HEPNER
Norman William	MORRISON
Judith Lynn	POULIOT
Samuel John	TAYLOR
Hayley	WOODWARD

Dated this 17th day of January 2008

R F SHELDRAKE,
Director-General,
NSW Department of Primary Industries

PLANT DISEASES ACT 1924

Revocation of Appointments

I, RICHARD FREDERICK SHELDRAKE, Director-General of the NSW Department of Primary Industries, pursuant to sections 3(2)(a) and 11(1) of the Plant Diseases Act 1924 ("the Act"), hereby revoke the appointment of each person specified in Column 1 of the Schedule as an inspector under the Act, including those published in the New South Wales Government Gazette specified in Column 2 of the Schedule at the page specified in Column 3 of the Schedule, and any appointment revived as a result of their revocation.

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Youssef FARES	No. 41 of 9 March 2007	1754
Kent Ashley HUTCHINSON	No. 33 of 23 February 2007	1100
Peter NANSON	No. 170 of 29 October 2004	8233
Sophie June RICHARDS	No. 145 of 24 November 2006	9967
Merinda Rose SEDGMAN	No. 145 of 24 November 2006	9967

Dated this 17th day of January 2008.

R. F. SHELDRAKE,
Director-General
NSW Department of Primary Industries

STOCK DISEASES ACT 1923

Appointment of Inspector

Notification No: 484

I, RICHARD FREDERICK SHELDRAKE, Director-General of the NSW Department of Primary Industries, pursuant to section 6(1) of the Stock Diseases Act 1923 ("the Act"), appoint Kim Strahorn MARTEL as an inspector for the purposes of the Act.

Dated this 17th day of January 2008.

R. F. SHELDRAKE,
Director-General
NSW Department of Primary Industries

Roads and Traffic Authority

ROAD TRANSPORT (GENERAL) ACT 2005

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

WALCHA 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.

JACK O'HARA,
General Manager,
Walcha Council
(by delegation from the Minister for Roads)
22 January 2008

SCHEDULE

1. **Citation**

This Notice may be cited as Walcha Council 25 Metre B-Double Route Notice No. 1/2008.

2. **Commencement**

This Notice takes effect on the date of gazettal.

3. **Effect**

This Notice remains in force until 30 September 2010 unless it is amended or repealed earlier.

4. **Application**

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

5. **Routes**

Type	Road No	Road Name	Starting Point	Finishing Point	Conditions
25		Middle Street	Fitzroy Street (Oxley Highway)	Jamieson Street	
25		Nine Mile Church Road	Brackendale Road	End	
25		Kangaroo Flat Road	Oxley Highway	"Mountain View"	
25		Mandaloo Road	St Leonards Creek Road	"Sallywood"	
25		Surveyors Creek Road	Campfire Road	"Wilberforce"	No access across the McDonald River
25		Tia Falls Road	Oxley Highway	"Old Woombi"	

ROAD TRANSPORT (GENERAL) ACT 2005

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

WOLLONGONG CITY COUNCIL, in pursuance of the Road Transport (Mass, Loading, Access) Regulation 2005, makes the amendment in the Schedule to the routes and areas previously specified on or in which 25m B-Doubles may be used.

DAVID FARMER,
General Manager,
Wollongong City Council
(by delegation from the Minister for Roads)
17 January 2008

SCHEDULE

1. **Citation**

This Notice may be cited as the Wollongong City Council 25m B-Doubles Route Repeal Notice No. 1/2008.

2. **Commencement**

This Notice takes effect on the date of gazettal.

3. **Amendment**

The **General B Double Permit Notice 2005** is amended by **omitting** the following from that Notice:

<i>Type</i>	<i>Road</i>	<i>Starting point</i>	<i>Finishing point</i>	
25	Investigator Drive, Unanderra	Berkeley Road	Nolan Street	<ol style="list-style-type: none"> 1. The only place of access permitted for B-Doubles on this route is 225 Berkeley Road and 20 Investigator Drive where trailer uncoupling facilities are available for single trailer deliveries in the industrial area. 2. Travel is permitted only the direction of listing.
25	Berkeley Road, Unanderra	Glastonbury Avenue	Investigator Drive	<ol style="list-style-type: none"> 1. The only place of access permitted for B-Doubles on this route is 225 Berkeley Road and 20 Investigator Drive, where trailer uncoupling facilities are available for single trailer deliveries in the industrial area. 2. Travel is permitted only in the direction of listing
25	Berkeley Road, Unanderra	Investigator Drive	Unanderra Coil Processing (UCP)	<ol style="list-style-type: none"> 1 The only places of access permitted for B-Doubles on this route are the UCP works and Smorgon ARC. 2 Eastbound exit along Berkeley Road must turn right at Investigator Dr.
25	Berkeley Road, Unanderra	Investigator Drive	Hi-fert Fertilizers	<ol style="list-style-type: none"> 1. The only places of access permitted for B-Doubles on this route are the UCP works, Smorgan ARC and Hi-Fert Fertilizers. 2. Eastbound exit along Berkeley Rd must turn right at Investigator Dr
25	Glastonbury Avenue, Unanderra	MR295 Five Islands Road	Berkeley Road	<ol style="list-style-type: none"> 1: The only place of access permitted for B-Doubles on this route is 225 Berkeley Road. and 20 Investigator Drive, where trailer uncoupling facilities are available for single trailer deliveries in the Industrial area. 2. Travel is permitted only in the direction of listing.
25	Nolan Street, Unanderra	Investigator Drive	HW1 Princes Highway	<ol style="list-style-type: none"> 1. The only place of access permitted for B-Doubles on this route is 225 Berkeley Road. and 20 Investigator Dive, where trailer uncoupling facilities are available for single trailer deliveries in the Industrial area. 2. Travel is permitted only in the direction of listing.
25	Princes Highway, Unanderra	Nolan Street	MR613 Northcliffe Drive	<ol style="list-style-type: none"> 1. The only place of access permitted for B-Doubles on this route is 225 Berkeley Road. and 20 Investigator Drive, where trailer uncoupling facilities are available for single trailer deliveries in the Industrial area. 2. Travel is permitted only in the direction of listing

ROAD TRANSPORT (GENERAL) ACT 2005

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

WOLLONGONG CITY 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.

DAVID FARMER,
General Manager,
Wollongong City Council
(by delegation from the Minister for Roads)
17 January 2008

SCHEDULE
1. Citation

This Notice may be cited as Wollongong City Council 25 Metre B-Double route Notice No. 2/2008

2. Commencement

This Notice takes effect on the date of gazettal.

3. Effect

This Notice remains in force until **30 September 2010** unless it is amended or repealed earlier.

4. Application

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

5. Routes

<i>Type</i>	<i>Road No</i>	<i>Road Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>	<i>Conditions</i>
25		Investigator Drive, Unanderra	Berkeley Road	Nolan Street	20 Investigator Drive where trailer uncoupling facilities are available for single trailer deliveries in the industrial area. No direction restriction
25		Berkeley Road, Unanderra	Glastonbury Avenue	Unanderra Coil processing (UCP)	Other access available to No. 225, and entrance No. 247, incorporating Smorgan ARC, Wideform and Hills Transport. No direction restriction
25		Glastonbury Avenue, Unanderra	MR295 Five Islands Road	Berkeley Road	No direction restriction
25		Nolan Street, Unanderra	Waverly Drive	Investigator Drive	No direction restriction
25		Charcoal Close, Unanderra	Berkeley Road	Entire length	No direction restriction
25		Nolan Street, Unanderra	Waverly Drive	HW1 Princes Highway	Travel is permitted only in the direction of listing. (North to South)
25	1	Princes Highway, Unanderra	Nolan Street	MR613 Northcliffe Drive	Travel is permitted only in the direction of listing. (North to South)

ROAD TRANSPORT (SAFETY AND TRAFFIC MANAGEMENT) ACT 1999**ORDER**

(LS) Marie Bashir, AC, CVO, Governor.

I, Professor Marie Bashir, AC, CVO, Governor of the State of New South Wales, with the advice of the Executive Council, and in pursuance of the Road Transport (Safety and Traffic Management) Act 1999 do, by this my Order, approve of the following type of breath analysing instrument described hereunder as being designed to analyse a person's breath to ascertain the concentration of alcohol present in that person's breath.

Type of device: The breath analysing instrument, Lion Intoxilyzer 8000

Signed and sealed at Sydney, this 23rd day of January 2008.

By Her Excellency's Command,

ERIC ROOZENDAAL, M.L.C.,
Minister for Roads

ROAD TRANSPORT (GENERAL) ACT 2005

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

I, Michael Bushby, Acting Chief Executive of the Roads and Traffic Authority pursuant to Clause 25 of the Road Transport (Mass, Loading and Access) Regulation 2005, do, by this Notice, exempt gas powered ultra low floor buses from the total mass limit specified in Clause 2 (6) (b), of Schedule 1 to the Road Transport (Mass, Loading and Access) Regulation 2005, the vehicles described in Part 2 of the Schedule subject to any condition or requirement set out in that Schedule.

MICHAEL BUSHBY,
A/Chief Executive,
Roads and Traffic Authority

SCHEDULE**PART 1 – PRELIMINARY****1.1 Citation**

This Notice may be cited as the Class 3 Gas Powered Ultra Low Floor Bus Mass Limit Exemption Notice 2008.

1.2 Commencement

This Notice takes effect on 1 January, 2008.

1.3 Effect

This Notice remains in force until 31 December 2012 unless it is amended or repealed earlier or until an incremental pricing arrangement becomes available.

1.4 Repeal

This Notice replaces the Class 3 Gas Powered Ultra Low Floor Bus Mass Limit Exemption Notice 2007 published in the *NSW Government Gazette* on 7 December 2007 at pages 9476-9477.

1.4 Interpretation

1.4.1 Unless stated otherwise, words and expressions used in this Notice have the same meaning as those defined in the Dictionary to the Road Transport (Mass, Loading and Access) Regulation 2005 (the Regulation).

PART 2 – APPLICATION**2.1 Application**

2.1.1 This Notice applies to gas powered ultra low floor buses,

- (a) That do not exceed 6-tonne mass on the front axle
- (b) That do not exceed 11-tonne mass on the rear axle
- (c) That do not exceed 16.65 tonne total mass when loaded.

PART 3 – OPERATION AND TRAVEL REQUIREMENTS**3.1 Mass Limits**

3.1.1. The sum of the mass on the axle groups on the vehicle to which this Notice applies may exceed the total mass limit for an ultra-low floor bus specified in Schedule 1 Clause 2 (6) (b) of the Regulation by up to 650kg.

PART 4 – NOTICE NOT REQUIRED TO BE CARRIED

A copy of this Notice is not required to be carried in the driving compartment of a vehicle, operating under this Notice.

PART 5 – DEFINITIONS

“Ultra-low floor bus” means a bus that:

- (a) is equipped with a stairless entry, and
- (b) is designed to be accessible by wheelchairs, and
- (c) is licensed to carry standing passengers

Other Notices

APRENTICESHIP AND TRAINEESHIP ACT 2001

NOTICE is given of the making of a Vocational Training Order for the recognised traineeship vocation of Health Services – Indigenous Environmental Health.

The Order specifies a number of matters in relation to the required training for this vocation, including the term/s of training, competency outcomes and course/s of study to be undertaken.

The Order will take effect from the date of publication in the Gazette.

A copy of the Order may be inspected at any State Training Centre of the Department of Education and Training or on the Internet at <http://apprenticeship.det.nsw.edu.au>

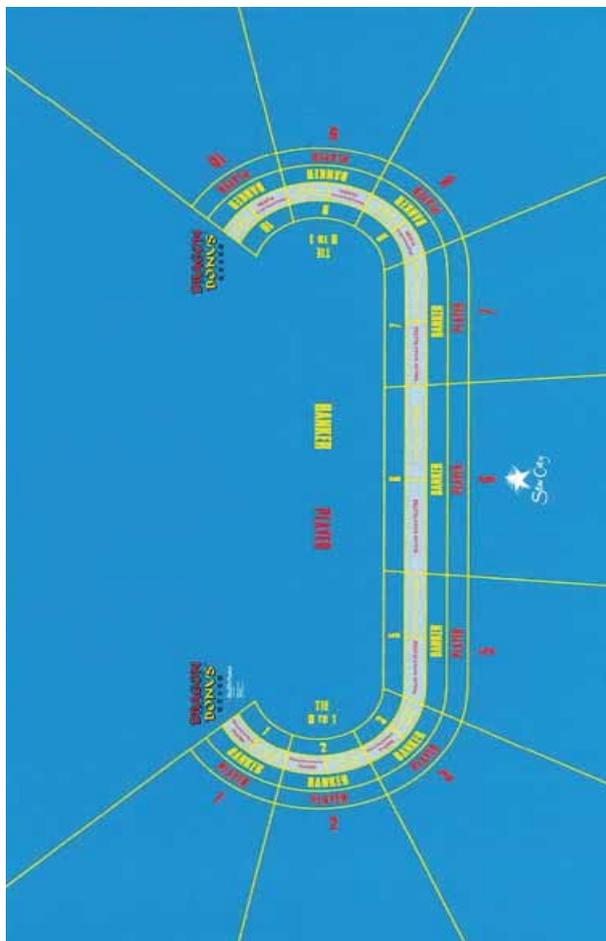
CASINO CONTROL ACT 1992

Order

PURSUANT to section 66 (1) of the Casino Control Act 1992, the Casino Control Authority does, by this Order, approve the following amendments to the rules for the playing of the game of “Baccarat” in the casino operated by Star City Pty Limited under licence granted by the Casino Control Authority on 14 December 1994:

- (1) Amendments to the rules for the playing of “Baccarat”
 - (a) The following new Diagram “K” is approved:

DIAGRAM K
DRAGON BONUS LAYOUT



This Order shall take effect on and from the date of publication.

Signed at Sydney, this 17th day of January 2008.

BRIAN FARRELL,
Chief Executive,
for and on behalf of the Casino Control Authority.

CONTAMINATED LAND MANAGEMENT ACT 1997

Section 21

Declaration of remediation site

Declaration Number 21115; Area Number 3248

THE Environment Protection Authority (EPA) declares the following land to be a remediation site under the Contaminated Land Management Act 1997 (“the Act”):

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

All that land described as Lot 4, DP 548285 and Lot 104, DP 597544 at 56-58 Glen Street, Belrose, in the local government area of Warringah, New South Wales as shown in the attached figure.

2. Nature of contamination affecting the site:

The EPA has found that the site is contaminated with the following substances (“the contaminants”):

- Chlorinated hydrocarbons including tetrachloroethene, trichloroethene and 1,2.-dichloroethene

3. Nature of harm that the contaminants may cause:

The EPA has considered the matters in section 9 of the Act and for the following reasons has determined that the site is contaminated in such a way as to present a significant risk of harm to human health and the environment:

- Groundwater at the site and adjoining Council reserve is contaminated with chlorinated solvents, including tetrachloroethene, trichloroethene and 1,2.-dichloroethene at levels above relevant human health and ecological guidelines. These chemicals are toxic to humans and ecological systems and persistent in the environment.
- Groundwater contamination is migrating off-site
- The groundwater plume is potentially presenting a vapour risk to on-site workers and down gradient residential properties,
- The groundwater contamination has adversely affected the quality of the local groundwater and may present a risk of harm if groundwater is extracted,
- There is a risk of exposure to service workers as the contaminated groundwater plume is in the vicinity of service trenches and pipes.
- If the contamination at the site is not remediated, there is a risk that workers and customers at the shopping centre could be exposed to the volatile contaminants

4. Further action under the Act

The making of this declaration does not prevent the carrying out of a voluntary remediation of the site and any person may submit a voluntary remediation proposal for the site to the EPA. If the proposal satisfies the requirements of section 26 of the Act the EPA may agree not to issue a remediation order to the person or persons bringing the proposal.

5. Submissions invited

The public may make written submissions to the EPA on:

- Whether the EPA should issue a remediation order in relation to the site; or
- Any other matter concerning the site.

Submissions should be made in writing to:

Manager Contaminated Sites
Department of Environment and Climate Change
PO Box A290
Sydney South NSW 1232

or faxed to (02) 9995 5930

by not later than 11 February 2007

NIALL JOHNSTON,
A/Manager Contaminated Sites,
Department of Environment and Climate Change

Date: 18 January 2008

NOTE:

Remediation order may follow

If remediation of the site or part of the site is required, the EPA may issue a remediation order under section 23 of the Act.

Variation/Revocation

This declaration may be varied by subsequent declarations. It remains in force until it is otherwise revoked. A declaration may only be revoked when the EPA does not have reasonable grounds to believe that land is contaminated in such a way as to present a significant risk of harm (section 44 of the Act).

Information recorded by the EPA

Section 58 of the Contaminated Land Management Act 1997 requires the EPA to maintain a public record. A copy of this remediation declaration will be included in the public record.

Information recorded by councils

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

Relationship to other regulatory instrument

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

GAME AND FERAL ANIMAL CONTROL ACT 2002

Notification of suspension of Schedule 1 Conditions of NSW Game Hunting Licences

In pursuance of the Game and Feral Animal Control Regulation 2004 the Game Council of NSW gives notice of the suspension of operations of provisions in Clauses

4, 5, 8 and 9 of Schedule 1 of the Game and Feral Animal Control Regulation 2004 on the land specified in the Bouddi Deer Management Plan for the control of game and feral animals:

For the period 25 January 2008 – 31 December 2009.

Approved by Game Council of NSW this 25th day of January 2008.

BRIAN BOYLE,
Chief Executive Officer,
For and on behalf of the Game Council of NSW

GEOGRAPHICAL NAMES ACT 1966

Notice of Amendment of Address Locality Name in the Warringah Local Government Area

PURSUANT to the provisions of sections 10 and 14 of the Geographical Names Act 1966, the Geographical Names Board hereby notifies that it has this day discontinued the name Harbord and in its place assigned the name Freshwater for an address locality in the Warringah Local Government Area.

The position and extent of this address locality is shown on map GNB3704 and recorded and shown within the Geographical Names Register of New South Wales. This information can be accessed through the Board's website at www.gnb.nsw.gov.au.

WARWICK WATKINS,
Chairperson
Geographical Names Board,
PO Box 143,
Bathurst NSW 2795

HOUSING ACT 2001

Notification of Compulsory Acquisition of Land

THE New South Wales Land and Housing Corporation declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below is acquired by compulsory process under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Housing Act 2001.

Dated this 16th day of January 2008.

MIKE ALLEN,
Director-General

SCHEDULE

The land at Minto, in the Local Government Area of Campbelltown, Parish of Minto, County of Cumberland shown in the plans registered at Land and Property Information NSW as Deposited Plans as follows:

Lots 6, 7, 8, 42, 43 and 44, Section F, Deposited Plan 1661; Lots 1 and 2, Section L, Deposited Plan 1661; Lots 3, 9, 10, 40, 41, 58, 59 and 60, Section M, Deposited Plan 1661; Lots 4, 5, 27, 33, 34, 35, 36, 37 and 38, Section N, Deposited Plan 1661; Lot 21, Deposited Plan 706008; Lot 7, Deposited Plan 719976; Lot 20, Deposited Plan 1098669; Lots 23 and 24, Deposited Plan 1098673; Lot 10, Deposited Plan 1098679; Lot 11, Deposited Plan 1098690; Lot 12, Deposited Plan 1098692; Lot 13, Deposited Plan 1098693; Lot 21,

Deposited Plan 1098694; Lot 18, Deposited Plan 1098759 and Lot 49, Deposited Plan 1103799 and excepting thereout from Lot 7, Deposited Plan 719976 the easement for water supply works created upon the registration of Deposited Plan 719976.

NATIONAL PARKS AND WILDLIFE ACT 1974

Merriangaah, Quidong and Meringo Nature Reserves
Draft Plan of Management

A draft plan of management for the above reserves has been prepared and is on public exhibition until 28 April 2008. Copies of the plan are available free of charge from the NPWS offices at Snowy Region Visitor Centre, Kosciuszko Road, Jindabyne (phone 6450 5555) and 153 Maybe Street, Bombala (phone 6458 4080). The plan is also on the NPWS website: www.nationalparks.nsw.gov.au.

Written submissions on the plan must be received by The Ranger, NPWS, PO Box 2228, Jindabyne NSW 2627 by 28 April 2008.

All submissions received by NPWS are a matter of public record and are available for public inspection upon request. Your comments on this plan may contain information that is defined as "personal information" under the NSW Privacy and Personal Information Protection Act 1998. The submission of personal information with your comments is voluntary.

NATIONAL PARKS AND WILDLIFE ACT 1974

Bago Bluff National Park
Bimberamala Nature Reserve
Kuma Nature Reserve
Wooyung Nature Reserve
Plans of Management

PLANS of management for the above parks and reserves were adopted by the Minister for Climate Change, Environment and Water on 5 September 2007.

Copies of the Bago Bluff plan may be purchased from the NPWS office at 152 Horton Street, Port Macquarie NSW 2444 (phone 6586 8300). Copies of the Bimberamala plan may be purchased from the NPWS office at 55 Graham Street, Nowra NSW 2541 (phone 4423 2170). Copies of the Kuma plan may be purchased from the NPWS office on Kosciuszko Road, Jindabyne NSW 2627 (phone 6450 5555). Copies of the Wooyung plan may be purchased from the NPWS office at 75 Main Street, Alstonville NSW 2477 (phone 6627 0200). The plans are also available on the NPWS website: www.nationalparks.nsw.gov.au.

POISONS AND THERAPEUTIC GOODS ACT 1966

Order Under Clause 171 (1), Poisons and Therapeutic Goods Regulation 2002

Withdrawal of Drug Authority

IN accordance with the provisions of clause 171 (1) of the Poisons and Therapeutic Goods Regulation 2002 an order has been made on Dr John Bernard SIVEWRIGHT of 153 Victoria Street, Ashfield 2131 prohibiting him, until further

notice, as a medical practitioner from having possession of and supplying drugs of addiction as authorised by clause 101 of the Regulation and issuing a prescription for a drug of addiction as authorised by clause 76 of the Regulation.

This order is to take effect on and from 16 January 2008.

Professor DEBORA PICONE, A.M.,
Director-General

Department of Health, New South Wales,
Sydney, 11 January 2008.

POISONS AND THERAPEUTIC GOODS ACT 1966

Authority to Supply Schedule 2 Substances

PURSUANT to clauses 166 and 167 of the Poisons and Therapeutic Goods Regulation 2002, I, JOHN LUMBY, Chief Pharmacist, a duly appointed delegate of the Director-General of the Department of Health, do hereby grant authority to registered nurses, hereby specified as a class of persons, to supply a substance specified in Schedule 2 of the Poisons List to a person with an intellectual disability who is a resident of a facility that provides residential care, for the purposes of clause 16 of that Regulation, and subject to the following conditions:

- (1) The nurse is employed at such a facility in connection with the provision of care to residents of the facility; and
- (2) This authority is for the purpose only of administering a dose(s) of such a substance to a resident of such a facility; and
- (3) The nurse ensures that the parent(s) or person(s) responsible or guardian(s) of the resident has given prior informed consent for the administration of any such a substance to that resident as may be required from time to time.

JOHN LUMBY,
Chief Pharmacist

Department of Health, New South Wales,
Sydney, 18 January 2008

RURAL FIRES ACT 1997

Local Bush Fire Danger Period Variation

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

Area of Variation:

Gloucester FCC incorporating:
Gloucester Shire Council

The Local Bush Fire Danger period has been extended for the period 1 February until 31 March 2008.

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

SHANE FITZSIMMONS, AFSM,
Acting Commissioner

RURAL FIRES ACT 1997

Local Bush Fire Danger Period Variation

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

Area of Variation:

Hastings FCC incorporating:

Port Macquarie-Hastings Council

The Local Bush Fire Danger period has been extended for the period 1 February until 31 March 2008.

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

SHANE FITZSIMMONS, AFSM,
Acting Commissioner

RURAL FIRES ACT 1997

Local Bush Fire Danger Period Variation

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

Area of Variation:

Greater Taree FCC incorporating:

Greater Taree City Council

The Local Bush Fire Danger period has been extended for the period 1 February until 31 March 2008.

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

SHANE FITZSIMMONS, AFSM,
Acting Commissioner

RURAL FIRES ACT 1997

Local Bush Fire Danger Period Variation

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

Area of Variation:

Clarence Valley FCC incorporating:

Clarence Valley Council

The Local Bush Fire Danger period has been extended for the period 1 February until 31 March 2008.

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

SHANE FITZSIMMONS, AFSM,
Acting Commissioner

SPORTING INJURIES INSURANCE ACT 1978

Order of Declaration under Section 5

IN pursuance of section 5 of the Sporting Injuries Insurance Act 1978, I declare by this Order the HUNTER ACADEMY OF SPORT to be a sporting organisation, for the purposes of the provisions of the Act, in respect of the activity of Shooting.

Dated at Sydney, 21 January 2008.

MURRAY McLACHLAN,
Deputy Chairperson,
Sporting Injuries Committee

SPORTING INJURIES INSURANCE ACT 1978

Order of Declaration under Section 5

IN pursuance of section 5 of the Sporting Injuries Insurance Act 1978, I declare by this order the SYDNEY FOOTBALL CLUB PTY LTD to be a sporting organisation, for the purposes of the provisions of the Act, in respect of the activity of Soccer.

Dated at Sydney, 5 December 2007.

MURRAY McLACHLAN,
Deputy Chairperson,
Sporting Injuries Committee

**THREATENED SPECIES CONSERVATION
ACT 1995**

ORDER

I, Verity Firth, Minister Assisting the Minister for Climate Change, Environment and Water (Environment), in pursuance of section 94A (1) of the Threatened Species Conservation Act 1995, by this order issue the following guidelines, with the concurrence of the Minister for Planning, relating to the determination of whether an action is likely to significantly affect threatened species, populations or ecological communities or their habitats.

VERITY FIRTH,
Minister Assisting the Minister for Climate Change, Environment and Water (Environment)

Threatened species assessment guidelines

The assessment of significance

Department of **Environment & Climate Change** NSW



Published by:

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Sydney South 1232

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Introduction

Threatened species impact assessment is an integral part of environmental impact assessment. The objective of s. 5A of the [Environmental Planning and Assessment Act 1979](#) (EP&A Act), the *assessment of significance*, is to improve the standard of consideration afforded to threatened species, populations and ecological communities, and their habitats through the planning and assessment process, and to ensure that the consideration is transparent.

The *Threatened Species Conservation Amendment Act 2002* revised the factors that need to be considered when assessing whether an action, development or activity is likely to significantly affect threatened species, populations or ecological communities, or their habitats, previously known as the '8-part test.' The changes affect s. 5A EP&A Act, s. 94 [Threatened Species Conservation Act 1995](#) (TSC Act) and s. 220ZZ [Fisheries Management Act 1994](#) (FM Act).

These revised *factors of assessment* maintain the earlier intent of the legislation but focus particularly on likely impacts to the **local** rather than the **regional** environment. The reason for the shift to a local focus is that the long-term loss of biodiversity at all levels arises mainly from the accumulation of losses and depletions of populations at a local level. This is the broad principle underpinning the TSC Act, state and federal biodiversity strategies, and international agreements.

The consideration of impacts at a local level is also designed to make it easier for local government to assess, and easier for applicants and consultants to undertake the assessment of significance because there is no longer a need to research regional and state-wide information.

The assessment of significance is the first step in considering potential impacts. When a significant effect is likely, further consideration is required and is more appropriately carried out when preparing a *species impact statement*.

Assessment guidelines

Section 94A of the TSC Act and s. 220ZZA of the FM Act provides that the Minister for Climate Change, Environment and Water and the Minister for Primary Industries, with the concurrence of the Minister for Planning, may prepare *assessment guidelines* to assist in the interpretation and application of the factors of assessment.

These guidelines have been prepared to help applicants/proponents of a development or activity with interpreting and applying the factors of assessment. The aim of the guidelines is to help ensure that a consistent and systematic approach is taken when determining whether an action, development or activity is likely to significantly affect threatened species, populations or ecological communities, or their habitats either directly or indirectly.

Making determinations requires technical expertise, and knowledge of species and their habitats. The guidelines assume that those undertaking an assessment of significance have sufficient knowledge and experience to do so.

These guidelines clarify the specific terminology of the relevant legislation and provide clear interpretations of the factors of assessment. Further guidance, including examples and case studies will be provided in a supplementary document.

The assessment of significance should not be considered a 'pass or fail' test but a system allowing applicants/proponents to undertake a qualitative analysis of the likely impacts, and ultimately, whether further assessment needs to be undertaken through a species impact statement. All factors must be considered and an overall conclusion must be drawn from all factors in combination. Where there is reasonable doubt regarding the likely impacts, or where detailed information is not available, a species impact statement should be prepared. Other issues not specifically addressed by the factors of assessment should be included and discussed in the broader impact assessment process, for example, in a review of environmental factors or an environmental impact statement.

Listed threatened species

The assessment of significance is applied to species, populations and ecological communities listed on Schedules 1, 1A and 2 of the TSC Act and Schedules 4, 4A and 5 of the FM Act. The applicant/proponent should develop a list of threatened species, populations and ecological communities which may be affected directly or indirectly by the proposed action, development or activity. Adequate reasons should be provided to show how the list was derived.

A species does not have to be considered as part of the assessment of significance if adequate surveys or studies have been carried out that clearly show that the species:

- does not occur in the study area, or
- will not use on-site habitats on occasion, or
- will not be influenced by off-site impacts of the proposal.

Otherwise all species likely to occur in the study area (based on general species distribution information), and known to use that type of habitat, should be considered

in the rationale that determines the list of threatened species, populations and ecological communities for the assessment of significance.

Consultants for proponents/applicants need to be aware that any 'Final Determination' to list a species, population or ecological community as 'Critically Endangered' or 'Endangered' made after lodgement of a s. 91 TSC Act or s. 220ZW FM Act licence, development application or activity proposal needs to be included in the consideration of impacts and the application of the assessment of significance. Therefore applicants/proponents are advised to give due consideration to Preliminary Determinations made by the Scientific Committees. Vulnerable species listed after lodgement are not subject to impact assessment so long as the application is determined within 12 months of lodgement (s. 113C TSC Act, ss. 105A and. 110D EP&A Act). The NSW legislation website (www.legislation.nsw.gov.au/) provides the most up-to-date information on what is listed in the schedules.

To assist the assessment process, the Department of Environment and Climate Change NSW (DECC) and the NSW Department of Primary Industries (DPI) have prepared species profiles for a number of threatened species. Consultants are advised to refer to these and other fact sheets for baseline information on species morphology, behaviour, habitat and threats.

- Threatened species profiles
[\[www.threatenedspecies.environment.nsw.gov.au/tsprofile/browse_allspecies.aspx\]](http://www.threatenedspecies.environment.nsw.gov.au/tsprofile/browse_allspecies.aspx)
- Threatened species publications
[\[www.nationalparks.nsw.gov.au/npws.nsf/Content/Threatened+species+publications\]](http://www.nationalparks.nsw.gov.au/npws.nsf/Content/Threatened+species+publications)
- Threatened species on the Fisheries website
[\[www.fisheries.nsw.gov.au/threatened_species/threatened_species\]](http://www.fisheries.nsw.gov.au/threatened_species/threatened_species)

Information is also available in threatened species determinations made by the NSW Scientific and Fisheries Scientific Committee:

- www.nationalparks.nsw.gov.au/npws.nsf/Content/List+of+Scientific+Committee+determinations
- www.fisheries.nsw.gov.au/threatened_species/fsc.

Terminology

Throughout this guideline the terms *subject site* and *study area* are used. It is important to have a thorough understanding of these terms as they apply to the assessment.

Subject site means the area directly affected by the proposal.

Study area means the subject site and any additional areas which are likely to be affected by the proposal, either directly or indirectly. The study area should extend as far as is necessary to take all potential impacts into account.

Direct impacts are those that directly affect the habitat and individuals. They include, but are not limited to, death through predation, trampling, poisoning of the animal/plant itself and the removal of suitable habitat. When applying each factor, consideration must be given to all of the likely direct impacts of the proposed activity or development.

Indirect impacts occur when project-related activities affect species, populations or ecological communities in a manner other than direct loss. Indirect impacts can include loss of individuals through starvation, exposure, predation by domestic and/or feral animals, loss of breeding opportunities, loss of shade/shelter, deleterious hydrological changes, increased soil salinity, erosion, inhibition of nitrogen fixation, weed invasion, fertiliser drift, or increased human activity within or directly adjacent to sensitive habitat areas. As with direct impacts, consideration must be given, when applying each factor, to all of the likely indirect impacts of the proposed activity or development.

The factors of assessment

(a) in the case of a threatened species, whether the action proposed is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction

Context

This factor refers only to those species listed on Part 1 and Part 4 of Schedule 1, Part 1 of Schedule 1A and Part 1 of Schedule 2 of the TSC Act, and Part 1 and Part 4 of Schedule 4 and Schedule 5 of the FM Act.

Interpretation of key terms used in this factor

Life cycle: the series or stages of reproduction, growth, development, ageing and death of an organism.

Viable: the capacity to successfully complete each stage of the life cycle under normal conditions.

Local population: the population that occurs in the study area. The assessment of the local population may be extended to include individuals beyond the study area if it can be clearly demonstrated that contiguous or interconnecting parts of the population continue beyond the study area, according to the following definitions.

- The *local population* of a threatened *plant* species comprises those individuals occurring in the study area or the cluster of individuals that extend into habitat adjoining and contiguous with the study area that could reasonably be expected to be cross-pollinating with those in the study area.
- The *local population* of *resident fauna* species comprises those individuals known or likely to occur in the study area, as well as any individuals occurring in adjoining areas (contiguous or otherwise) that are known or likely to utilise habitats in the study area.
- The *local population* of *migratory or nomadic fauna* species comprises those individuals that are likely to occur in the study area from time to time.

In cases where multiple populations occur in the study area, each population should be assessed separately.

Risk of extinction: the likelihood that the local population will become extinct either in the short-term *or* in the long-term as a result of direct or indirect impacts on the viability of that population.

Application

The key assessment is risk of extinction of the local population. The risk of extinction will increase if any factor operates to reduce population size or reproduction success. The components of the life cycle of a species are dependent on its habitat and affected by threats to the species. The removal or modification of habitat or changes to the nature of important periodic disturbances such as fire or flood may affect the survival of that species. Therefore, it is important that the applicant/proponent not only has an understanding of the species' life cycle, but also an understanding of the way in which a species makes use of its habitat, the way this may change at particular times or in certain seasonal conditions, and whether the life cycle is dependent on a particular disturbance.

Demonstrating that a population is not viable would require considerable effort and study. Therefore any known or presumed local population should be assumed viable unless the contrary can be conclusively demonstrated through analysis of local ecological information, records, references and knowledge of species' behaviour and habitat or through a comprehensive on-site ecological study.

(b) in the case of an endangered population, whether the action proposed is likely to have an adverse effect on the life cycle of the species that constitutes the endangered population such that a viable local population of the species is likely to be placed at risk of extinction

Context

This factor is essentially identical to factor (a) except that it refers only to endangered populations listed in Part 2 of Schedule 1 of the TSC Act and Part 2 of Schedule 4 of the FM Act, whereas factor (a) refers to species.

The key assessment is risk of extinction of the local population. The risk of extinction will increase if any factor operates to reduce population size or reproduction success. The components of the life cycle of the individuals that comprise an endangered population of a species are dependent on its habitat and threats to the population. The removal or modification of habitat or changes to the nature of important periodic disturbances such as fire or flood may affect the survival of that population. Therefore, it is important that the applicant/proponent not only has an understanding of the life cycles of the species involved, but also an understanding of the way in which a species makes use of its habitat, the way this may change at particular times or in certain seasonal conditions, and whether the life cycle is dependent on particular disturbances.

Demonstrating that a population is not viable would require considerable effort and study. Therefore any known or presumed local population should be assumed to be viable unless the contrary can be conclusively demonstrated through analysis of local ecological information, records, references and knowledge of species' behaviour and habitat, or through a comprehensive on-site ecological study.

(c) in the case of an endangered ecological community or critically endangered ecological community, whether the action proposed:

- (i) is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or**
- (ii) is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction**

Context

This factor applies to endangered ecological communities listed under Part 3 of Schedule 1 of the TSC Act and Part 3 of Schedule 4 of the FM Act, and critically endangered ecological communities listed under Part 2 of Schedule 1A of the TSC Act and Part 2 of Schedule 4A of the FM Act. Endangered and critically endangered ecological communities are defined in determinations made by the respective Scientific Committees.

It is important to note that the size or age of a remnant are not determining factors as to whether that remnant constitutes a listed endangered or critically endangered ecological community.

Ecological communities are usually defined by two major components – the geographical distribution and the species composition which influences the physical structure and ecological function of the ecological community. The relative importance of the geographical distribution and the species composition varies according to the specific listed ecological community. Hence this factor provides for consideration of two criteria:

- (i) local occurrence of the ecological community
- (ii) modification of the ecological community's composition.

Interpretation of key terms used in this factor

Local occurrence: the ecological community that occurs within the study area. However the local occurrence may include adjacent areas if the ecological community on the study area forms part of a larger contiguous area of that ecological community and the movement of individuals and exchange of genetic material across the boundary of the study area can be clearly demonstrated.

Risk of extinction: similar to the meaning set out in factor (a), this is the likelihood that the local occurrence of the ecological community will become extinct either in the short-term or in the long-term as a result of direct or indirect impacts on the ecological community, and includes changes to ecological function.

Composition: both the plant and animal species present, and the physical structure of the ecological community. Note that while many ecological communities are identified primarily by their vascular plant composition, an ecological community consists of all plants and animals as defined under the TSC and FM Acts that occur in that ecological community.

Application

Determining the risk of extinction of an ecological community is difficult. Critical thresholds of remnant size, and species and structural composition required to maintain ecological functioning will vary from ecological community to ecological community.

When evaluating the significance of the impact, consideration must be given to whether the life cycles of the species which make up the ecological community will be disrupted in a similar manner to the consideration of individual species described in factor (a). Disproportionate impacts may occur on certain components of the community that may cause those components to be placed at a greater risk of extinction without explicitly placing the entire ecological community at risk. Loss of individual species from a community may simplify faunal, floristic or vegetation structure and have flow-on effects to other plant and animal species. This may increase its susceptibility to extreme events and decrease its resilience. An assessment of ecological functioning is critical to this factor.

(d) in relation to the habitat of a threatened species, population or ecological community:

- (i) the extent to which habitat is likely to be removed or modified as a result of the action proposed, and

- (ii) whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed action, and
- (iii) the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species, population or ecological community in the locality

Interpretation of key terms used in this factor

Habitat: the area occupied, or periodically or occasionally occupied, by any threatened species, population or ecological community and includes all the different aspects (both biotic and abiotic) used by species during the different stages of their life cycles.

Extent: the physical area removed and/or to the compositional components of the habitat and the degree to which each is affected.

Importance: related to the stages of the species' life cycles and how reproductive success may be affected.

Locality: the same meaning as ascribed to local population of a species or local occurrence of an ecological community.

Application

When applying this factor, consideration must be given to all short- and long-term impacts (direct and indirect) on habitat which are likely to support threatened species, populations and ecological communities regardless of whether the habitat occurs on the subject site. This applies to both occupied and unoccupied habitat because the recovery of threatened species, populations and ecological communities relies on them having access to suitable habitat to move into as numbers increase.

The extent to which habitat is likely to be removed or modified should be determined by estimating the total area of habitat to be directly and indirectly impacted by the proposed development, activity or action. This may be an estimation of the surface area of land to be affected, and/or in some cases the number of key habitat components to be affected.

When deciding whether an area of habitat is likely to become fragmented or isolated from other areas of habitat, it is necessary to identify and assess the patterns and extent of habitat connectivity. The affected habitat may form part of a habitat corridor, cul-de-sac or an isolated area. Recent Landsat imagery, aerial photographs, vegetation maps, topographic maps and data obtained from on-ground investigations are useful information sources for assessing this. The dispersal and genetic exchange mechanisms of individual species should be considered. For example, will the isolation of habitat for threatened species, populations or ecological communities that are currently connected or near to each other adversely affect the maintenance of gene flow and the ability to sustain viable populations. It should also be noted that isolation can occur through a variety of habitat modifications and is not confined to the clearing of vegetation.

When assessing the importance of the habitat likely to be removed, modified, fragmented or isolated in the locality, a quantitative and qualitative approach should be adopted as follows:

- an assessment of the area and quality of habitat of the threatened species, population or ecological community that occurs within the locality from recent Landsat imagery, vegetation mapping, topographic maps, air photos and in some cases data obtained from on-ground investigations

- an estimate of the area and quality that the habitat of the study area represents in relation to the area and quality of that habitat within the locality
- an assessment of the role of the habitat to be affected in sustaining habitat connectivity in the locality
- an assessment of the ecological integrity of the habitat to be affected in the study area, in relation to the ecological integrity, tenure and security of the habitat which will remain both in the study area and in the locality.

(e) whether the action proposed is likely to have an adverse effect on critical habitat (either directly or indirectly)

Application

This factor is aimed at assessing whether the proposal is likely to affect (directly or indirectly) areas of critical habitat present in the study area. Critical habitat refers only to those areas of land listed in the following registers:

- the Register of Critical Habitat kept by the Director General, DECC
[\[www.nationalparks.nsw.gov.au/npws.nsf/content/critical+habitat+protection\]](http://www.nationalparks.nsw.gov.au/npws.nsf/content/critical+habitat+protection)
- the Register of Critical Habitat kept by the Director General, DPI
[\[www.fisheries.nsw.gov.au/threatened_species/general/register_of_critical_habitat\]](http://www.fisheries.nsw.gov.au/threatened_species/general/register_of_critical_habitat)

These registers are open for public inspection during ordinary business hours and copies of, or extracts from, the register may be purchased on request.

Maps showing the location of critical habitat are kept by the Director General, DECC and the Director General, DPI.

Developments or activities which require consent or approval under Part 4 or Part 5 of EP&A Act which are proposed on land that is, or is part of, critical habitat, automatically require the preparation of a species impact statement and the concurrence of the Director General, DECC or the Director General, DPI, depending on the Act under which the critical habitat is declared. In some cases consultation with the Minister for Climate Change, Environment and Water or the Minister for Primary Industries is required.

In accordance with the EP&A Act, Local Environmental Plans and Regional Environmental Plans are required to identify any land that has been declared critical habitat. These plans are available for public inspection at the Department of Planning, the office of the council to which a Local Environmental Plan / Regional Environmental Plan applies or such other premises operated or controlled by the council.

(f) whether the action proposed is consistent with the objectives or actions of a recovery plan or threat abatement plan

Application

When deciding whether the proposal is consistent with the objectives or actions of a recovery plan or threat abatement plan, applicants/proponents must consider all relevant approved recovery plans and threat abatement plans. In addition, it is recommended that they refer to draft recovery plans and draft threat abatement plans, and threatened species profiles and related guidelines, which are available through the DECC and DPI websites.

Draft and approved recovery plans can be obtained from:

- DECC recovery plans
[\[www.nationalparks.nsw.gov.au/npws.nsf/Content/Recovery+plans\]](http://www.nationalparks.nsw.gov.au/npws.nsf/Content/Recovery+plans)
- DPI recovery plans.
[\[www.fisheries.nsw.gov.au/threatened_species/general/abatement-plans\]](http://www.fisheries.nsw.gov.au/threatened_species/general/abatement-plans)

Draft and approved threat abatement plans can be obtained from:

- DECC threat abatement plans
[\[www.nationalparks.nsw.gov.au/npws.nsf/Content/Threat+abatement+plans+by+doctype\]](http://www.nationalparks.nsw.gov.au/npws.nsf/Content/Threat+abatement+plans+by+doctype)
- DPI threat abatement plans.
[\[www.fisheries.nsw.gov.au/threatened_species/general/abatement-plans\]](http://www.fisheries.nsw.gov.au/threatened_species/general/abatement-plans)

Threatened species profiles and guidelines can be obtained from:

- DECC's threatened species website
[\[www.threatenedspecies.environment.nsw.gov.au/tsprofile/browse_allspecies.aspx\]](http://www.threatenedspecies.environment.nsw.gov.au/tsprofile/browse_allspecies.aspx)
- DECC's threatened species publications list
[\[www.nationalparks.nsw.gov.au/npws.nsf/Content/Threatened+species+publications\]](http://www.nationalparks.nsw.gov.au/npws.nsf/Content/Threatened+species+publications)
- DPI's threatened species publications list.
[\[www.fisheries.nsw.gov.au/threatened_species/threatened_species\]](http://www.fisheries.nsw.gov.au/threatened_species/threatened_species)

In 2004 amendments were made to the TSC Act and the FM Act that remove the mandatory requirement to prepare recovery plans and threat abatement plans, and instead requires preparation of a *threatened species priorities action statement* (TSC Act s. 90A and FM Act s. 220ZVA).

The priorities action statements will set out the measures required to promote the recovery of each threatened species, population and ecological community to a position of viability in nature and for managing each key threatening process. In applying this factor, consideration should be given to measures outlined in the priorities action statements as well as existing recovery plans and threat abatement plans which will remain in place.

Once prepared, the priorities action statements will be available on the DECC and DPI websites. Further information can be obtained at DECC's threatened species website www.threatenedspecies.environment.nsw.gov.au/tsprofile/home_PAS.aspx.

- (g) whether the action proposed constitutes or is part of a key threatening process or is likely to result in the operation of, or increase the impact of, a key threatening process

Context

This factor refers only to those key threatening processes (KTPs) listed in Schedule 3 of the TSC Act and Schedule 6 of the FM Act. The NSW legislation website [www.legislation.nsw.gov.au] provides the most up-to-date information on what is listed in the schedules.

All determinations to list KTPs made by the NSW Scientific Committee and Fisheries Scientific Committees can be found at:

- the NSW Scientific Committee
[www.nationalparks.nsw.gov.au/npws.nsf/Content/List+of+Scientific+Committee+determinations]
- the Fisheries Scientific Committees
[www.fisheries.nsw.gov.au/threatened_species/general/what_is_currently_listed]

DECC and DPI have produced fact sheets for a number of KTPs. They can be found at:

- DECC fact sheets
[www.nationalparks.nsw.gov.au/npws.nsf/Content/Threatened+species+publications]
- DPI fact sheets
[www.fisheries.nsw.gov.au/threatened_species/general/what_is_currently_listed]

Application

In addition to deciding whether the action/activity constitutes a KTP, consideration must also be given to whether the proposal is likely to exacerbate a KTP. Species listed in the determination as being 'at risk' warrant particular consideration if these species are known or likely to occur within the study area of the development or activity.

Making an assessment of significance

The threatened species assessment of significance should **not** be considered a 'pass or fail' test. Instead, consideration of the factors will inform the decision-making process of the likelihood of significant effect. Where necessary, the process will trigger further assessment in the form of a species impact statement.

All factors should be considered as well as any other information deemed relevant to the assessment. The assessment of significance should not be used as a substitute for a species impact statement. Application of the precautionary principle requires that a lack of scientific certainty about the potential impacts of an action does not itself justify a decision that the action is not likely to have a significant impact. If information is not available to conclusively determine that there will not be a significant impact on a threatened species, population or ecological community, or its habitat, then it should be assumed that a significant impact is likely and a species impact statement should be prepared.

Proposed measures that mitigate, improve or compensate for the action, development or activity should not be considered in determining the degree of the effect on threatened species, populations or ecological communities, unless the measure has been used successfully for that species in a similar situation.

In many cases where complex mitigating, ameliorative or compensatory measures are required, such as translocation, bush restoration or purchase of land, further assessment through the species impact statement process is likely to be required.

In determining the nature and magnitude of an impact, it is important to consider matters such as:

- pre-construction, construction and occupation/maintenance phases
- all on-site and off-site impacts, including location, installation, operation and maintenance of auxiliary infrastructure and fire management zones
- all direct and indirect impacts
- the frequency and duration of each known or likely impact/action
- the total impact which can be attributed to that action over the entire geographic area affected, and over time
- the sensitivity of the receiving environment
- the degree of confidence with which the impacts of the action are known and understood.

Recovery and threat abatement plans, priorities action statements, threatened species profiles and other fact sheets prepared by DECC and DPI may provide further guidance on whether an action or activity is likely to be significant.

TENDERS

Department of Commerce

SUPPLIES AND SERVICES FOR THE PUBLIC SERVICE

Information in relation to the Department of Commerce proposed, current and awarded tenders is available on:

<http://www.tenders.nsw.gov.au>

PRIVATE ADVERTISEMENTS

COUNCIL NOTICES

HAWKESBURY CITY COUNCIL

Roads Act 1993

Proposed Compulsory Acquisition

NOTICE is hereby given that Hawkesbury City Council proposes to make an application to the Minister for Local Government and the Governor for approval to acquire the land referred to in the Schedule hereunder, together with all minerals, by compulsory process under the Land Acquisition (Just Terms Compensation) Act 1991.

The land is proposed to be acquired for the purposes of road as authorised by section 177 of the Roads Act 1993.

Before making an application as outlined herein, a period of thirty (30) days from the date of the service of the Notice is allowed in which you may lodge an objection to the proposed acquisition. Any such objection should be in writing to:

The General Manager,
Hawkesbury City Council,
PO Box 146,
Windsor NSW 2756.

Attention: Ms Nicole Spies, Senior Property Officer.

SCHEDULE

Lot 1 in Deposited Plan 199701; Lot 2 in Deposited Plan 875857 and Lot 1 in Deposited Plan 228818, at Freemans Reach in the Parish of Wilberforce, County of Cook. [3742]

PENRITH CITY COUNCIL

PURSUANT to Clause 9 of the Roads (General) Regulation 2000, notice is hereby given of the naming of the following roads:

Name	Location
Sarah Andrews Close	Erskine Park
Ropes Crossing Boulevard	St Marys
Harold Bentley Way	Glenmore Park
Extension of Grandeur Crescent	Glenmore Park
Extension of Crestwood Avenue	Glenmore Park
Kellet Close	Erskine Park

ALAN TRAVERS, General Manager, Penrith City Council, 601 High Street, Penrith NSW 2750. [3743]

OTHER NOTICES

CEMETERIES LEGISLATION AMENDMENT (UNUSED BURIAL RIGHTS) ACT 2000

THE Catholic Cemeteries Trust, Field of Mars gives notice that the following graves (Right of Burial) remaining unused after 60 years from date of purchase were revoked on 14 January 2008, in accordance with Cemeteries Legislation Amendment (Unused Burial Rights) Act 2000, No. 122.

Owner	Section	Grave
Boyle	Section C	62
Bullee, A.	Section B	682
Burke, J.	Section A	636

Owner	Section	Grave
Burke, J.	Section A	637
Burke, J.	Section A	638
Dearn	Section A	695
Desborough, A.	Section C	265
Durham, G.	Section C	268
Eather, G. P.	Section B	525
Fitzgibbon, John	Section A	220
Gallagher	Section C	270
Graham, A.	Section A	464
Higgiston, G.	Section C	129
Johanson	Section B	557
Joye, J. G.	Section C	116
Lawler, H.	Section B	632
Leo	Section A	210
Longhurst	Section E	678
McIntosh	Section B	531
McLaughlan, J.	Section A	251
McLaughlan, J.	Section A	252
McLaughlan, J.	Section A	253
Minogue, Michael	Section B	402
Monaghan	Section A	687
Mulhearn	Section C	21
Neilson, C.	Section B	509
Newman, A.	Section A	145
O'Malley, J. F.	Section B	334
O'Toole, John	Section C	264
Pagatt, Albert	Section B	568
Pascall, T. J.	Section D	123
Qudman	Section D	516
Ryan, P.	Section B	555
Serio	Section C	998
Taylor, J.	Section B	654
Treeney, Daniel	Section C	152
Wallace	Section B	599
Wiggins, John	Section B	537
Wilson, P.	Section E	499
Wilson, Walter	Section B	628

[3744]

CEMETERIES LEGISLATION AMENDMENT (UNUSED BURIAL RIGHTS) ACT 2000

The CATHOLIC CEMETERIES TRUST, LIVERPOOL gives notice that the following graves (Right of Burial) remaining unused after 60 years from date of purchase were revoked on 22nd January 2008, in accordance with Cemeteries Legislation Amendment (Unused Burial Rights) Act 2000, No. 122.

Owner *	Section *	Grave
CROYAL J J *	Select F *	27
FAMILY Lea *	Select SEC *	56
FLOOD Joseph *	Select SEC *	25
HILL *	Select A *	68
MARTIN Antonio *	Select SEC *	48
SIEMANS *	Select J *	4

[3745]

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